

R-22-16
Meeting 22-02
January 27, 2022

CONSENT ITEM #C2

To: Board of Directors
Open Space Authority

From: Andrea Mackenzie
General Manager

SUBJECT

Approve Amendments to Policy #BRD-033 Records Retention Schedule

REVENUE/COST

There is no cost associated with this item.

BACKGROUND

California State Law requires public agencies to retain routine video monitoring recordings for one year. The Santa Clara Valley Open Space Authority (Authority) developed a Records Management Policy #BRD-032 (approved on 8/27/2009) and a Records Retention Schedule #BRD-033 (most recently amended and approved on 12/10/202) to codify the current practice of retaining official Authority records. It also allows the Authority to destroy records that are no longer necessary for compliance with California State Law or Authority business.

DISCUSSION

While the Authority's Records Retention Schedule does not specify the retention of recorded security video footage, and video footage does not fall under any of the current categories listed, according to the Records Management Policy, *"records not addressed in the Records Retention Schedule should be considered routine in nature and are to be identified as General Information under a specific record series. Retention for those files is two (2) years unless otherwise required by law."*

Government Code § 53160 reads: *"The head of a special district, after one year, may destroy recordings of routine video monitoring."* Furthermore, *"'routine video monitoring' means video recording by a video or electronic imaging system designed to record the regular and ongoing operations of the special district, including mobile in-car video systems, jail observation and monitoring systems, and building security recording systems."* Because the Authority's Records Retention Schedule and Retention Management Policy has a longer retention requirement than state law, Staff recommends the Board of Directors approve the amendment to the Authority's Retention Schedule to be consistent with section 53160.

RECOMMENDATION

Staff recommends that the Board of Directors review and approve the amendments to BRD-033 – Records Retention Schedule to include security video footage.

Prepared by:
Caroline Hernandez, Deputy Clerk of the Board

Attachment(s): Resolution 22-12 – A Resolution of the Governing Board of the Santa Clara Valley Open Space Authority Approving the Amendments to the Records Retention Schedule

Exhibit B – DRAFT BRD-033 Records Retention Schedule_Redlined