

**TREASURE ISLAND DEVELOPMENT AUTHORITY
RECORDS RETENTION AND DESTRUCTION POLICY,
PROCEDURES, AND SCHEDULE
PART I**

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RECORDS RETENTION AND DESTRUCTION POLICY AND PROCEDURES, PART I

Chapter 8 of the San Francisco Administrative Code requires all departments of the City and County of San Francisco (“City”), including the Treasure Island Development Authority (“Authority”), adopt and maintain a Records Retention and Destruction Policy and Schedule (heretofore referred to as the “Records Policy and Schedule”) (Admin. Code Section 8.2). The Authority’s Policy and Schedule covers all records and documents, regardless of physical form or characteristics that the Authority creates or receives in connection with the transaction of public business.

This Policy and Schedule recognizes the distinction between the broad definition of a public record for the purposes of the Public Records Act and the Sunshine Ordinance and a narrower category of records the Authority must retain for certain periods of time. Record retention addresses the life cycle of documents. Every single document the Authority prepares or receives does not warrant indefinite preservation. Rather, the Authority preserves documents in accordance with this Policy and Schedule, which serves that retention function for the Authority.

A. RETENTION POLICY

Under City and state law the Authority must retain any record for the period of its immediate or current utility and thereafter may destroy the record unless City or state law or contractual obligations require the Authority to retain the record for a specific period. For record retention and destruction purposes, Section 8.1 of the San Francisco Administrative Code defines the term “record” to include any paper, book, photograph, film, sound recording, map, drawing, or other document, or any copy thereof, that has been made or received by the department in connection with the transaction of public business and that the department may have retained: 1) as evidence of the department’s activities; 2) for the information contained in it; or 3) to protect the legal or financial rights of the City or of persons directly affected by the activities of the City.

The Authority may destroy documents and other materials that do not qualify as “records” under Section 8.1, including those described below in Category 4, when no longer needed, unless otherwise specified in Part II. The Authority shall classify records as follows:

Category 1: Permanent Retention. The Authority shall retain records that the law classifies as permanent or essential records and preserve them indefinitely.

- **Permanent records.** The law requires an indefinite retention period for permanent records. The Authority shall not destroy permanent records unless it takes special measures, including, but not limited to, microfilming the records or placing them on an optical imaging system and storing the original film or tape in accordance with Administrative Code Section 8.4. Once the Authority takes these measures, it may destroy the original paper records. The Authority may destroy duplicate copies of permanent records whenever the duplicate copies are no longer necessary for the efficient operation of the department. Examples of permanent records of the Authority include official records of the Authority Board of Directors such as meeting minutes and approved resolutions.
- **Essential records.** Essential records are records necessary for the continuity of government and the protection of the rights and interests of individuals (Admin. Code Section 8.9). Examples of the Authority’s essential records include advice letters and opinions.

Category 2: Current Records. The Authority may classify records it retains in the office or facility for employee convenience, ready reference, or other reasons, as current records. The Authority shall retain current records as follows:

- Where law specifies retention period. The Authority shall retain current records in accordance with time periods specified in federal, state, or local law. Examples of Authority records that the law specifies particular retention periods for include Statement of Economic Interest Form 700 (required by California Government Code Section 81009(e)) and Accident Injury reports.
- Where law does not specify retention period. If the law does not specify a particular time period for retention, the Authority must comply with the time periods specified in the Schedule. The Authority shall retain current records for a minimum of two years, although such records may be treated as “storage records” and stored off-site during the applicable retention period. Examples of Authority’s current records include invoices for purchases of supplies and budget documents.

Category 3: Storage Records. The Authority may classify records as storage records and retain them off-site. These records are subject to the same retention requirements as current records.

Category 4: No Retention Required. The Authority may classify documents and other materials that do not meet the definition of a “record” pursuant to Administrative Code Section 8.1 as Category 4 documents. Unless applicable law or the Schedule states otherwise, the Authority may destroy such documents and materials (including originals and duplicates) that it no longer needs in order to function or continue operating. These documents may not have legal significance. Examples include materials and documents generated for the convenience of the person generating them, draft documents (other than certain contracts) that are superseded by subsequent versions or rendered moot by departmental action, and duplicate copies that are no longer needed. Specific examples include telephone message slips, miscellaneous correspondence that does not require follow-up or departmental action, notepads, emails that do not contain information that the Authority is not required to retain under this policy, and chronological files.

B. RECORDS NOT ADDRESSED IN THE RECORDS RETENTION SCHEDULE

The Authority may destroy records and other documents or materials that are not expressly addressed in the attached Schedule provided that the Authority has retained the documents for the periods prescribed for substantially similar documents.

C. STORAGE OF RECORDS

The Authority may store on-site records the Authority actively uses or maintains in the office for convenience or quick reference. Examples of active files the Authority may appropriately maintain on-site include active leasing and current administrative files.

The Authority may send to the City’s off-site storage facility or the Authority’s storage facility inactive records of which the Authority use of or reference to has diminished sufficiently to permit removal. The Authority shall not send boxes to the City’s storage facility without a destruction date.

Records sent to storage within the same box shall all have the same destruction date. The setting of the destruction date shall be keyed to the end of the fiscal year in which the document was created unless otherwise specified.

D. HISTORICAL RECORDS

When appropriate, the Authority shall consult with the San Francisco Public Library and the City Archivist to determine if certain historical records are relevant for inclusion in the City Archives. Historical records are records that the Authority no longer uses, but may be of historical interest or significance because of their age or research value. Such records shall remain property of the Authority, but Custody of such relevant documents shall be transferred to the City Archives by the Authority by way of a Letter Agreement between the two parties.

The Authority shall not destroy historical records except in accordance with the procedures set forth in Administrative Code Section 8.7.

E. PENDING CLAIMS AND LITIGATION

The retention periods set forth in the attached Schedule do not apply to materials that are relevant to a pending claim or litigation against the City or the Authority, even if the records are otherwise eligible for destruction.

Once the Authority becomes aware of the existence of a claim or litigation against the City, it shall notify the City Attorney's Office, who must then notify all affected City departments. Notwithstanding the Schedule, the respective departments, including the Authority, must retain all documents and other materials related to the claim or litigation until the City Attorney's office reports that the claim or litigation has been finally resolved.

F. BACKUP TAPES OR SIMILAR ARCHIVAL SYSTEMS

The Authority utilizes computer file server backup serving the limited purpose of providing a means of recovery in cases of disaster, departmental system failure, or unauthorized deletion of electronic files originally created and stored on the TIDA network server. The Authority may not access such archival systems except in these limited situations. Electronic records such as emails that an employee has properly deleted under the Authority's Schedule but that remain on such archival system are analogous to paper records that the Authority has lawfully discarded but may be found in a City-owned dumpster. Neither the Public Records Act nor the Sunshine Ordinance requires the Authority to search the trash for such records, whether paper or electronic.

G. EMAIL SYSTEM

The Authority's email system, maintained by the City's General Services Agency on behalf of the Authority, does not fulfill the Authority's record retention obligations. The Authority provides an email system to its employees as a convenient and efficient medium of communication. However, the email system is not a medium for storage of information or any of the Authority's records.

If the Authority's Policy and Schedule requires the retention of an email itself, an attachment to the email, or a link in the email, the Authority may not rely on the email system to satisfy the retention requirement. Authority staff must determine with regard to each email or attachment whether the

Authority's Policy and Schedule requires retention of a particular record. If the Policy and Schedule requires retention of the email, staff must retain it in accordance with the Schedule and delete it from the email system. If the Schedule does not require retention of the email the staff may either delete it as soon as it is no longer necessary for the immediate discharge of official duties or store it elsewhere for as long as the staff deems appropriate. In any case, whether to satisfy records retention obligations or merely to serve administrative needs, the staff must not store the email communication on the email system.

H. RECORDS RELATING TO EMERGENCIES/DISASTERS AND COST RECOVERY

The Authority shall retain all records relating to emergencies/disasters and Authority cost recovery for the Federal Emergency Management Agency and California Emergency Management Agency programs and activities that are governed by 44 CFR §13.42. Title 44. Section 13.42 of the Code of Federal Regulations requires the department to retain any records documenting the costs it incurs in responding to an emergency or disaster for three years.

The California Code of Regulations requires the Authority to retain all financial and program records related to cost or expenditures eligible for state financial assistance for three years (19 CCR § 2980(e)). The three year retention period starts on the date the Project Worksheet file is officially closed by receipt of a closure letter from the State of California. Because state and federal regulations change from time to time, the Controller's Office will issue specific rules for file retention on any given disaster that will reflect the most up to date retention requirements.

I. RECORDS RELATING TO FINANCIAL MATTERS

The Controller's Office must approve all records pertaining to financial matters proposed for destruction before the department destroys them. (Admin. Code Section 8.3). The Controller's Office reviews and approves each department's Schedule. The Authority shall destroy documents consistent with the Policy and Schedule. The Authority shall obtain approval from the Controller's Office to destroy documents pertaining to financial matters that do not fall within the Policy and Schedule.

J. RECORDS RELATING TO PAYROLL RECORDS

The Retirement Board must approve all records pertaining to payroll checks, time cards, and related documents proposed for destruction before the Authority destroys them. (Admin. Code Section 8.3). The Retirement Board reviews and approves each department's Schedule. The Authority may destroy documents consistent with the Policy and Schedule unless the Retirement Board requests the documents be sent to them. The Authority shall obtain approval from the Retirement Board to destroy documents pertaining to payroll checks, time cards, and related documents that do not fall within the Policy and Schedule.

K. RECORDS THAT CONTAIN LEGAL SIGNIFICANCE

The City Attorney's Office must approve all records containing legal significance proposed for destruction before the department destroys them. (Admin. Code Section 8.3). The City Attorney's Office reviews and approves each department's Schedule. The Authority shall destroy documents consistent with the Schedule. The Authority shall obtain approval from the City Attorney's Office to destroy documents that contain legal significance that do not fall within the Policy and Schedule.

L. APPROVAL FROM THE MAYOR'S OFFICE OR THE APPLICABLE BOARD OR COMMISSION

Administrative Code Section 8.3 requires the Director of Treasure Island to prepare the Policy and Schedule and obtain approval from Treasure Island Development Authority Board of Directors. In accordance with Charter Section 4.104(a)(1), the Authority Board of Directors shall post the Schedule for at least ten days prior to adopting it at a public hearing.

M. QUESTIONS

Questions concerning the Treasure Island Development Authority Policy and Schedule should be directed to Peter Summerville (Peter.Summerville@sfgov.org).

Attachment – Treasure Island Development Authority Record Retention Schedule

RECORDS RETENTION AND DESTRUCTION SCHEDULE

Department Name: Treasure Island Development Authority
Department Contact: Peter Summerville

Contact Phone Number: 415-274-0660

Department Website: www.sftreasureisland.org/

Division	Division Contact	Record Category	Record Title / Description	Document Link	Retention Category	Retention Period		Remarks
						Total	Off-site	

Division	Division Contract	Record Category	Record Title Description	Document Link	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
		Disaster / Cost Recovery Documentation	COVERS ALL DOCUMENTS RELATING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) PUBLIC ASSISTANCE AND ACTIVITIES, INCLUDING PROJECT WORKSHEET FILES (applies to all financial and programmatic records, contracts, insurance documents, supporting documents, statistical records, and other records of grantees or subgrantees FOR FEMA AND CAL OES PUBLIC ASSISTANCE GRANTS)		2 - Current	3 years from date of project closeout.	3 years from date of project closeout.		Any and all records relating to costs incurred during an emergency or disaster, and for which FEMA or Cal OES Public Assistance is sought, must be retained in accordance with the Code of Federal Regulations 44 CFR Section 13.42. Records shall be retained for three (3) years from the date the Project Worksheet file is officially closed. The date of closure of a project is confirmed by receipt of a closure letter from the State of California (unless any litigation, claim, negotiation, audit or other action involving the records has been started before the expiration of the 3-year period). The records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular 3-year period, whichever is later. Note: State and Federal regulations change from time-to-time, the Controller's Office will issue specific rules for file retention on any given disaster, should there be a change. California State regulations (Title 19 California Code of Regulations Section 2980 (e)) specifies an identical record retention period of 3 years from the close of the Project Worksheet file.
Citizen Advisory Board		General / Administrative	Citizen Advisory Board Bylaws		1 - Permanent	Permanent	Permanent		

Division	Division Contract	Record Category	Record Title Description	DocumentLink	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Citizen Advisory Board		General / Administrative	Citizen Advisory Board agendas, minutes, meeting materials, correspondence, and approved resolutions		1 - Permanent	Permanent	Permanent		
Citizen Advisory Board		General / Administrative	Citizen Advisory Board member applications, appointment and resignation processing paperwork		1 - Permanent	Permanent	Term of Appointee plus 5 years	Permanent	
Development		General / Administrative	Associated Topic-Specific Development Plans including Streetscape Master Plan, Signage Master Plan, YBI Habitat Management Plan, Design for Development Plan,		2 - Current	Project completion plus 10 years	Until project completion	10 years after project completion	
Development		General / Administrative	Disposition and Development Agreement		2 - Current	Project completion plus 10 years	Until project completion	10 years after project completion	
Development		General / Administrative	Economic Development Conveyance Memorandum of Agreement		2 - Current	Project completion plus 10 years	Until project completion	10 years after project completion	
Development		General / Administrative	Environmental Impact Reports		1 - Permanent	Permanent	Permanent		
Development		General / Administrative	Major Phase and SubPhase Applications and Approved Documents		2 - Current	Project completion plus 10 years	Until project completion	10 years after project completion	
Development		General / Administrative	United States Navy Environmental Reports for former Naval Station Treasure Island		2 - Current	Project completion plus 10 years	Until project completion	10 years after project completion	
Operations		City Audits	Audit Work papers and Supporting Documents for Audit Reports		2 - Current	7 years	7 years - Stored electronically		Controller's Retention Schedule; Admin Code Section 8.3
Operations		City Budget and Analysis	Department Budget Submission Documents		2 - Current	5 years	5 years - Stored electronically.		Controller's Retention Schedule; Admin Code Section 8.3.

Division	Division Contract	Record Category	Record Title Description	DocumentLink	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Operations		Civil Service / Administrative	Administrative files for employees. These files are separate from the official employee personnel file (OEPF) and contain personnel related records not maintained in the OEPF including discrimination complaints and related documents, grievances, medical records, (Family and Medical Leave Act) FMLA records, conflict of interest statements, workers' compensation records, Rule 115 appointment information, etc.)		2 - Current	During term of employment, and 7 years following separation if there is no litigation or review by a regulatory agency pending	During term of employment		Civil Service Commission Policy; FMLA Recordkeeping-29 CFR §825.500 (a) and (b); California Family Rights Act (CFRA) Recordkeeping-2 CCR §7287.0 (c)
Operations		Civil Service / Administrative	Job announcements (exam notices)		1 - Permanent	Permanent			Department of Human Resources policy. Kept permanently in Job Aps. Civil Service Commission policy provides that recruitment files, including applications and resumes of applicants, may be destroyed after three years if there is no litigation or review by regulatory agency pending
Operations		General / Administrative	Accident-Injury Reports		2 - Current	5 years			29 CFR 1904.33
Operations		General / Administrative	Claims, Lawsuits and Settlement Agreements including associated correspondence and supporting documentation		1 - Permanent	Permanent	2 years	Permanent	
Operations		General / Administrative	Clipper Cove Anchorage Permit applications and issued Anchorage Permits		2 - Current	Term of Permit plus 2 years	Term of Permit plus 2 years		

Division	Division Contract	Record Category	Record Title Description	DocumentLink	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Operations		General / Administrative	Clipper Cove Special Use Area Anchorage Permit logs, issued Notices of Violations, issued Clipper Cove Citations and citation payment information.		2 - Current	5 years	3 years	2 years	
Operations		General / Administrative	Department Head Calendars		2 - Current	2 years	2 years		Administrative Code Section 8 and 67.29-5
Operations		General / Administrative	Drafts of agreements City representatives are negotiating with another party that have been exchanged with that party		4 - No Retention Required	2 years			Administrative Code §67.24(a)
Operations		General / Administrative	General Department Policies and Procedures		2 - Current	Permanent until Superseded	Permanent until Superseded	N/A	Administrative Code Sections 8 and 67.
Operations		General / Administrative	Language Access Complaints		2 - Current	5 years			Administrative Code Section 91.9
Operations		General / Administrative	Leases, licenses, Use Permits and Easement Agreements between TIDA and another party, including applications for Lease, License or Use Permit, amendments to such agreements, associated correspondence, insurance documentation,		2 - Current	Length of agreement plus 2 year after expiration	Length of agreement plus 2 year after expiration		
Operations		General / Administrative	Ledgers and associated documents to support receipt of payments and deposit of revenue.		1 - Permanent, 3 - Storage	Permanent	2 Fiscal Years	Permanent	

Division	Division Contract	Record Category	Record Title Description	Document Link	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Operations		General / Administrative	Payroll Files and Time Sheets		3 - Storage	Separation + 7 years	Until Separation	7 years	Administrative Code Section 8.3. Permission from SFERS required prior to destruction. The Retirement Board must approve the destruction of all records pertaining to payroll checks, time cards and related documents (Admin Code Section 8.3). The Retirement Board reviews and approved each Department's Record Retention and Destruction Schedule.
Operations		General / Administrative	Professional Service Agreements between TIDA and another party, including associated insurance documentation and correspondence		2 - Current	Length of Agreement plus 6 years after expiration	Length of Agreement plus 6 years after expiration		
Operations		General Administrative	Budget Documents/Work Papers		2 - Current	2 years	2 years		Controller's Retention Schedule; Admin Code Section 8.3
Operations		General Administrative	Contract payment records for successful Request for Proposal (RFP) and Request for Qualifications (RFQs) (Purchase Order) for non construction contracts.		2 - Current	Contract life + 5 years retention or the term required by the funding source.	Contract life + 5 years retention or the term required by the funding source.		Controller's Retention Schedule; Admin Code Section 8.3
Operations		General Administrative	Contract selection for non construction contracts: Request for Proposals (RFPs), Request for Qualifications (RFQs), proposals and other		2 - Current	Contract life + 5 years retention or the term required by the funding source (10 years for construction projects).	Contract life + 5 years retention or the term required by the funding source.		Controller's Retention Schedule; Admin Code Section 8.3

Division	Division Contract	Record Category	Record Title Description	DocumentLink	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Operations		General Administrative	Grant Payment Records for Grantee or Grantor		2 - Current	Grant life + 5 years retention or the term required by the funding source.	Grant life + 5 years retention or the term required by the funding source.		Pertaining to both payments received by the City from funders and payments made by the City to grantees. Actual signed legal grant agreement, amendments and modifications, required attachments and financial and payment information, such as grant billing statements, drawdowns, and grant deliverables. Other payment information may consist of invoices, packing slips, purchase orders, and contract deliverables. Documents not available in electronic format: evidence of insurance, etc. Generally retain financial and programmatic records, supporting documents, statistical records, and all other records that are required by the terms of a grant, or may reasonably be considered pertinent to a grant, for a period of 5 years from the date the final economic report is submitted.
Operations		General Administrative	Grant applications both from the City to funders and to the City from grantees		2 - Current	Grant life + 5 years retention or the term required by the funding source.	Grant life + 5 years retention or the term required by the funding source.		Actual signed legal contract, amendments and modifications, required attachments and financial and payment information. Other payment information may consist of invoices, packing slips, purchase orders, and contract deliverables. Documents not available in electronic format: evidence of insurance, etc.

Division	Division Contract	Record Category	Record Title Description	DocumentLink	Retention Category	Retention Period			Remarks
						Total	On-site	Off-site	
Operations		General Administrative	Invoices and Associated Documents to Support Payment, purchase order, employee reimbursement.		2 - Current	5 years - Or the length stipulated by the funding source if greater than 5 years.	2 years	3 years	Controller's Retention Schedule; Admin Code Section 8.3
TIDA Board of Directors		General / Administrative	Conflict of Interest - Form 700		2 - Current	7 years	5 years	2 years	California Government Code Sections 81009(d)(e), §81010, §87200; 2 Cal. Code of Regs. §18115, §18730; SF Campaign & Gov Conduct Code Article III Sec 1; CSC Personnel Records Guidelines
TIDA Board of Directors		General / Administrative	TIDA Board of Directors Agendas, minutes, meeting materials, correspondence, and approved resolutions		1 - Permanent	Permanent	Permanent		
TIDA Board of Directors		General / Administrative	TIDA Board of Directors member applications, Appointment and Resignation Processing paperwork		1 - Permanent	Permanent	Permanent		
TIDA Board of Directors		General / Administrative	TIDA Bylaws		1 - Permanent	Permanent	Until superceded	Permanent	
TIDA Board of Directors and Citizen Advisory Board		General / Administrative	Audio/Video recording of meetings of policy bodies		1 - Permanent	Permanent			Administrative Code Section 67.14(b), 67.8-1(a)

RECORDS RETENTION AND DESTRUCTION POLICY AND SCHEDULE SIGNATURE PAGE

Submit your Policy with the Schedule and signature page attached at the end. Secure the signatures below, as appropriate, and deliver to: Office of the City Administrator, City Hall Room 362, Attention: Index to Records.

Name of Department: Treasure Island Development Authority

For departments that do not have a board or commission:

For departments that have a board or commission:

Steve Kawa, Mayor's Chief of Staff

Date Approved

Kate Arhin Keto Ari
Commission Secretary name and signature

4/13/16
Date Approved

ALL DEPARTMENTS

Department Head name and signature: Robert Beck Date Approved: 5/18/16

Approval as to Records relating to financial matters:

Ben Rosenfield Date Approved: 5.16.16
Ben Rosenfield, Controller

Rosanne Tave Date Approved: 05-10-2016
Controller Staff (print and sign)

Approval as to Records of legal significance:

Dennis J. Herrera Date Approved
Dennis J. Herrera, City Attorney

Alicia Cabrera Date Approved
City Deputy Attorney (print and sign)

Approval as to Records relating to payroll matters:

Jay Huish Date Approved
Jay Huish, Executive Director - Retirement Board

ORIGINAL