

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

MEETING DATE: 9/28/2022

Staff Report No. 22-525

TO: AC Transit Board of Directors  
FROM: Linda A. Nemeroff, Board Administrative Officer/District Secretary  
SUBJECT: Records Destruction

### ACTION ITEM

**AGENDA PLANNING REQUEST:**

**RECOMMENDED ACTION(S):**

Consider adoption of Resolution No. 22-038 authorizing the destruction of designated records maintained by the District Secretary's Office.

Staff Contact:  
Linda A. Nemeroff, Board Administrative Officer/District Secretary

**STRATEGIC IMPORTANCE:**

There is no strategic importance associated with this report.

**BUDGETARY/FISCAL IMPACT:**

There is no budgetary/fiscal impact associated with this report.

**BACKGROUND/RATIONALE:**

Public Utilities Code Section 25772 provides that whenever the Board by resolution determines that any record, map, book, or paper in the possession of the District or any officer or employee thereof is of no further value to the District, the Board may authorize its sale, destruction, or other disposition.

The District Secretary's Office has determined that certain records are no longer of value to the District and requests that said records be destroyed. Outlined below are the types of records, their date range and the statutory retention period for each:

Record Type	Date Range	Retention Period
Customer Complaints Received by the Board (Electronic)	CYs 2003-2009	Three years GC 34090

Conflict of Interest Code Biennial Review Documents (Paper & Electronic), inclusive of the following: • Notice of Intent to Amend Code to FPPC • Declaration of Chief Executive Officer • Proposed Code Amendment(s) with justification • Email correspondence with FPPC staff concerning proposed code amendment • Notice of Intent to Amend Code to Filers	Applicable Biennial Review Years: 2001/2002 2010 2012 2014	7 years from the date the code in effect is superseded by a newly amended code.
Form 700 Conflict-of-Interest Filings and related correspondence (Paper & Electronic)	Filed in CYs 2010, 2014, 2015	Minimum Seven (7) years per Gov't Code 81009(e)

This listing of records is provided in Exhibit A to Resolution 22-038. The General Counsel has reviewed the list of affected records and concurs with the request to destroy the records.

**ADVANTAGES/DISADVANTAGES:**

There is no advantage to retaining records after their administrative, fiscal and/or legal function has been fulfilled.

**ALTERNATIVES ANALYSIS:**

The alternative would be to retain the above records for a longer period of time, however, the retention periods outlined above are conservative and in accordance with government statutes and Board Policy.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 101 Board of Directors Rules for Procedure

**ATTACHMENTS:**

1. Resolution No. 22-038 and Related Exhibit

**Prepared by:**

Linda A. Nemeroff, Board Administrative Officer/District Secretary

**Approved/Reviewed by:**

Linda A. Nemeroff, Board Administrative Officer/District Secretary

Jill A. Sprague, General Counsel/Chief Legal Officer