



Contra
Costa
County

To: Board of Supervisors
From: Sharon L. Anderson, County Counsel
Date: December 19, 2017

Subject: Destruction of Records of the County Counsel's Office

RECOMMENDATION(S):

AUTHORIZE the destruction of County records maintained by the County Counsel's Office that are over two (2) years old and are no longer necessary or required for County purposes pursuant to Government Code section 26202.

FISCAL IMPACT:

None.

BACKGROUND:

Currently, the office has authority to dispose of certain records that are over five years old. Despite this, the office's collection of closed case files has increased to the point that we are running out of space to store them. We anticipate that storage space will be further reduced when we transition to the new building. For these reasons, a shorter disposal schedule is needed. This change will allow the County Counsel's Office to efficiently manage the volume of records continuously generated and received and, when appropriate, dispose of unnecessary records and documents that have no apparent historical significance or further administrative or litigation value, are more than two (2) years old, are not required to be maintained by state statute, and are no longer necessary or required for County purposes

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **12/19/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: December 19, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Wanda McAdoo,
(925) 335-1811

pursuant to Government Code section

BACKGROUND: (CONT'D)

26202.

Government Code section 26202 provides that any record more than two years old may be destroyed without being photographed, microfilmed or otherwise reproduced if:

1. It is not required by state statute or county charter to be prepared or received; or
2. It is prepared or received pursuant to state statute or county charter, but it is not expressly required by law to be filed or preserved.

Passage of this order requires a four-fifth (4/5) vote of the Board as it relates to documents expressly required by state statute to be prepared or received.

CONSEQUENCE OF NEGATIVE ACTION:

The County Counsel's Office will incur additional costs to secure offsite storage.