

RESOLUTION NO. 25-003

A RESOLUTION OF THE BOARD OF DIRECTORS OF CALIFORNIA ELECTRONIC RECORDING TRANSACTION NETWORK AUTHORITY (CeRTNA) ADOPTING A RECORDS RETENTION POLICY

25-002.1 The purpose of this policy is to: provide guidelines to staff regarding the retention or disposal of CALIFORNIA ELECTRONIC RECORDING TRANSACTION NETWORK AUTHORITY (CeRTNA) records; provide for the identification, maintenance, safeguarding, and disposal of records in the normal course of business; ensure prompt and accurate retrieval of records; and, ensure compliance with legal and regulatory requirements.

25-002.2 Vital and important records, regardless of recording media, are those having legal, financial, operational, or historical value to CeRTNA.

25-002.3 The Executive Director is authorized by the Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers, and documents that meet the qualifications governing the retention and disposal of records, specified below and under applicable law, after consultation with the General Counsel.

25-002.4 Pursuant to the provisions of Government Code §§ 60200 through 60204, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following qualifications will govern the retention and disposal of records of CeRTNA.

25-002.4.1 Duplicate records, papers, and documents may be destroyed at any time without Board authorization, advice of the General Counsel, or copying to photographic or electronic media.

25-002.4.2 Originals of records, papers, and documents more than two years old that were prepared or received in any manner other than pursuant to State or Federal statute may be destroyed without the necessity of copying to photographic or electronic media except for permanent records of CeRTNA, as defined in this policy and under applicable law

25-002.4.3 In no instance shall records, papers, or documents be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

25-002.4.4 Records, papers, or documents which are not expressly required by law to be filed and preserved may be destroyed if all of the following conditions are met:

25-002.4.4.1 The record, paper, or document is photographed, micro-photographed, reproduced on film of a type approved for permanent photographic records by the National Institute of Standards and Technology of the U.S. Department of Commerce, or copied to an approved electronic media;

25-002.4.4.2 The device used to reproduce such record, paper, or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; and,

25-002.4.4.3 The photographs, micro-photographs, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

25-002.4.5 Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:

25-002.4.5.1 There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;

25-002.4.5.2 There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;

25-002.4.5.3 Said audit report or reports were prepared pursuant to procedures outlined in Government Code section 26909 and other State or Federal audit requirements, and that;

25-002.4.5.4 Said audit(s) contain the expression of an unqualified opinion.

25-002.4.6 Any accounting record created for a specific event or action may be destroyed upon authorization and five years after said event or action has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five years from the end of the fiscal period to which it applies. The following may be destroyed at any time without Board authorization or consultation with the General Counsel:

25-002.4.6.1 Duplicated (original-subject to aforementioned requirements).

25-002.4.6.2 Rough drafts, notes or working papers (except audit).

25-002.4.6.3 Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.

25-002.4.7 All payroll and personnel records shall be retained indefinitely. Originals may, upon authorization, be destroyed after seven years' retention provided said records have been microfilmed or otherwise electronically duplicated and qualify for destruction in accordance with section 25-002.4, above. Payroll and personnel records include the following:

25-002.4.7.1 Accident reports, injury claims and settlements.

25-002.4.7.2 Medical histories.

25-002.4.7.3 Injury frequency charts.

25-002.4.7.4 Applications, changes and terminations of employees.

25-002.4.7.5 Insurance records of employees.

25-002.4.7.6 Time cards.

25-002.4.7.7 Classification specifications (job descriptions).

25-002.4.7.8 Performance evaluation forms.

25-002.4.7.9 Earning records and summaries.

25-002.4.7.10 Retirements.

25-002.4.8 Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed or otherwise electronically duplicated as provided for in section 25-002.4.4, above. Terms and conditions of bonds, warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than 10 years if microfilmed or otherwise electronically duplicated as provided for in section 25-002.4.4, above. Paid bonds, warrant certificates, and interest coupons may be destroyed after six months if detailed payment records are kept for 10 years.

25-002.5 Minutes of the meetings of the Board of Directors shall be retained indefinitely in their original form. However, meeting minutes may, upon the Executive Director's authorization, be destroyed if they are microfilmed or otherwise electronically duplicated as provided for in section 25-002.4.4, above. Recording tapes (or other media) of Board meetings will be kept for a period of two years from the date of the recorded meeting, after which they will be destroyed.

25-002.6 Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven years unless they pertain to a project which includes a guarantee or grant and, in that event, they shall be kept for the life of the guarantee or grant plus seven years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

25-002.7 Contracts should be retained for their lives plus seven years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work which is more than two years old may be destroyed.

25-002.8 Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer owned by CeRTNA.

25-002.9 For records existing in paper form, retention periods apply to the original paper copy only. Drafts (i.e., initial or preliminary versions) may be disposed of at any time. Duplicate copies and electronic copies may be disposed of at any time at the discretion of CeRTNA's management, unless the original has been lost. Electronic records will be retained as if they were paper documents. Therefore, any electronic files, including emails that fall into one of the document types in this Policy will be maintained for the appropriate amount of time.

25-002.10 Confidentiality. CeRTNA is committed to ensuring the security and confidentiality of all records within its custody or control containing personal, confidential, or proprietary information. When such records are due to be destroyed under this Policy, they will be shredded, erased, or otherwise modified or destroyed to make them unreadable or undecipherable through any means.

25-002.11 Exceptions.

25-002.11.1 Legal Requirements. To the extent that any Applicable Laws exceed the retention periods in this Policy, the Applicable Laws will control.

25-002.11.2 Legal Hold. All Records required to be retained due to pending or threatened litigation or investigation shall be retained for so long as the legal hold is active.

25-002.11.3 Contractual Requirements. To the extent that contractual records retention requirements exceed the retention periods in this Policy, or specify the retention of Records not listed in the Policy, the contractual requirements will control. No originals of Records related to open contracts and subject to contractual retention requirements may be destroyed without the approval of the Executive Director, who will consult with other CeRTNA personnel as necessary.

Appendix A
Definitions for Records Retention and Disposal Policy

1. AUTHORIZATION. Approval from the Executive Director, as authorized by CeRTNA's Board of Directors.

2. ACCOUNTING RECORDS. Include but are not limited to the following:
 - a. SOURCE DOCUMENTS
 - (1) Invoices
 - (2) Warrants
 - (3) Requisitions/Purchase Orders (attached to invoices)
 - (4) Cash Receipts
 - (5) Claims (attached to warrants in place of invoices)
 - (6) Bank Statements
 - (7) Bank Deposits
 - (8) Checks
 - (9) Bills
 - (10) Various accounting authorizations taken from Board minutes, resolutions or contracts

 - b. JOURNALS
 - (1) Cash Receipts
 - (2) Accounts Receivable or Payable Register
 - (3) Check or Warrant (payables)
 - (4) General Journal
 - (5) Payroll Journal

 - c. LEDGERS
 - (1) Expenditure
 - (2) Revenue
 - (3) Accounts Payable or Receivable Ledger
 - (4) Construction
 - (5) General Ledger
 - (6) Assets/Depreciation

 - d. TRIAL BALANCE

 - e. STATEMENTS (Interim or Certified - Individual or All Fund)
 - (1) Balance Sheet
 - (2) Analysis of Changes in Available Fund Balance
 - (3) Cash Receipts and Disbursements
 - (4) Inventory of Fixed Assets (Purchasing)

 - f. JOURNAL ENTRIES

 - g. PAYROLL and PERSONNEL RECORDS include but are not limited to the following:

- (1) Accident reports, injury claims and settlements
- (2) Applications, changes or terminations of employees
- (3) Earnings records and summaries
- (4) Fidelity Bonds
- (5) Garnishments
- (6) Insurance records of employees
- (7) Job Descriptions
- (8) Medical Histories
- (9) Retirements
- (10) Time Cards

h. OTHER

- (1) Inventory Records (Purchasing)
- (2) Capital Asset Records (Purchasing)
- (3) Depreciation Schedule
- (4) Cost Accounting Records

3. LIFE. The inclusive or operational or valid dates of a document.
4. RECORD. Any "writing" as defined in government Code section 6252(f), which includes: means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored that is issued by or received in a department, and maintained and used as information in the conduct of its operations.
5. RECORD COPY. CeRTNA copy of a document or file.
6. RECORD SERIES. A group of records, generally filed together, and having the same reference and retention value.
7. RECORDS CENTER. The site selected for storage of inactive records.
8. RECORDS DISPOSAL. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.
9. RECORDS RETENTION SCHEDULE. The consolidated, approved schedule list of all CeRTNA records which timetables the life and disposal of all records.
10. RETENTION CODE. Abbreviation of retention action which appears on the retention schedule.
11. VITAL RECORDS. Records which, because of the information they contain, are essential to one or all of the following:
 - a. The resumption and/or continuation of operations;
 - b. The re-creation of the legal and financial status of CeRTNA, in case of a disaster;

c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following:

- (1) Agreements
- (2) Annexations and detachments
- (3) Audits
- (4) Contract drawings
- (4) Customer statements
- (5) Depreciation schedule
- (6) Disposal of surplus & excess property
- (7) CeRTNA insurance records
- (8) Employee accident reports, injury claims & settlements
- (9) Employee earning records
- (10) Employee fidelity bonds
- (11) Employee insurance records
- (12) Individual claims/settlements
- (13) Inventory
- (14) Journal vouchers
- (15) Ledgers
- (16) Licenses & permits (to operate)
- (17) Loans & grants
- (18) Minutes of Board meetings
- (19) Payroll register
- (20) Policies, Rules & Regulations
- (21) Purchase orders & requisitions

Appendix B
Records Retention & Storage Summary

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
1	Records affecting title to real property or liens thereof.	X		2 yrs.	OP	ES
2	Records required to be kept permanently by statute.	X		2 yrs.	OP	ES
3	Minutes, ordinances & resolutions of Board.	X		2 yrs.	OP	ES
4	Documents with lasting historical, administrative, legal, fiscal, or research value.	X		2 yrs.	OP	ES
5	Correspondence, operational reports and information upon which CeRTNA policy has been established.	X		2 yrs.	10 yrs.	12 yrs.
6	Duplicates of 5, above, when retention is necessary for reference.	X		2 yrs.		2 yrs.
7	Records requiring retention for more than five years, but no more than 15 years by statute or administrative value.	X		2 yrs.	13 yrs.	15 yrs.
8	Duplicates needed for administrative purposes for five to 15 years.		X	2 yrs.	13 yrs.	15 yrs.
9	All other original CeRTNA records, or instruments, books or papers that are considered public documents not included in Groups 1 through 8.	X		2 yrs.	1 yr.	3 yrs.

10	Duplicates and other documents not public records required to be maintained for administrative purposes.	X	X	2 yrs.	3 yrs.	5 yrs.
11	Duplicate records requiring retention for administrative purposes such as reference material for making up budgets, planning and programming.		X	3 yrs.		3
12	Reference files (copies of documents which duplicate the record copies filed elsewhere in CeRTNA; documents which require no action and are non-record; rough drafts, notes, and similar working papers accumulated in preparation of a communication, study or other document, and cards, listings, indexes and other papers used for controlling work).		X	1 yr.		1 yr.
13	Transitory files, including letters of transmittal (when not a public record), suspense copies when reply has been received, routine requests for information and publication, tracer letters, and other duplicate copies no longer needed.	X	X	3 mos.		3 mos.
14	Original documents disposable upon occurrence of an event or an action (i.e., audit, job completion, completion of contract, etc.) or upon obsolescence, supersession, revocation.	X		2 yrs.	3 yrs.	5 yrs.
15	Policy files and reference sets of publications.		X	I		I

OP = Original or photographic copy.

ES = May be destroyed if stored in electronic media.

I = Indefinitely

THE FOREGOING was adopted by vote of the Board of Directors of the California Electronic Recording Transaction Network Authority (CeRTNA) this 9th day of April 2025.

AYES:
NOES:
ABSTAIN:

BY: _____
Sheri Thomas, Chairman, Board of Director

* * * * *

STATE OF CALIFORNIA)
) ss.
COUNTY OF INYO)

I, Caroline Nott, Secretary to the California Electronic Recording Transaction Network Authority (CeRTNA), hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Board of Directors, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of April 09, 2025.

ATTEST:

Caroline Nott, Secretary
Board of Directors

