DEPARTMENT: County Counsel  BY: Thomas P. Guarino  PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION:

Resolution authorizing the County Counsel’s office to destroy certain records and documents.

Pursuant to Government Code Section 26202 the applicable retention period has expired for the documents set forth in the attached exhibits. These documents are no longer of utility to the County. All final judgments and orders with respect to litigation files have been retained. It is recommended that the Board approve destruction of these records.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board has historically approved destruction of such records. Destruction of these records will help alleviate the need for more storage space.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The records will continue to be stored.

Financial Impact? ( ) Yes [x] No  Current FY Cost: $  Annual Recurring Cost: $
Budgeted In Current FY? ( ) Yes ( ) No ( ) Partially Funded

Amount in Budget: $
Additional Funding Needed: $

Source:
Internal Transfer
Unanticipated Revenue ______ 4/5’s vote
Transfer Between Funds ______ 4/5’s vote
Contingency ______ 4/5’s vote
( ) General ( ) Other

List Attachments, number pages consecutively
Formal Resolution
Exhibits

CLERK’S USE ONLY:
Res. No.: 846  Ord. No. ______
Vote – Ayes: ______  Noes: ______
Absent: ______

Approved
Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: __________
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: __________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
____ Requested Action Recommended
____ No Opinion
Comments:

CAO: __________________

Revised Dec. 2002
TO: THOMAS P. GUARINO, County Counsel
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Adopt a Resolution Authorizing the County Counsel's Office to Destroy Certain Records and Documents

RESOLUTION 06-463

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on October 3, 2006

ACTION AND VOTE:

Adopt a Resolution Authorizing the County Counsel's Office to Destroy Certain Records and Documents (County Counsel)

BOARD ACTION: Discussion was held with Thomas P. Guarino, County Counsel. Supervisor Pickard asked about the documents in the file for Yosemite National Park. Supervisor Turpin asked about the documents in the Special Districts file. County Counsel advised that he would review the documents in these files with Supervisors Pickard and Turpin and if they feel that any of the documents need to be retained, he will do so. (M)Pickard, (S)Turpin, Res. 06-463 was adopted authorizing the destruction of the records, with further review of the two files as noted/Ayes: Unanimous.

Cc: Supervisor Pickard
    Supervisor Turpin
    File
RESOLUTION NO. 06- 463

A RESOLUTION AUTHORIZING THE MARIPOSA COUNTY COUNSEL’S OFFICE TO DESTROY CERTAIN RECORDS AND DOCUMENTS

WHEREAS, Government Code section 26202 provides that the Board of Supervisors may authorize the destruction or disposition of any record, paper, or document which is more than two years old, which was prepared or received in any manner other than pursuant to a State statute or County charter; and

WHEREAS, Government Code section 26202 also provides that the Board of Supervisors may, by a 4/5 vote, authorize the destruction of any record, paper, or document which is more than two years old, which was prepared or received pursuant to a State statute, and which is not expressly required by law to be filed and preserved, if the Board determines that the record, paper, or document is no longer necessary or required for County purposes; and

WHEREAS, Government code section 26202 provides that such records, papers or document subject to this section need not be photographed, reproduced or microfilmed prior to destruction and no copy thereof need be retained; and

WHEREAS, the County Counsel’s Office has determined that certain records in question have no apparent historical significance and have no further administrative value and, therefore, is seeking permission to destroy the following records and documents pursuant to section 26202 of the Government code:

1. All departmental financial records, including claims, payroll information, and budget files which have been retained for at least five (5) years.

2. All closed files of former employees which have been retained for at least five (5) years.

3. All routine department chronological, subject and/or alphabetical files, including administrative records and contracts and those pertaining to special district, county service areas, committees and commissions which have been retained for at least five (5) years.

4. All conservatorship case files which have been retained for at least five (5) years after the death of the conservatee or dismissal of the conservatorship.

5. All litigation files containing pleadings and correspondence regarding litigated matters, which have been resolved, and which have been retained at least ten (10) years from the date of last activity in the file.

6. The files subject to this request are attached as Exhibit “A” hereto.

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Mariposa finds there is a need for an orderly and controlled plan for the systematic destruction of
records that are no longer needed or required in the County Counsel’s Office and said County Counsel's Office is hereby authorized to destroy the files and documents cited above.  

PASSED AND ADOPTED this 3rd day of October 2006 by the following vote:

AYES: STETSON, TURPIN, BIBBY, FRITZ, PICKARD
NOES: NONE
ABSENT: NONE

Lee Stetson, Chairman
Mariposa County Board of Supervisors

ATTEST:

Margie Williams, Clerk of the Board

APPROVED AS TO FORM:

Thomas P. Guarino, County Counsel
County Counsel
Teen Task Force, Inc.

Local Transportation Committee
Loose in file:
Proposal for Management and Operation of Mariposa County Rural Transit System 1988
Local Transportation Committee/General Correspondence (2) 1982
County Rural Transit System/General Correspondence

Sheriff
Proposition II/Space Needs Study 1984
Article “Autopsy Reports”

Treasurer/Tax Collector
Legal Bulletins, Judicial Decisions, Amendments, etc. 1985

Planning
General Correspondence 1985/1987

Welfare
General Correspondence 1982
Welfare Department-87/88 State Contracts-Miscellaneous
Welfare Building -Financing Options-State Statutes

Health
Hazardous Waste Management Correspondence 1987-1990
Hazardous Waste Management Plan-Borchard/Enrico Agreement 1988

Miscellaneous Agreements
Tennis Instructor
EMS Ambulance 33-Riggs to 10/30/88
EMS Ambulance-(Snap Grant)-Project # VIII-007
Assistant to District Attorney
Mariposa County Arts Council-Miscellaneous Agreements 1988
Midpines VFD Lease-Luke & Linda Murphy (Not Originals)
Serrot Corporation-Install Septic Pond Liner, Landfill, Mariposa (Not Originals)
Planning
Goldenbell Correspondence 1989
Goldenbell Mining Project 1988
McLaughlin Mining Project-Napa County 1983

Storage Box # 32 Shred List

Sheriff
General Correspondence 1988
General Correspondence 1987
General Correspondence 1986

Storage Box # 39 Shred List

CDF
General Correspondence 1972 - 1979

District Attorney
General Correspondence 1981 - 1982
England Extradition

Housing Authority
Legal Bulletins/General Correspondence 1983 - 1988

Mental Health
General Correspondence 1983 - 1988

Planning
General Correspondence 1985 - 1986

Welfare
General Correspondence 1987

Storage Box # 42 Shred List

Conservatorships
Atkinson, Sydney Case No. 2343
Dismukes, Alan W. Case No. 2171
Johnson, Floyd W. Case No. 2403
Morris, Edgar Charles Case No. 2505
Webb, Arthur B. Case No. 2214
Webb, Claudia Case No. 2462
Storage Box # 45 Shred List

**Insurance**
1988 Assessor’s Valuation of Property Owned by the County 4/87 - 1/88
1988 List of County Buildings
County-Owned Property - 1986 Assessor’s print-out
Insurance Specifications - 1985/86 Inventory/Facilities
Valuation of Building by Departments for 1986 Specs 6/85 - 5/86
CSAC - Property Quotation 10/87
CSAC - Joint Powers Agreement, Creating the CSAC EIA 2/87 - 8/87
CSAC - Underground Storage Tanks 11/89 - 7/91

**Special Districts**
Coulterville Sewer & Water - County Service Area 1-M 2/89 - 4/89
LAFCO “Sphere of Influence” - Lake Don Pedro Community Services District 2/81 - 2/92
Mariposa Pines - County Service Area 1-M no dates
Lake Don Pedro - County Service Area 1-M no dates
Countywide Service Areas, #2 9/87 - 6/89
LAFCO - Sphere of Influence Report, Districts within County 3/88 - 5/88
LAFCo - Yosemite West Maintenance District, Proposed Annexation 10/83 - 2/88

**Public Works**
Administration, General Correspondence, #2 10/91 - 12/91
Administration, General Correspondence, #1 2/91 - 9/91
Miscellaneous Agreements, File # 1 1992/1993
'' '' File # 2 1992/1993

**School District**
Loose in file: Information from Attorneys 2/91
General Correspondence 1/82 - 6/90

**Sheriff’s Department**
General Correspondence 1/89 - 12/89
General Correspondence 2/90 - 11/90

**Transportation Commission**
Financial Statements Three binders/loose 6/92

**Treasurer/Tax Collector**
General Correspondence 11/84 - 12/90
Taxes Due re Subdivision Maps 6/87 - 11/87
Tax - "Escaped" Tax 6/88
Mother Lode Lodge - TOT Liens 5/87 - 10/90
Storage Box # 46 Shred List

Insurance
Loose in file: CSAC Excess Insurance Authority Annual Report 11/21/94 - 10/27/95

Public Works
Public Works General Correspondence #2, 1993, 4/9/93 - 12/17/93
Public Works General Correspondence #1, 12/28/92 - 3/26/93
Hall of Records Basement Renovation
Correspondence January 1983 - October 1983
Correspondence January 1982 - December 1982
Correspondence August 1981 - December 1981

Storage Box # 48 Shred List

Administration
Administrative Officer Recruitment 1993
Correspondence
Citizen Screening Committee
Loose in file: Folder re same

Fish and Game
County Game Warden 1987

Health
General Correspondence #1 1/92 - 6/92
General Correspondence #2 6/92 - 12/92
Air Pollution - General Correspondence 10/87 - 6/89

Hospital
John C. Fremont Hospital Miscellaneous Correspondence 1981 - 1987

Human Services
Group Homes - Group Home Applications (Golden Oaks Children's Homes)
Group Homes 5/90 - 9/92
General Correspondence 4/90 - 12/92

Litigation (All but Judgment or Formal Disposition Only)

Case No. 7053 KEARNEY, NANCY V. HELEN TEDROW

Storage Box # 55 Shred List

Litigation (All Except Final Judgment and Disposition)

Case No. 6504 SOUZA/CHILDERS/BROWN adv. CO. OF MARIPOSA,
Filed 1/17/85
Case No. 1488/CIV/C12109-CRIM  PEOPLE v. HAMMACK (Def.), RANGER INS. CO. & Raul Fimbres Bail Bond (moving parties)

Case No. 6949  LESTER LEE LEWIS v. COUNTY OF MARIPOSA, et al.
File 12/8/89

Case No. 6968  GREGORY JUNG v. COUNTY OF MARIPOSA, et al.
File 2/14/90

Case No. 6717  LOU ANN STIMSON-HYSON v. CO. OF MARIPOSA, et al.
File 5/22/87

County Counsel
General Correspondence 1991
General Correspondence 1990

Grand Jury

Law Library
General Correspondence 1982 – 1989

Storage Box # 84 Shred List

Terminated Conservatorships

CONSERVATEE
Blessing, Naomi
Carlson, Arzella
DeLain, Harry
Dietrich, Roy James
Dorris, Carolyn
Gaiser, Laverne F.
Hasbach, Cathleen
Hyson, Richard James
Ladieu, Alice
Loudermilk, Bonnie
Marston, Alma
McClendon, Helen
McClendon, Rufus
Milani, Gary
Noorigian, John Bret
Rhodes, Charles P.
Smith, Genevieve
Stockman, April Michele

REASON
Successor Conservator
Successor Conservator
Successor Conservator
Deceased
Released to self
Released to self
Deceased
Successor Conservator
Successor Conservator
Deceased
Deceased
Successor Probate Conservator
Deceased
Transfer to Fresno County
Deceased
Son to act as Payee
Successor Conservator
Storage Box # 47 Shred List

**Airport**
Request for Proposal 1985
Airport Managers Agreement 3/1/85 – 2/28/86

**Claims**
Unnamed claimants 6/5/86
Unnamed claimants 6/5/86
Linkletter Properties - Slide Material on property 6/5/86
Coulterville/Yosemite Road

**Fire**
Fire Warden - Correspondence 1977 - 1983
Fire Warden: Cooperative Agreement to provide fire protection service 1981/1982
w/State Dept. of Forestry Res. 78-56

**Library**
Contract for Library Services with Tuolumne County 1985/1986
Agreement for Library Services Tuolumne/Mariposa 1986/1987

**Litigation Shred All except Judgment, Dismissal or Final Disposition**

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<td>YORK v. COUNTY OF MARIPOSA, Quiet Title - Coulterville</td>
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<td>4034</td>
<td>JUSTICE COURT BUILDING DEPT. v. BROOKS</td>
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<td>017582</td>
<td>CRUZ, Lorraine v. Mariposa County (Sheriff's Dept. Small Claims)</td>
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**School**
Home-Schooling Rights of Parent

**Sheriff**
Merced Track Club/Indian Gulch Hornitos Race 1981
Writ of Attachment
Research: Itinerant Vendors
Ord. 311 - Regulating Public Use of Lake McLure 1983
Ord. 599 - Rec Areas/Airborn Activities, etc.
Research: Public Traffic
Sample Emergency Injunction 1979
Transit System: Invitation to Bid for Transit System/Vehicle Bids

**Treasurer/Tax Collector**
Correspondence 1981 – 1982Welfare
Correspondence 1981 – 1982

**Yosemite National Park**
Land Exchange with U.S. Forest Service 1978
Highways, Private Lands, Foresta, Wawona 1950 - 1973