

RESOLUTION NO. 14-10¹²

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MORAGA-ORINDA FIRE PROTECTION DISTRICT ESTABLISHING A
DISTRICT POLICY FOR RECORDS RETENTION,
MAINTENANCE AND DESTRUCTION**

WHEREAS, Health and Safety Code Section 13868, a provision of the Fire Protection District Law of 1987, requires the Board of Directors ("Board") of the Moraga-Orinda Fire Protection District ("District") to keep a record of all its acts, including its financial transactions; and,

WHEREAS, Health and Safety Code Section 13868 further provides that the District unless required by other provisions of law, may destroy or dispose of any paper or document filed with, or submitted to the District more than one year after its submittal, unless the District Board determines that there is a need for its retention; and,

WHEREAS, the District has considered factors such as future public need, the effects of statute of limitations on litigation in which the District could become involved and historical significance of the records referenced in the attached District Records Retention Schedule and has determined that there is need for retention of such documents beyond the one-year period.

NOW THEREFORE BE IT RESOLVED that the Records Retention Schedule attached as Exhibit "A" and incorporated by this reference is adopted as District procedure and policy for the retention and destruction of any District record, paper or document.

BE IT FURTHER RESOLVED, that:

- A. Notwithstanding the provisions above, records may be maintained for a longer period if in the opinion of the District Board, the District Chief or District Counsel, such maintenance is necessary because of anticipated or existing litigation or the possibility of acquisition: or disposition of any property interest associated with the specific type of records to be maintained.
- B. Methods of Record Maintenance. District records may be maintained, or stored, in the original condition or by CD-ROM, microfilm or any method of record maintenance which is also authorized for State Superior Courts.
- C. Records Destruction. Except as specified in the balance of this Resolution, District *may* destroy by shredding records of any kind or classification.

PASSED, APPROVED and ADOPTED this 17th day of September, 2014 at a regular meeting of the District Board held on September 17, 2014 at 1500 Saint Mary's Road, Moraga, California 94556, on a motion made by Director Famulener, seconded by Director Anderson and duly carried with the following roll call vote.

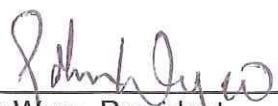
AYES: DIRECTORS ANDERSON, EVANS, FAMULENER, WEIL

NOES: NONE

ABSENT: PRESIDENT WYRO

ABSTAIN: NONE

Dated: September 17, 2014



John Wyro, President
Board of Directors

ATTEST:



Grace Santos, Clerk to the Board

**Moraga-Orinda Fire Protection District
Records Retention Schedule
Resolution 14-12 Exhibit A**

Record Title	Retention
ADMINISTRATION	
Accident Reports and Investigations	CL + 2 yrs
Affirmative Action Files	A + 4 yrs
Annual Reports	A + 2 yrs
Easements	P
Governmental Agency Agreements	2 yrs
Historical Files	2 yrs
Leases	A + 4 yrs
Policies & Procedures	S + 2 yrs
Press Releases	CU + 2 yrs
Real Property Records	P
Recorded Documents/Deeds	P
BOARD MATTERS	
Agendas	2 yrs
Board of Director's Audio Recordings	CU + 3 mos
Claims by District	2 yrs
Claims Against District	A + 2 yrs
Citizen Communications	3 yrs
Correspondence	3 yrs
Minutes	P
Ordinances	P
Petitions	CU + 1 yr
Resolutions	P
Speaker Cards	CU + 2 yrs
ELECTION RECORDS	
Candidate Statements	7 yrs
Election Results Financial	7 yrs
Nomination Records	7 yrs
Official Ballots	7 yrs
Roster of Voters	7 yrs
Sample Pamphlets	7 yrs
Statements General Correspondence	7 yrs
FAIR POLITICAL PRACTICES	
Conflict of Interest	7 yrs
Disclosure-Losing Incumbent	7 yrs
Disclosure-Losing Non-Incumbent	5 yrs
Winning Candidates	7 yrs
FINANCE FILES	

Record Title	Retention
Accounts Payable	CU + 4 yrs
Audit - Annual	P
Bank Statements	AU + 5 yrs
Bid Files	5 yrs
Bid Lists	CU + 4 yrs
Bond Records (Secured Instruments)	Maturity + 4 yrs
Budget Files	4 yrs
Cancelled Checks	CU + 4 yrs
Capital Assets Records	A + 4 yrs
General Ledgers	P
Insurance Certificates and Files	P
Journal Entries	AU + 2 yrs
Memorandum of Understanding	P
Purchase Orders	CU + 4 yrs
State Controller's Report	5 yrs
Surplus Property - Disposition	CU + 4 yrs
Surplus - Sealed Bid Sales	CU + 4 yrs
Surplus - Auctioned Items	2 yrs
Vehicle Maintenance Records	2 yrs
Vehicle Registration	2 yrs
Vendor Files	S + 2 yrs
1099s	6 yrs
FIRE PREVENTION	
Real Estate Permit/Tract Development Files	P
Safety Inspections	2 yrs
Weed Abatement Violations	3 yrs
Zoning Violations	P
HUMAN RESOURCES	
Accident Reports	CL + 2
Classifications and Appointments	P
Employment Applications	3 yrs
Employee Benefits	S + 2 yrs
Employee Time Records	AU + 6 yrs
Hazardous Material Exposure	20 yrs
Job Analysis Studies	2 yrs
Labor Relations Personnel	2 yrs
Oaths of Office	T + 6 yrs
OSHA Logs	6 yrs
Personnel Contracts	A + 4 yrs
Personnel File	T + 7 yrs
Retirement File	DOD + 3
Safety - Certs/Designations	CU + 2 yrs
Salary Studies	3 yrs

Record Title	Retention
Testing	1 yr
Training Records - Safety Personnel	T + 7 yrs
Training Records Non-Safety Personnel	CU + 7 yrs
Workers' Compensation Claims	P
OPERATIONAL FILES	
Fire Incident Reports	2 yrs
Hazardous Waste/Materials	CU + 10 yrs
New Construction	P
Patient Care Reports (PCRs)	7 yrs
Staff Reports	2 yrs
Street Files	P
PAYROLL	
Attendance Records	7 yrs
Employment Eligibility Verification (I-9)	3 yrs after the date of hire, or one year after the date employment ends, whichever is later
Medical & Dental Benefits	7 yrs
Payroll	CU + 4 yrs
Payroll Tax Returns	4 yrs
Withholding Tax Statements (W-2)	6 yrs
Withholding Allowance Certificate (W-4 and DE 4)	6 yrs after expiration

Legend:

- A = Active
- AD = Adoption
- AU = Year of Audit
- CL = Closed/Completion
- CU = Current Year
- DOB = Date of Birth
- DOD = Date of Death
- E = Election Date
- L = Life
- P = Permanent
- S = Supersede
- T = Termination