

CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY

a CALED sponsored organization

POLICY AND PROCEDURE

DOCUMENT RETENTION/DESTRUCTION POLICY

Adopted by the CEDA Board of Directors, November 15, 2018

I. PURPOSE

To ensure that the California Enterprise Development Authority ("CEDA") adequately protect and maintain necessary records and documents and discard records that are no longer needed in an appropriate way and at the appropriate time. As used herein, the term "employee" or "employees" shall include employees hired directly by the Authority as well as employees of the California Association for Local Economic Development who perform work for the Authority pursuant to a written agreement.

II. GENERAL

CEDA shall retain records for the period of their immediate or current use unless longer retention is necessary for historical reference or to comply with contractual or legal requirements. Records and documents outlined in this policy include paper, electronic files (including emails), and voicemail records regardless of where the document is stored. This includes items stored on network servers, desktop or laptop computers, handheld devices, and/or any other wireless devices with text messaging capabilities. Any employees of CEDA, or any other person who is in possession of records belonging to CEDA who is uncertain as to what records to retain or destroy, when to do so, or how to destroy them, may seek assistance from CEDA's Chair. As used herein, the term "employee" or "employees" shall include employees hired directly by the Authority as well as employees of the California Association for Local Economic Development who perform work for CEDA pursuant to a written agreement.

In accordance with 18 U.S.C. 1519 and the Sarbanes Oxley Act, CEDA shall not knowingly destroy a document with the intent to obstruct or influence an "investigation or proper administration or any matter within the jurisdiction of any department, agency of the United States... or in relation to or contemplation of any such matter." In order to eliminate accidental or innocent destruction, CEDA has the following document retention policy:

1. Except as otherwise indicated, documents shall be retained for the number of years indicated in Part III.

- 2. Irrespective of the retention periods specified in Part III, upon (i) receiving notice of a lawsuit, government investigation, or other legal action against or involving CEDA, or (ii) learning of circumstances likely to give rise to such an action, proceeding or investigation, all documents in any way relating to such matter shall be preserved and safeguarded.
- 3. Employees are expected to utilize documentation practices as trained and are required to comply with the documentation standards outlined in this policy. Failure to do so could result in disciplinary action, up to and including termination of employment.
- 4. Appropriate employees will maintain complete, accurate, and high-quality records electronically or in damage-proof storage for the duration of the time periods provided for in this policy. Once any such time period has lapsed, the records are to be destroyed.
- 5. Documents maintained solely in electronic format will be scanned and retained in organized electronic folders on CEDA's network in accordance with this schedule. All records or directories will be password protected and will be physically stored on separate network servers from their original server, with access provided only to the appropriate employee(s). Daily backups will be performed and the records will be stored off site in a secure location that meets CEDA's strictest security handling and safety practice requirements.

III. RECORD RETENTION GUIDELINES

Type of Document

Retention Term

A. Accounting

1	Annual financial statements	Permanent
2	Subsidiary ledgers	10 years
3	General ledger	Permanent
4	Annual audit reports and work papers	Permanent
5	Journal entries	10 years
6	Internal financial reports	3 years
7	Check registers and cash receipts	10 years
8	Depreciation schedules	10 years
9	Accounts payable invoices and reports	10 years

10	Accounts receivable invoices and reports	10 years
11	Chart of accounts	Permanent
12	Expense records	10 years
13	Bank Statements and Reconciliation	10 years
14	Budget	Permanent

B. Tax Records

1	Federal tax returns (excluding payroll)	Permanent
2	State & local tax returns	Permanent
3	1099 forms	Permanent
4	Payroll taxes (W2, W3)	Permanent
5	Payroll taxes (Form 941, state withholding, unemployment)	Permanent
6	City & State Sales and Excise Tax reports with supporting documentation	10 years

C. Payroll Records

1	Payroll deductions	10 years
2	Time cards	10 years
3	4-4 forms	10 years
4	Payroll records	10 years
5	State unemployment tax records	Permanent
6	Deductions register	10 years
7	Earnings records	10 years

D. Insurance Records

1	Policies (including expired)	Permanent
2	Claims for loss/damages	Permanent
3	Accident reports	Permanent
4	Appraisals	Permanent
5	SLIP insurance documents	Permanent

E. Institutional and Legal Records

1	Joint Powers Authority Articles of Incorporation and amendments	Permanent
2	Bylaws	Permanent
3	Policies	Permanent
4	Agendas, Agenda Packets, and Minutes of Board of Directors and Board Committee meetings	Permanent
5	Documentation of compliance with public meeting notice requirements	Completion + 2 years
6	Membership Ballots	3 years following applicable vote
7	Executed Resolutions of the Board of Directors	Permanent
8	Associate Membership Agreements	Permanent
9	Annual state reporting requirement documentation (GCCGovernment Compensation in California report)	Permanent

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F. Legal Records

1	Agreements, contracts, licenses, leases	Until 10 years following expiration
2	General correspondence	4 years
3	Correspondence with corporate counsel	Permanent

G. Financing Records

1.	Bond Files / Transcripts / Certificates of Participations (COPs) / Coupons.	Cancellation., Redemption or Maturity + 10 years
a.	Borrower CEDA applications and financial documents	Cancellation., Redemption or Maturity + 10 years
b.	Bond Issuance and Closing Documents (including but not limited to CIDIAC Acknowledgement of Report of Proposed Debt Issuance)	Cancellation., Redemption or Maturity + 10 years
C.	Correspondence among deal team prior to issuance	Cancellation., Redemption or Maturity + 10 years
d.	Performance deposit release letter from CDLACpart of borrower's file	Cancellation., Redemption or Maturity + 10 years
e.	Department of the Treasury, Internal Revenue Service, Acknowledgement of Form 8038	Cancellation., Redemption or Maturity + 10 years
f.	IRS documentation for bond issuances that are being audited (e.g. Form 4564, Form 2848, etc.)	Cancellation., Redemption or Maturity + 10 years
g.	Performance deposit release letter from CDLACpart of borrower's file	Cancellation., Redemption or Maturity + 10 years
h.	Soft copies of invoices (issuance, annual fee, etc.)	Cancellation., Redemption or Maturity + 10 years
2.	Assessment District Administration PACE Assessments	
a.	PACE Levy Submission Reportsreceived from jurisdictions via email	Termination of District + 5 years unless some of

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		these records are subject to audit then audit + 5 years default is whichever is longer
b.	Residential PACE documents requiring a wet signature (hard copy)e.g. Notice of Assessment documents	Termination of District + 5 years unless some of these records are subject to audit then audit + 5 years
		default is whichever is longer

H. General Administrative Records (not addressed elsewhere)

1	General Correspondence	4 years
2	FPPC Form 700 Documents	7 years
3	Procurement records (bids/proposals)	3 years following procurement date or project completion date, whichever is later.

I. Digital Storage Media and Other Electronic Information

1	Employee hard drives and storage media	6 years after separation of employment
2	Network hard drives	2 years from cessation of use; 5 years if programs contained thereon are no longer used
3	Storage media used for routine backups of network information	1 month
4	Website (archive version and current version)	3 years
5	Website user records (i.e., login tracking information)	1 year
6	Voicemail records (stored electronically)	90 days

7	Databases	2 years from cessation of
		use

The retention periods described above are guidelines. there are circumstances under which a record or document may have to be maintained longer than the guidelines.

IV. DOCUMENT PROTECTION

Documents (hardcopy, online or other media) will be stored in a protected environment for the duration of the schedule above.

V. DOCUMENT DESTRUCTION

Hardcopy documents will be destroyed by shredding after they have been retained for the period specified in the schedule above. Electronic copies will be destroyed by deletion software.