



Legislation Text

File #: 2018-0369, **Version:** 2

DATE: September 12, 2018

SUBJECT:

RESOLUTION AMENDING BOARD OF PORT COMMISSIONERS (BPC) POLICY No. 371, RECORDS RETENTION POLICY AND RENAMING THE POLICY TO RECORDS AND INFORMATION MANAGEMENT POLICY

EXECUTIVE SUMMARY:

Staff recommends revising Board Policy No. 371 (Policy) in its entirety and renaming the policy "Records and Information Management Policy". See Attachment A.

In order to modernize the District's records and information management program, staff engaged Kaizen InfoSource in the spring of 2018. Their scope of work includes recommending a long-term, comprehensive solution to managing records with the use of technology. This proposed Policy addresses records over their entire life cycle, from creation to final disposition providing the guidance upon which a modernized Records and Information Management Program will be further developed.

RECOMMENDATION:

Adopt a Resolution amending Board of Port Commissioners Policy No. 371, Records Retention Policy and renaming the Policy to Records and Information Management Policy

FISCAL IMPACT:

This agenda item has no fiscal impact.

COMPASS STRATEGIC GOALS:

This agenda item supports the following Strategic Goal(s).

- A Port that the public understands and trusts.
- A Port with an innovative and motivated workforce.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

On June 4, 2002, the Board of Port Commissioners (BPC) established BPC Policy No. 371, Records Retention Policy and Retention Schedule. This action established the policy for identifying, receiving, retaining, storing, protecting and disposing of Port District records which laid the

foundation for the District's current records management program. This program was modeled after the State of California's Records and Information Management (CalRIM) Program codified in California Government Code Sections 12270-12279.

Since 2002, the Board has taken the following actions to amend BPC Policy No. 371 resulting in the current Policy (Attachment B):

April 10, 2007	Addressed email retention
March 4, 2008	Authorized staff to amend the records retention schedule without additional Board action
January 14, 2014	Further clarified email retention

In October 2015, the California Secretary of State released the Electronic Record Guidebook reference on the CalRIM website. This guidance and other developments in the records management industry prompted the Office of the District Clerk (ODC) to begin taking steps to address electronic records management and move toward digitization. Until recently, the District's records program has been focused solely on paper records with complex and difficult-to-implement retention. The latest thinking in records management best-practice is an approach referred to as the "Big Bucket Theory". The Big Bucket approach allows organizations to consolidate both paper-based and electronic information into categories ("buckets"), further providing the ability to classify records into a handful of groupings. Those groupings can be based on time periods; business functions or process; legal and/or regulatory requirements; or whatever best fits the needs and requirements of the organization. The Big Bucket approach assists with simplification of records retention, and allows for the systematic and automated creation of record retention rules upon record declaration. Thus, employee compliance can be greatly improved, and the risk of mismanaged files greatly reduced, in an organization's records and information management program.

In order to assist in modernization of the District's records and information management program, staff engaged Kaizen InfoSource in the spring of 2018. Their scope of work includes recommending a long-term, comprehensive solution to managing records with the use of technology. This proposed Policy addresses records over their entire life cycle, from creation to final disposition providing the guidance upon which a modernized Records and Information Management (RIM) Program will be further developed.

General Counsel's Comments:

The Office of the General Counsel has reviewed the issues set forth in this agenda and found no legal concerns as presented, and has reviewed and approved the Policy as to form and legality.

Environmental Review:

The proposed Board direction or action, including without limitation, amending and renaming a Board of Port Commissioners policy, does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a

potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA. No further action under CEQA is required.

In addition, the proposed Board action complies with Sections 21 and 35 of the Port Act, which allow for the Board to pass all necessary ordinances and resolutions for the regulation of the District, to employ officers and employees necessary in the work of the District, and for the use of funds for the necessary expenses of conducting the District. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board direction or action does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required.

Equal Opportunity Program:

Not applicable.

PREPARED BY:

Donna Morales
District Clerk

Cynthia Holder
Deputy District Clerk

Attachment(s):

Attachment A:	Proposed BPC Policy No. 371, Record and Information Management Policy
Attachment B:	Current BPC Policy No. 371, Record Retention Policy