EXECUTIVE DIRECTIVE

18-05 Airport Record Retention and Destruction Policy

Both the San Francisco Administrative Code and the California Government Code require public entities to maintain a record retention policy and a retention/destruction schedule. This Record Retention and Destruction Policy covers all records and documents, regardless of physical form or characteristics, which have been made or received by the Airport in connection with the transaction of public business. The Record Retention and Destruction Schedule is attached as Appendix A. This Executive Directive (ED) supersedes ED 06-03.

Policy & Purpose

All Commission employees who create, store, retrieve, and manage or dispose of Airport business records must conduct those activities in accordance with this Record Retention and Destruction Policy, the Record Retention and Destruction Schedule and all Legal Holds. A “record” is defined in Administrative Code § 8.1 as:

“… such paper, book, photograph, film, sound recording, map, drawing or other document, or any copy thereof, as has been made or received by the department in connection with the transaction of public business and may have been retained by the department as evidence of the department’s activities, for the information contained therein, or to protect the legal or financial rights of the City and County of San Francisco or of persons directly affected by the activities of the City and County.”

In the regular course of business, Airport staff creates and retains records in paper and electronic form to meet business needs and to comply with a variety of legal and regulatory requirements. The purpose of this Record Retention and Destruction Policy is to:

- Ensure retention of records and information necessary for the efficient delivery of Airport services.
- Comply with applicable laws and regulations.
- Provide a method of identifying and maintaining records that would otherwise be subject to destruction, when it is known or reasonably anticipated that records may be needed for audit, investigation or litigation proceedings.
- Provide for the destruction of records that the Airport is not required to maintain under the Destruction/Retention Schedule (Appendix A) or Legal Hold, thereby reducing storage costs and clutter, and improving the Airport’s ability to quickly locate records when needed.
Document Categories

Every document received and/or created by Airport Commission employees in the performance of their duties is a “record” for purposes of this Policy. Whether a record must be retained and, if so, for what period depends on the record’s category. With the exception of Category 4 records, all records have a retention period.

Category 1: Permanent and Essential Records

Permanent records: Permanent records are records required by law to be permanently retained and which are ineligible for destruction unless they are converted to an unalterable format, such as microfilm or digital, and the original digital version is placed in a storage vault that will ensure safekeeping of the records. Once converted to an unalterable format and properly stored, the original paper records may be destroyed. Duplicate copies of permanent records may be destroyed whenever they are no longer necessary for the efficient operation of the Airport. (Admin. Code § 8.4.) Examples of permanent records include official records of Commission action, annual budget reports, and bond issues.

Essential records: Essential records are records necessary for the continuity of government and the protection of the rights and interests of individuals. (Admin. Code § 8.9.) Examples of essential records include advice letters and opinions, policy memoranda, interpretive materials such as manuals, Airport Rates and Charges Projections, Airport-Airline Memoranda of Understanding and Economic Impact Studies.

Category 2: Current Records

Current records are records which, for convenience, ready reference, or other reasons, are retained in the office space and equipment of the Airport. Current records shall be retained as follows:

Where a retention period is specified by law: Where federal, state, or local law prescribes a definite period of time for retaining certain records, the Airport will retain the records for the period specified by law. Examples of records required to be maintained for a specific period are Conflict of Interest Forms 700, which must be retained seven years pursuant to Government Code 81009(e), and Accident-Injury reports, which must be retained five years pursuant to 29 CFR 1404.6.

Where no retention period is specified by law: Where no specific retention period is specified by law, the retention period for records that the Airport is required to retain shall be specified in the Record Retention and Destruction Schedule, Appendix A. Records shall be retained for a
minimum of two years, although such records may be treated as “storage records” and placed in storage at any time during the applicable retention period. Examples of current records include departmental memoranda, budget documents, claims files and personnel files.

**Category 3: Storage Records.** Storage records are records that are retained offsite or in a cloud-based platform that has been approved by the Airport’s Chief Information Officer. Storage records are subject to the same retention requirements as current records. Examples of storage records include closed or resolved Equal Employment Opportunity claims and records of Federal Aviation Administration runway inspections.

**Category 4: No Retention Required.** Documents and other materials that are not “records” as defined by Admin. Code section 8.1 need not be retained unless retention is otherwise required by law or by the Record Retention and Destruction Schedule. Documents and other materials (including originals and duplicates) where retention is not otherwise required, are not necessary to the functioning or continuity of the Airport and which have no legal significance may be destroyed when no longer needed. Examples include materials and documents generated for the convenience of the person generating them. For example, draft documents (other than some contracts) which have been superseded by subsequent versions, or rendered moot by departmental action, and duplicate copies of records that are no longer needed. Other specific examples include telephone message slips, miscellaneous correspondence not requiring follow-up or departmental action, paper notepads, e-mails that do not contain information where retention is required under this Policy and chronological files. With limited exceptions, no specific retention requirements are assigned to documents in this category. Instead, the originator or recipient shall determine when the document’s business utility has ended.

**Electronic and Original Paper Storage**

Electronic record storage is the low cost, accessible media preferred by the Airport. However, for some records the official copy continues to be in the paper format. When copies of documents exist in multiple media formats, one media version should be designated as the Copy of Record, and the remainder considered as convenience copies. For example, when paper documents have been scanned and validated, and the scanned versions are retained as the Copy of Record, the paper copy typically should be discarded as soon as its value as reference material is fulfilled.

For essential records, a duplicate of an official record should be maintained separately from the Official Record to ensure recoverability in the event of the loss of the official record. This duplicate may be in an alternate media format as well.
• Paper originals: Generally, paper records are required for permanent real estate, construction, engineering related records, contracts and other original documents that may require an original “wet” signature.
• For additional guidance on what paper records must be retained, consult the City Attorney’s Office.

Legal Holds

In the event of a pending, threatened, or reasonably foreseeable lawsuit, investigation, or audit, the Airport must preserve and prevent the destruction of relevant records. Where litigation is initiated, the City Attorney will issue a “litigation hold” letter identifying the nature and types of records that must be retained until further notice. Even where such a letter has not been issued, staff may be aware of the reasonable likelihood of an audit or investigation. In that event, staff shall immediately notify management and preserve relevant documents, even if the retention period has expired.

Historically Significant Documents

Certain books, photographs, drawings, bond certificates and other documents may have historical significance. Before any such documents are destroyed, the documents must first be offered to the Airport Museum, then the Aviation Library, and then the San Francisco Public Library. The procedure for dispersing such documents is set forth in Administrative Code § 8.7.

Records Not Addressed in the Record Retention and Destruction Schedule

Records and other documents or materials that are not expressly addressed in the Schedule may be destroyed at any time provided they have been retained for the periods prescribed for substantially similar records.

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Airport Director

Appendix A: Record Retention and Destruction Schedule

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Supersedes: Executive Directive 06-03 issued May 9, 2006