

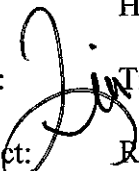


Berkeley Housing Authority

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Office of the Executive Director

Item 6B
ACTION CALENDAR
November 17, 2011

To: Honorable Chair and Members of the Berkeley Housing Authority Board
From:  Tia M. Ingram, Executive Director
Subject: Record Retention Policy

RECOMMENDATION

Rescind Resolution No. 08-14, and adopt a new resolution, adopting a revised Record Retention Policy

BACKGROUND

Record Retention Policies, and in particular the Record Retention Schedule, are key elements in effective records management programs. The Retention Schedule assists BHA by documenting which records: require temporary storage, have historic or research value, and which should be destroyed because they no longer have administrative, operational, fiscal or legal value.

On April 21, 2008, BHA adopted a Record Retention Policy (Resolution No. 08-14). This policy includes a Retention Schedule as described above. Two recent actions prompted the timing of this review, and recommended change(s):

1. Freedom of Information Act (FOIA) request. BHA was served a FOIA request regarding a family currently receiving rental assistance. Staff often uses email as a means of communicating internally, and externally regarding routine and non-routine situations. In the particular instance, staff had exchanged over 50 emails, internally and externally regarding this case. The fact that the messages had not been deleted (after the specific questions were addressed) resulted in staff having to produce the comprehensive email chronology within 10 days, which proved to be very time consuming.
2. City of Berkeley protocol regarding Email. The City of Berkeley recently revised the protocol for email messages. The City has long had a policy of setting limits on the size of staff mail boxes. Recently, the standard was modified to not only restrict the size of the mail box, but to include retention standards. Effective November 20th all email messages will automatically be deleted after 90-days. Messages that must be retained (including "Attorney-Client" and personnel matters) can be retained permanently in a new "Records" folder, in the appropriate category: Attorney-Client Privilege; Personnel; and Other. Staff has been instructed to review all email messages (incoming, outgoing, and those in "personal folders") and delete or archive email messages appropriately.

The attached Schedule shows the proposed changes in *italic*. In addition, we have instituted internal standards to govern how messages are titled – to allow for more efficient search by topic.

FINANCIAL IMPLICATIONS

No additional cost; may eventually reduce the cost for some off-site, secure storage of historical records.

CONTACT PERSONS

Tia M. Ingram, Executive Director, 981-5471

Rachel Gonzales-Levine, Management Analyst, 981-5485

Attachments:

1. Resolution
2. Record Retention Schedule

RECORD RETENTION POLICY
RESOLUTION NO. 11-_____

WHEREAS, the Berkeley Housing Authority is a contractor to the U.S. Department of Housing and Urban Development; and

WHEREAS, the Berkeley Housing Authority is a contractor to the State Department of Housing and Community Development; and

WHEREAS, there are Federal and State requirements regarding the maintenance and destruction of records; and

WHEREAS, a Retention Schedule is required to govern which documents require temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have administrative, operational, fiscal or legal value; and

WHEREAS, the Record Retention Schedule adopted in April 2008, Resolution No. 08-14, is now revised.

NOW, THEREFORE BE IT RESOLVED that Resolution No. 08-14 is rescinded.

FURTHER RESOLVED, that a new Record Retention Schedule, attached hereto, and identified as Exhibit A is hereby adopted.

BERKELEY HOUSING AUTHORITY RECORD RETENTION SCHEDULE

ADMINISTRATION		
1.0 AUDIT		
Record Series	Retention	Description
Annual Financial Report	Permanent	Independent Auditor Analysis
Bonds	10 yrs after close	Final Bond Documentation
Budget	Permanent	Annual Operating Budget approved by Commission
Reports	2 yrs after audit	Internal and/or External
Reviews, Internal/External/ Periodic	Current Year + 3	Daily, weekly, monthly, quarterly or other summary review, evaluation, log, list, statistics (excluding "reports")

ADMINISTRATION		
2.0 HUMAN RESOURCES		
Record Series	Retention	Description
Personnel Records (Outsourced to City of Berkeley)	See attachment 1, COB Record Retention Policy, "Human Resources"	Including but not limited to recruitment, applications, testing, benefits, reasonable accommodation, Employee Assistance Program, and leaves
Employee Recognition Program	2 years after award	Managed by BHA
BHA Training Records	Current yr + 3 yrs	Employee applications, volunteer program training, class training materials, internships, <i>in-house training exercises.</i>
EIV Certification	Current + 1 yr	Signed acknowledgement of "Rules of Behavior"
Conflict of Interest Certification	Term of employment + 3 yrs	Annual certification by employee of relatives in the program, and prohibition against working on any case that involves a close family relation

ADMINISTRATION		
3.0 LEGAL/LEGISLATIVE		
Record Series	Retention	Description
Agendas	Permanent	Original agendas and special meeting notices for regular and special commission meetings, including certificates of posting, original summaries and communications to the commission, and original agendas and minutes for commission subcommittee meetings
Agenda Reports	Permanent	Documentation received, created and/or submitted to Commission
Articles of Incorporation	Permanent	
Contracts with City of Berkeley for funds and/or services	Permanent	Subsidy agreement, service matrix
Contracts and Agreements, excluding Capital Improvements	Termination + 5 yrs	Includes leases, equipment, services or supplies
Contracts and Agreements, including Capital Improvements	Termination + 5 yrs	Construction
Building Leases		Lease agreement and amendments for BHA Offices, including any property tax waivers
Legal Advertising	Current yr + 4 yrs	Includes public notices, legal publications
Minutes	Permanent	"Action" minutes, official minutes and hearing

		proceedings of governing body or board, commission or committee
Freedom of Information Act Files	3 yrs after response	Request and response, as appropriate attachments
Meeting Notices	Permanent	Special Meetings
Opinions	Permanent	Confidential
Resolutions	Permanent	Legislative Actions
Tapes, Audio/Video	Current yr + 2 yrs	When used for minute preparation may have historical value

ADMINISTRATION		
4.0 PUBLIC INFORMATION		
Record Series	Retention	Description
Brochures, publications, newsletters, bulletins	2 yrs	<i>Includes newsletters, inserts distributed to participating and prospective landlords, program participants</i>
<u>Email Messages (routine)</u>	<u>90-days</u>	<u>Except as required, all email messages shall be deleted when aged 90-days</u>
<u>Email Messages (preserved)</u>	<u>Permanent</u>	<u>Messages classified "Attorney-Client", Personnel records or "other" messages of historic or research value shall be retained in a "Records" folder</u>
Media Relations	2 yrs	Includes cable, newspaper, radio, message boards, presentations

ADMINISTRATION		
5.0 RISK MANAGEMENT		
Record Series	Retention	Description
Accident Reports	Closed + 7 yrs	Reports and Related Records
Bonds, Insurance	Permanent	Bonds and insurance policies insuring BHA property and other assets
Claims, Damage	Closed + 5 yrs	Paid/Denied
Incident Reports	Closed + 7 yrs	Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement)
Insurance, Joint Powers Agreement	Permanent	Accreditation/MOU's/agreement/agendas, <i>workers comp loss run reports</i>
Insurance, Certificates	Permanent	Insurance certificates filed separately from contracts, includes insurance filed by licensees
Insurance, Liability/Property	Permanent	May include liability, property, certificates of Participation, deferred, use of facilities
Work Area Safety Committee Reports	Permanent	Inspection reports, meeting notes
Workers Compensation	Permanent	Claim files, reports, incidents (working files) originals filed with Administrator

FINANCE		
6.0 ACCOUNTING		
Record Series	Retention	Description
Accounts payable	Audit + 3 yrs	Invoices, check copies, supporting documents
Accounts Receivable	Audit + 3 yrs	Billings, receipts, supporting documents
Fiscal Data Cards	Audit + 3 yrs	Documentation of HAP adjustments from program to fiscal staff
Bank Reconciliation	Audit + 3 yrs	Statements, summaries for receipts, disbursements and reconciliation
Budget	Audit + 3 yrs	Budget approved by Board
Budget adjustments, journal entries	Audit + 3 yrs	Account transfers and other data input to the General Ledger
Checks	Audit + 3 yrs	S8 and LIPH and RHCP program expenses

		(excludes payroll and accounts payables which are outsourced via contract to City of Berkeley)
Deposits, Receipts	Audit + 3 yrs	Checks, coins, currency
Invoices	Audit + 3 yrs	Copies sent for fees owed, billing, related documents
Journals	Current + 3 yrs	Transaction summary records of subsystems integrating into the General Ledger
Ledger, General	Current + 3 yrs	Paper (document) report

ADMINISTRATIVE SERVICES

7.0 FIXED ASSETS		
Record Series	Retention	Description
Inventory	Audit + 4 yrs	Reflects purchase date, cost, inventory control schedule (SKU)
Surplus Property		
Disposal	Audit + 4 yrs	Sealed bid sales of equipment
Vehicle Ownership and Title	Life	Title transfers when vehicle is sold

ADMINISTRATIVE SERVICES

8.0 PAYROLL (outsourced via contract with City of Berkeley)		
Record Series	Retention	Description
Payroll	See attachment 1, COB Record Retention Policy, "Auditor/Payroll"	Function outsourced to City of Berkeley; includes but is not limited to time sheets, retirement benefits, salary records, beneficiaries, garnishments

ADMINISTRATIVE SERVICES

9.0 PURCHASING		
Record Series	Retention	Description
Bids, RFQ's, RFP's; Successful/ Unsuccessful	Audit + 4 yrs Audit + 5 yrs	Requests for Qualifications; Requests for Proposals regarding goods and services
Requisitions		
Purchase Orders	Audit + 4 yrs	Original documents
Vendor Register	Current + 3 yrs	Alpha vendor listing or purchase orders; invoices, account numbers and check date

ADMINISTRATIVE SERVICES

10.0 REPORTS		
Record Series	Retention	Description
Audits	Permanent	
Deferred Compensation	Permanent	Records of employee contributions (outsourced to City of Berkeley)
Federal and State Tax	Permanent	Forms 1096, 1099, W-9, W-4 and W-2 (outsourced to City of Berkeley)
Investment Transactions	Permanent	Summary of transactions inventory & earning report
Labor Distribution	Permanent	Cost allocation plan; attributes costs by employee and program

PROGRAM RECORDS

11.0 SECTION 8 AND LOW RENT PUBLIC HOUSING		
Record Series	Retention	Description
Admissions and Continued Occupancy Policy (ACOP)	5 yrs after revisions	
HUD Annual Contributions Contract (ACC)	Permanent	
HUD Grants	Audit + 7 yrs	

HUD Program Audits	Permanent	Includes RIMS; Inspector General Analysis and other assessments
HUD Public Housing Assessment System (PHAS)	Permanent	
<u>HUD Memorandum of Agreement (LIPH)</u>	<i>Permanent</i>	
HUD Section Eight Management Assessment Program (SEMAP)	Permanent	
Public Housing Agency Plan (PHA Plan)	Permanent	Including records of all substantive comments received
<u>HUD Corrective Action Plan (S8)</u>	<i>Permanent</i>	
Section 8 Administrative Plan	5 yrs after revisions	
Participant/Tenant Files (active)	Current yr + prior 3 yrs	Every file to include <i>documentation of admission</i> - original application and wait list verification <u>or 52665 from initial PHA (if Port in) or documentation of special admission</u> , RTA, initial inspection and lease and contract for current assisted unit, most recent annual recertification including verification of income, assets and expenses (7401 Ch 15, 7420.7)
Participant/Tenant Files (terminated)	3 Yrs after termination	<i>Documentation of admission</i> Original application and wait list verification <u>or 52665 from initial PHA or documentation of special admission, documentation of termination including any hearing(s) and notice to landlord of HAP termination</u>
Applicant Files (non responsive)	3 yrs after denial	
Applicant Files (denied)	3 yrs after denial	
<u>Landlord Files</u>	<u>3 Yrs after termination of HAP Contract</u>	<u>Owners' Declaration Forms, HAP Contract, Grant Deed, Request for Direct Deposit, and other documents and correspondence</u>
Utility Allowance Records	Current + 2 yrs	Analysis, resulting schedule
Payment Standard Records	Current + 2 yrs	Analysis, resulting schedule
Maintenance Wage Schedule	Current + 2 yrs	