



Board Report

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Agenda Number: 30.

EXECUTIVE MANAGEMENT COMMITTEE JULY 15, 2021

SUBJECT: 2021 RECORDS RETENTION SCHEDULE

ACTION: APPROVE THE REVISED RECORDS RETENTION SCHEDULE

RECOMMENDATION

CONSIDER:

- A. APPROVING the 2021 Records Retention Schedule in Attachment A; and
- B. DELEGATING administrative authority to the CEO to eliminate obsolete records categories or to reduce retention periods as necessary due to changes in law or business requirements.

ISSUE

California Public Utilities Code Section 130051.23 requires the Los Angeles County Metropolitan Transportation Authority (LACMTA) to maintain records used for operational, financial, and legal reasons, and requires the board authorize any destruction of significant records. Revisions to the Records Retention Schedule have been routinely brought before the Board of Directors in past years.

At its September 2002 meeting, the board delegated administrative authority to the CEO for approving additions of new records categories and for extending the retention periods of categories. Authority to remove obsolete categories or reduce retention time periods was retained by the Board at that time. Delegating this additional administrative authority will streamline processing and reduce the amount of routine, administrative procedures that the Board must review.

To ensure Metro meets its legal requirements and business requirements for records retention, Board approval of the revised Records Retention Schedule ("Retention Schedule"), is required.

BACKGROUND

Since the Board last approved the Retention Schedule in November 2004, new legal requirements for retention emerged, and others were superseded. Beyond requirements, guidance from State and Federal authorities on best practices for retention has evolved; and the way Metro employees work has changed dramatically - Metro is creating new types of records, the period of time they need to be accessible has shifted, and some systems and formats referenced in the Retention Schedule are

obsolete.

In 2019, Metro's Research and Records Information Management (RRIM) Department procured a Records Retention Schedule Management Tool and configured the tool to work on Metro's network and manage Metro's Retention Schedule. This procurement included professional services of attorneys with expertise in records retention legal requirements to assist with modernizing the Retention Schedule. In 2020, these experts reviewed the schedule at length, mapped appropriate legal citations to retention categories, and recommended areas where categories with similar records and retention periods could be consolidated so the schedule is easier for employees to use.

The revised schedule attached is the product of over two years of research by Metro RRIM staff into State and Federal requirements and recommendations; hours reviewing Retention Schedules of other agencies, and interviewing their Records Managers; multiple reviews by records attorneys, including a final review before submitting for Board approval.

Summaries of changes and targeted trainings on the revised Retention Schedule are being prepared for Metro staff and departmental Records Coordinators. These will be finalized upon Board approval of the schedule.

DISCUSSION

The revised Records Retention Schedule accounts for the following changes to law and practice since the version approved by the Board:

- Per National Archives and Records Administration (NARA) guidance, indefinite retention periods are only used in rare cases. Permanent, archival records are now identified and retained as such, and other records are given finite retention based on legal and/or business requirements.
- The State of California no longer permits agencies to have Email as a stand-alone category on Retention Schedules. Email will now be retained based on its content, not its format.
- The internal organization of Metro has changed. For example, the Office of Records for "ADM7100 - Security Records" has shifted from Operations to System Security & Law Enforcement.
- Categories with similar types of records and similar retention periods have been identified and consolidated.
- Records Metro no longer creates or manages have been identified and removed from the Schedule. They will remain stored until the end of their life cycle and then destroyed. See Attachment C for a list of obsolete categories which were removed.

DETERMINATION OF SAFETY IMPACT

The Records Retention Schedule revisions do not impact the physical safety of Metro's staff or customers.

FINANCIAL IMPACT

The financial impact of approving the revised Retention Schedule is a reduction in legal exposure for Metro.

Impact to Budget

There is no impact to budget if approved.

EQUITY PLATFORM

The Retention Schedule is a tool which facilitates fair and just access to Metro's records. It standardizes information into categories, provides transparency into what records Metro creates, and defines the periods of time they are retained.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The Retention Schedule supports Metro's fifth Strategic Plan Goal:

Goal #5 - Provide responsive, accountable, and trustworthy governance within the Metro organization.

ALTERNATIVES CONSIDERED

The alternative is to not accept the Retention Schedule revisions. This is not recommended as it would cause Metro's records retention practices to fall out of compliance with legal requirements, and the agency would continue to incur unnecessary costs of maintaining obsolete records.

NEXT STEPS

Guidance and training for departments on the changes to the Retention Schedule are being developed and will be implemented agency-wide upon Board approval of the schedule. Records Management will periodically bring the Retention Schedule to the CEO for review as new initiatives or legal changes require and will provide an annual summary of revisions.

ATTACHMENTS

Attachment A - 2021 LACMTA Records Retention Schedule

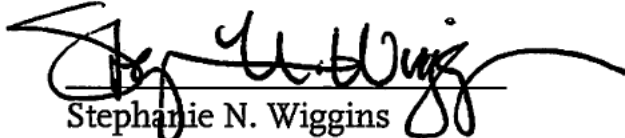
Attachment B - Obsolete Categories Removed from the Schedule

Prepared by: Matthew Barrett, Director, Library Services & Records Management, (213) 922-7444

David Lor, Principal Transportation Planner, (213) 922-2883

Shelly Ray, Principal Transportation Planner, (213) 418-3040

Reviewed by: Elba Higueros, Chief Policy Officer, (213) 922-6820



Stephanie N. Wiggins
Chief Executive Officer