
**FRESNO LOCAL AGENCY FORMATION COMMISSION (LAFCo)
EXECUTIVE OFFICER'S REPORT**

AGENDA ITEM No. 11A

DATE: June 4, 2008
TO: Local Agency Formation Commission
FROM: Rick Ballantyne, Executive Officer
SUBJECT: Request to Adopt Guidelines for the Destruction of LAFCo Public Records as Permitted by State Law.

Background:

In 1997, LAFCo with the consent of the Commission, purged official records and microfilmed all files dated 1994 and older. Fresno LAFCo will soon run out of available filing space within its office to store additional documents and seeks Commission authorization in accordance with State law to archive documents dated 1995 through 2003, by storing the information on compact disks in order to maintain a historical record.

Discussion:

Section 56382 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Destruction of Records) states that "the Commission may authorize the destruction of any duplicate record, paper, or other document if the original or a photographic or electronic copy of the record, paper, or other document is retained in the files of the Commission, and the Commission may authorize the destruction of original records more than two years old if a photographic or electronic copy of the original record is made and preserved".

Furthermore, California law regarding the destruction of documents for special districts was recently significantly revised. While this law does not directly apply to LAFCo, because LAFCo is not a California special district, there are useful guidelines contained therein, which we would like to consider incorporating into the policy.

While State law provides guidelines for the destruction of public records, *Fresno LAFCo's Policies, Standards, and Procedures Manual* does not contain document destruction policies. Section 700 of the Commission Guidelines contains an Administration Section that deals with LAFCo personnel, facilities, and budgetary matters. This Section would appear to be the appropriate one for inclusion of public records maintenance provisions.

Recommendation:

Staff recommends that the Commission initiate an amendment to Section 700 of its Policies, Standards, and Procedures to include provisions for LAFCo Public Record Maintenance including standards and conditions necessary for the destruction of its public records, and direct its Staff to report back to the Commission at its next regular meeting. Upon your authorization, Staff will work with Counsel to prepare this policy.