

DEPARTMENT: County Counsel BY: Steven W. Dahlem PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Resolution authorizing the County Counsel's office to destroy certain records and documents.

Pursuant to Government Code Section 26202 the applicable retention period has expired for the documents County Counsel is seeking to destroy. These documents are no longer of utility to the County. It is recommended that the Board approve destruction of these records.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has historically approved destruction of such records. Destruction of these records will help alleviate the need for more storage space.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The records will continue to be stored.

Financial Impact? () Yes (x) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$		List Attachments, number pages consecutively
Additional Funding Needed: \$		Formal Resolution
Source:		
Internal Transfer		
Unanticipated Revenue	4/5's vote	
Transfer Between Funds	4/5's vote	
Contingency	4/5's vote	
() General () Other		

CLERK'S USE ONLY:

Res. No.: 10-366 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: Bobby
 Approved
 () Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

Requested Action Recommended
 No Opinion
 Comments:

The foregoing instrument is a correct copy of the original on file in this office.
 Date: _____
 Attest: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

CAO: [Signature]

RESOLUTION NO. 10-366

**A RESOLUTION AUTHORIZING THE MARIPOSA COUNTY COUNSEL'S OFFICE
TO DESTROY CERTAIN RECORDS AND DOCUMENTS**

WHEREAS, Government Code section 26202 provides that the Board of Supervisors may authorize the destruction or disposition of any record, paper, or document which is more than two years old, which was prepared or received in any manner other than pursuant to a State statute or County charter; and

WHEREAS, Government Code section 26202 also provides that the Board of Supervisors may, by a 4/5 vote, authorize the destruction of any record, paper, or document which is more than two years old, which was prepared or received pursuant to a State statute, and which is not expressly required by law to be filed and preserved, if the Board determines that the record, paper, or document is no longer necessary or required for County purposes; and

WHEREAS, Government code section 26202 provides that such records, papers or document subject to this section need not be photographed, reproduced or microfilmed prior to destruction and no copy thereof need be retained; and

WHEREAS, the County Counsel's Office has determined that certain records in question have no apparent historical significance and have no further administrative value and, therefore, is seeking permission to destroy the following records and documents pursuant to section 26202 of the Government code:

1. All departmental financial records, including claims, payroll information, and budget files which have been retained for at least five (5) years.
2. All closed files of former employees which have been retained for at least five (5) years.
3. All routine department chronological, subject and/or alphabetical files, including administrative records and contracts and those pertaining to special district, county service areas, committees and commissions which have been retained for at least five (5) years.
4. All conservatorship case files which have been retained for at least five (5) years after the death of the conservatee or dismissal of the conservatorship.
5. All litigation files containing pleadings and correspondence regarding litigated matters, which have been resolved, and which have been retained at least ten (10) years from the date of last activity in the file.
6. The files subject to this request are attached as Exhibit "A" hereto.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Mariposa finds there is a need for an orderly and controlled plan for the systematic destruction of

records that are no longer needed or required in the County Counsel's Office and said County Counsel's Office is hereby authorized to destroy the files and documents cited above.

PASSED AND ADOPTED this 20th day of July 2010 by the following vote:


AYES: ABORN, TURPIN, CANN, ALLEN
NOES: NONE
ABSENT: BIBBY



Kevin Cann, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



Margie Williams, Clerk of the Board



Steven W. Dahlem, County Counsel