

LOCAL AGENCY FORMATION COMMISSION FOR SAN BERNARDINO COUNTY

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DATE: MARCH 12, 2018

FROM:  KATHLEEN ROLLINGS-McDONALD, Executive Officer
MICHAEL TUERPE, Project Manager

TO: LOCAL AGENCY FORMATION COMMISSION

SUBJECT: Agenda Item #6: Review and Consideration of Policy Related to Retention of Electronic Communications (Continued from February 21, 2018)

RECOMMENDATION:

Staff recommends that the Commission:

1. Approve the proposed Electronic Communications Policy as included in Attachment #1;
2. Approve the proposed amendment to the Records Retention Policy as included in Attachment #2;
3. Authorize the Executive Officer to establish and remove Email addresses for Commissioners, when applicable, with the County Information Services Department utilizing the Microsoft 365 Platform and the existing County retention schedule; and,
4. Adopt LAFCO Resolution No. 3258 reflecting the changes to the Policy and Procedure Manual, and direct the Executive Officer to distribute to affected and interested parties and to update the Commission Website.

SUMMARY:

At the January 2018 hearing, LAFCO Legal Counsel was not present and the Commission continued review and consideration of adopting a policy related to retention of electronic communications. At the February hearing, the Commission directed that

the Policy include language that records regarding a LAFCO proposal be retained for six months following completion of the proposal. That language has been added to the proposed policy and is shown below:

7. *The LAFCO official shall retain all emails related to a proposal for six months following issuance of the certificate of completion, certificate of termination, or withdrawal notification by the applicant.*

CONCLUSION:

At this time, staff is requesting that the Commission provide any additional changes, corrections or amendments to the proposed policies. Finally, staff recommends that the Commission take the actions outlined on page one which are to:

- Adopt the Electronic Communications Policy as proposed.
- Amend the Records Retention Policy as proposed.
- Authorize the Executive Officer to establish and remove Email addresses for Commissioners, when applicable, with the County Information Services Department utilizing the Microsoft 365 Platform and the existing County retention schedule; and,
- Adopt the resolution reflecting these changes to the Policy and Procedure Manual.

KRM/MT

Attachments:

1. California Supreme Court Ruling in *City of San Jose v. Superior Court* Cal. 4th, 214 Cal.Rptr.3d 274, Decided March 2, 2017
2. Draft Electronic Communications Policy
3. Draft Records Retention Policy (with track changes)
4. Draft LAFCO Resolution No. 3258