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## SBCAG STAFF REPORT

**SUBJECT:** SBCAG Records Retention Policy

**MEETING DATE:** January 20, 2022

**AGENDA ITEM:** 51

**STAFF CONTACT:** Martha Gibbs

**RECOMMENDATION:**

- 1 Adopt Resolution 22-02 (Attachment A) to adopt the California Secretary of the State - Local Government Record Management Guidelines as the guiding policy and legal authority to receive, create, retain, and dispose or destroy official public records.
- 2 Approve and authorize the Executive Director, Marjie Kirn, to implement any updates issued to this policy by the California Secretary of the State.

**DISCUSSION:**

The Secretary of State has an established a Local Government Records Program administered by the State Archives which has established guidelines for local government retention and to provides archival support to local agencies in California. These guidelines attempt to provide some standards and structure to the local government records management effort. The goal of the State Archives, in compliance with Government Code section 12236, is to consolidate information resources and provide local governments with a single source for archival and records management support. SBCAG has historically referenced this document when determining legal authority to receive, create, retain, and dispose of official public records. An effective records management program ensures that records are kept only as long as they have some administrative, fiscal, legal, or other value. SBCAG wants to ensure that information is available when needed and by adopting the attached guidance this can be accomplished. SBCAG wishes to formally adopt the California Secretary of State Local Governments Record Management Guidelines as an agency wide records retention policy which will establish a standard protocol for destruction or disposition of records.

**ATTACHMENT:**

- A. Resolution 22-02
- B. California Secretary of the State-Local Governments Record Management Guidelines (web posting only)

ATTACHMENT A

RESOLUTION OF THE SANTA BARBARA  
COUNTY ASSOCIATION OF GOVERNMENTS

SANTA BARBARA COUNTY ASSOCIATION )  
OF GOVERNMENTS RECORD RETENTION )  
POLICY )

RESOLUTION NO. 22-02

WHEREAS the Santa Barbara County Association of Governments (SBCAG) wishes to formally adopt the California Secretary of State Local Government Records Management Guidelines (Records Retention Policy) as the SBCAG agency wide records retention policy; and

WHEREAS SBCAG is established under a Joint Powers Agreement (JPA) executed by each of the incorporated Cities of Buellton, Carpinteria, Goleta, Guadalupe, Lompoc, Santa Barbara, Santa Maria, and Solvang and the County of Santa Barbara and the County of Santa Barbara (collectively "Agencies"); and

WHEREAS, SBCAG may exercise any power common to the Agencies and may use such powers as are necessary to enable it to fulfill and carry out its functions; (Gov. Code §§ 6500 *et seq*; JPA §§ 1,9.); and

WHEREAS the Santa Barbara County Association of Governments has been designated by the Governor as the Metropolitan Planning Organization (MPO) for Santa Barbara County pursuant to 23 U.S. Code Section 134 and, as such, has been given the responsibility to conduct the metropolitan transportation planning process required by Title 23, Code of Federal Regulations (CFR) Part 450 and Title 49, CFR Part 613; and

WHEREAS the Santa Barbara County Association of Governments receives funding allocations as the Council of Governments under Section 29532 of the California Government Code; and

WHEREAS the Santa Barbara County Association of Governments has been designated as the Local Transportation Authority and charged with the responsibility of carrying out the purposes and directives of the Local Transportation Authority and Improvement Act, commencing with Section 180000 of the California Public Utilities Code; and

WHEREAS Ordinance No. 3, section 28 authorizes the Transportation Authority to do any and all things necessary to carry out the purposes of Division 19 (commencing with Section 180000) of the Public Utilities Code; and

WHEREAS the Executive Director, pursuant to Ordinance No. 3, section 8(d)(10) shall have such other duties, powers and responsibilities as may from time to time be assigned by the Transportation Authority; and

WHEREAS SBCAG is a local public agency subject to the Public Records Act; (Gov. Code §§ 6520 et seq.); and

WHEREAS the Local Government Records Program establishes guidelines for local government records retention and provides archival support to local agencies; (Gov. Code § 12236.); and

WHEREAS, the legislative body of SBCAG may authorize the destruction of records where such destruction will not adversely affect any interest of SBCAG or the public; (Gov. Code §§ 26205, 34090, 53161, 53160.); and

WHEREAS, the legislative body of SBCAG may authorize the destruction of records pursuant to a record retention schedule; (Gov. Code §§ 26205, 34090, 53161, 53160.); and

WHEREAS, the Records Retention Policy includes a record retention schedule; and

WHEREAS, the Board of Directors has reviewed the Records Retention Policy and has determined good cause to adopt the policy in its entirety; and

WHEREAS, the Board of Directors has held a public hearing on this matter and has considered any public comment that has been made.

NOW, THEREFORE, IT IS FURTHER RESOLVED, as follows:

1. The Board of Directors finds that the California Secretary of State Local Government Records Management Guidelines (Records Retention Policy) shall serve as the SBCAG Records Retention Policy and will provide for the destruction of the records on a schedule that complies with the guidelines provided by the Secretary of State,

classifies all SBCAG records by category and establishes a standard protocol for destruction or disposition of records.

2. The Board of Directors hereby approves and adopts the Records Retention Policy as set forth in Attachment A to this Resolution.
3. The Board of Directors authorizes the SBCAG Executive Director to do such acts as may be necessary and proper to implement the policy consistent with applicable state and federal law.

PASSED AND ADOPTED this 20 day of January 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Santa Barbara County  
Association of Governments

ATTEST:

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Marjie Kirn  
Executive Director

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Das Williams Chair

APPROVAL AS TO FORM:  
Rachel Van Mullem  
County Counsel



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Deputy County Counsel