

**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT**

**RESOLUTION NO. 2008-083**

**APPROVE RECORD RETENTION PROGRAM FOR E-MAIL COMMUNICATIONS**

September 12, 2008

**WHEREAS**, the Golden Gate Bridge, Highway and Transportation District's (District) General Manager desires to establish a record retention program for e-mail communications of the District, based on retention periods developed by staff in conjunction with the Attorney and based on the requirements of Government Code section 60200 et seq.; and,

**WHEREAS**, the Rules, Policy and Industrial Relations Committee, at its meeting of September 12, 2008, has so recommended; now therefore, be it

**RESOLVED** that the Board of Directors (Board) finds that the majority of District e-mail communications convey informal and short-term information of a transitory nature which has no lasting value to the District; and be it further

**RESOLVED** that the Board finds that District's proposed Records Retention Program for E-mail Communications (Program) establishes appropriate retention periods for different categories of e-mail communications, based both on statutory requirements and the relative value different e-mail communications have for the District's operations; and be it further

**RESOLVED** that the Board finds that the destruction of the e-mail communications in conjunction with the District's proposed Records Retention Program for E-mail Communications (Program), will not adversely affect any interest of the District or of the public; and be it further

**RESOLVED** that the Board of the Golden Gate Bridge, Highway and Transportation District hereby authorizes the creation of a Record Retention Program for E-mail Communications as described in Attachment A; and be it further

**RESOLVED** that the Board authorizes the General Manager to implement the Record Retention Program for E-mail Communications, in conjunction with Information Systems staff, using the retention periods established by staff in consultation with the Attorney; and be it further

**RESOLVED** that the General Manager may update the Record Retention Program for E-mail Communications in conjunction with the Attorney, as necessary from time to time to comport with changes in the law.

**RESOLUTION NO. 2008-083**  
**BOARD OF DIRECTORS MEETING OF SEPTEMBER 12, 2008**  
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**ADOPTED** this 12<sup>th</sup> day of September 2008, by the following vote of the Board of Directors:

**AYES (15):** Directors Brown, Cochran, Eddie, Grosboll, Hernández, Kerns, McGoldrick, Newhouse Segal, Pahre, Reilly, Sanders, Sobel and Stroeh; Second Vice President Ammiano; President Moylan

**NOES (0):** None

**ABSENT (4):** Directors Dufty, McGlashan and Sandoval; First Vice President Boro

**ATTEST:**   
**Janet S. Tarantino**  
**Secretary of the District**

  
**John J. Moylan**  
**President of the Board of Directors**

Attachment: *Golden Gate Bridge, Highway and Transportation District Record Retention Program for E-Mail Communications*

**GOLDEN GATE BRIDGE, HIGHWAY AND TRANSPORTATION DISTRICT  
RECORD RETENTION PROGRAM  
FOR  
E-MAIL COMMUNICATIONS**

This document constitutes the record retention program for e-mail records ("Program") of the Golden Gate Bridge, Highway and Transportation District ("District"). The Program was authorized by the District's Board of Directors on September 12, 2008, by Resolution 2008-083. The provisions of the Program apply to all District employees, contractors and officers ("District Personnel") who send, receive or otherwise utilize E-mail Communications pertaining to the conduct of the District's business through use of the District's e-mail system.

The purpose of this Program is to more effectively and efficiently manage e-mail communication storage at the District and thus to reduce expenses related to e-mail management and e-mail server/backup capacity. This Program will be coordinated with the District's comprehensive record retention Program which is currently being developed.

This Program was developed in consultation with the District's Attorney and Director of Information Systems, and complies with the record retention requirements applicable to special districts set forth in Government Code section 60201(b)(1). In the event that this law changes, revisions to this policy may be required.

**A. DEFINITIONS**

E-mail Communications: Communications (messages) sent or received by District personnel on the District's e-mail system (currently Microsoft Outlook and Exchange) regarding business of the District.

District personnel: Employees and officers of the District.

Program: The District's records retention program for E-mail Communications.

Transitory e-mail: E-mail communications conveying informal and short-term information of a transitory nature which has no lasting value to the District. E-mails in Inbox and Sent Items folders which are not moved to an Archive e-mail folder within 90 days are presumed to be transitory e-mails.

Archive 2-Year e-mail folder: An e-mail folder in the e-mail program of all District personnel which should be used to retain e-mails which pertain to ongoing projects or business and have value to the District beyond the 90-day retention period used for standard transitory e-mails.

Archive Indefinite e-mail folder: An e-mail folder in the e-mail program of designated District personnel which have e-mails which must be retained indefinitely, and potentially longer than 2 years. District Information Systems staff will create Archive Indefinite e-mail folders as needed.

Designated Record Keeper: Individual District employee assigned the task of retaining e-mails applicable to a particular project. The Designated Record Keeper should keep applicable e-mail records in their Archive Indefinite folder, and confer with the Project Manager, District Secretary and District Attorney before destroying these e-mails.

**B. PURPOSE OF E-MAIL**

District personnel should use E-mail Communications as a medium for informal and short-term communications, akin to verbal communications. E-mail Communications should generally convey transitory information which has no lasting value to the District. Where an e-mail possesses more lasting significance, or it falls within one of the categories requiring a longer retention period summarized in Section D below, District personnel should preserve the e-mail record for a longer period by transferring it to an e-mail Archive folder or printing a hard copy.

E-mail should not be used to create important or lasting official records of the District. Where official records are required to satisfy a particular purpose or retention period, such as resolutions, ordinances, internal policies, official correspondence, contracts, personnel documents, etc., a form other than e-mail should be used (such as hard copy or other permanent unalterable form of recording).

**C. E-MAIL RECORD RETENTION REQUIREMENTS**

E-mails in Inbox, Sent Items and Deleted Items folders will be managed by the District's Information Systems staff through an automated process, as described in more detail below.

<b>E-MAIL CATEGORY</b>	<b>RETENTION PERIOD</b>	<b>METHOD OF DESTRUCTION</b>
Transitory e-mails in Deleted Items folder	Destroyed 7 days after the e-mail enter the Deleted Items folder	Automated destruction by the District's Information Systems Department
Transitory e-mails in Inbox and Sent Items folder	Destroyed 90 days after the receipt or sending of the e-mail	Automated destruction by the District's Information Systems Department
E-mails in "Archive 2-Year" folder	Destroyed 2 years after the receipt or sending of the e-mail	Automated destruction by the District's Information Systems Department
E-mails in the "Archive Indefinite" folder	Destroyed after the applicable retention period passes	E-mail user or Designated Record Keeper, as the case may be, determines when the applicable retention period has passed, and confirms with District Attorney and Secretary before destruction

In conjunction with new e-mail software obtained by the District, the District will be implementing "managed folders" to better manage E-mail Communications, storage and related costs. In addition to folders that District Personnel can currently create in Outlook, District Personnel will each have an "Archive 2-Year" folder in their Outlook program that should be used for the retention of e-mails of greater significance than simply transitory communication. More specifically, where e-mails pertain to ongoing projects or business and have value to the District beyond the 90-day retention period used for standard transitory e-mails in the Inbox and Sent Items folder, each e-mail user is responsible for moving them to the Archive 2-years folder. These e-mails will be retained for 2 years and then deleted automatically by District Information Systems staff.

Where applicable, District Information Systems staff will also create an Archive Indefinite folder for individual e-mail users for e-mails which require retention for an indefinite period potentially beyond 2 years. The "Archive Indefinite" folder should be used for e-mails which fall into one of the 4 categories listed in Section D below. District Information Systems staff will assist with managing the Archive Indefinite folder by consulting with individual e-mail users when the folders exceed a certain size and may require deletion of e-mails. In addition, limits on the size of mailboxes may also be imposed in the future as necessary, and as approved by the Attorney.

For large and/or ongoing projects, the District encourages the appointment of a Designated Record Keeper to perform the task of retaining e-mail records in their own Archive Indefinite folder so that these e-mails can be located in one location, and so that others working on the project do not need to retain duplicate e-mails.

#### **D. E-MAIL COMMUNICATIONS SUBJECT TO INDEFINITE RETENTION**

The following categories of E-mail Communications may not be destroyed until such time as they no longer fall within the category. E-mails that fall within any of these categories should be moved to Archive Indefinite folder.

1. Pending Claims / Pending Litigation / Settlement within Two Years: E-mail Communications which relate to pending claims, pending litigation, or the settlement or disposition of litigation within the previous two years must be retained for five years after resolution of the matter.

As necessary, the Attorney will coordinate with the Director of Information Systems to implement "litigation holds" to retain all affected E-mail Communications for the required period.

2. Pending Public Records Act request: E-mail Communications which are the subject of any pending request for records pursuant to the California Public Records Act ("PRA"). For purposes of this Program, a pending PRA request is one to which the District has not yet responded.

As necessary, the District Secretary will coordinate with the Director of Information Systems to implement "PRA holds" to retain all affected E-mail Communications for the required period.

3. Pending Construction: E-mail Communications which relate to any pending construction project. For purposes of this Program, a pending construction project is one which has not been completed and accepted by the District. Once a construction project is completed, these E-mail Communications will be retained for 2 years.

For all pending District construction projects, the District Engineer will coordinate "construction holds" to retain all affected E-mail Communications for the required period.

4. Ongoing Projects / Other Records: Other E-mail Communications may be retained in the Archive Indefinite folder when deemed appropriate and necessary for the District's ongoing projects and business operations. This determination will be made on a case by case basis, and requires the approval of the General Manager or designee.

**E.      **DUPLICATES MAY BE DESTROYED AT ANY TIME****

Duplicate E-mail Communications may be destroyed at any time, provided that at least one version of that E-mail Communication is retained somewhere for the applicable retention period. For instance, where an E-mail Communication is received by multiple District Personnel, only a single version of the e-mail need be retained and all other versions may be deleted. Where one has been appointed, the Designated Record Keeper is responsible to retain the E-mail Communication for the applicable retention period.

**F.      **FUTURE ADDITIONS TO THE DISTRICT'S RECORD RETENTION PROGRAM****

This policy only addresses E-mail Communications. A comprehensive record retention policy to address all records of the District will be developed in the near future. Any future record retention policy will be coordinated with this policy.