

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 9/10/2025

Staff Report No. 25-430

TO: AC Transit Board of Directors
FROM: Aimee L. Steele, General Counsel/Chief Legal Officer
SUBJECT: Board Policy 651: Records Retention Policy

ACTION ITEM

AGENDA PLANNING REQUEST: ☐

RECOMMENDED ACTION(S):

Consider approving non-substantive amendments to Board Policy 651 - Records Retention Policy.

Staff Contact:
Aimee L. Steele, General Counsel/Chief Legal Officer

STRATEGIC IMPORTANCE:

There is no strategic importance associated with this policy amendment.

BUDGETARY/FISCAL IMPACT:

There is no budgetary or fiscal impact directly related to this report.

BACKGROUND/RATIONALE:

Board Policy 651, adopted on March 9, 2022, established guidelines for the District's retention and destruction of records. There have been no amendments to the Policy since its adoption.

Staff recommends the following non-substantive changes to the Policy:

- To section III. Definitions, add the following definition: "**Litigation Hold**" means notification from the Office of the General Counsel requiring recipients to maintain records pertaining to anticipated or active litigation.
- To section III. Definitions, remove the reference that the **Records Retention Schedule** be attached to this Policy and add the following to the definition of "**Records Retention Schedule**": "The **Records Retention Schedule** will be maintained by the Office of General Counsel and published to all departments."

No **Records Retention Schedule** has been attached to this Policy since its adoption. The **Records Retention Schedule** is a living document that will need to be regularly reviewed and updated by the Office of General

Counsel as new documents that are not covered by the schedule are created and as the law changes. Staff recommends allowing the Board to direct the General Counsel's Office to maintain the schedule. The schedule will be published internally. This allows for the General Counsel's Office to update the **Records Retention Schedule** as needed without seeking Board approval.

Additionally, staff recommends adding a definition to the term "**Litigation Hold**" since the term is referenced in section IV(J) of the Policy.

ADVANTAGES/DISADVANTAGES:

There are no advantages or disadvantages associated with the recommendations in this report.

ALTERNATIVES ANALYSIS:

No alternatives were considered by staff.

PRIOR RELEVANT BOARD ACTION/POLICIES:

Staff Report 22-023
Resolution No. 22-003
Board Policy 651

ATTACHMENTS:

1. Board Policy 651 - Records Retention Policy

Prepared by:

Aimee L. Steele, General Counsel/Chief Legal Officer

Approved/Reviewed by:

Linda A. Nemeroff, Board Administrative Officer/District Secretary
Salvador Llamas, General Manager/Chief Executive Officer