

RESOLUTION NO. 24-09-072

**RESOLUTION OF THE BOARD OF DIRECTORS OF CLEAN
POWER ALLIANCE OF SOUTHERN CALIFORNIA
ADOPTING AND APPROVING THE AMENDED RECORDS
RETENTION AND DISPOSAL POLICY**

THE BOARD OF DIRECTORS OF CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, Clean Power Alliance of Southern California (formerly known as Los Angeles Community Choice Energy Authority) ("Clean Power Alliance" or "CPA") was formed on June 27, 2017;

WHEREAS, on July 18, 2019, the CPA Board of Directors ("Board") approved CPA Policy No. 11 Governing the Records Retention and Disposal Policy;

WHEREAS, on August 3, 2020, CPA revised certain categories within the Records Retention and Disposal Schedule in order to reflect prevailing business conditions; and,

WHEREAS, CPA has considered the prevailing business conditions and needs and determined that refinements or updates to certain functions or documents are necessary or beneficial.

NOW, THEREFORE, BE IT DETERMINED, AFFIRMED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE CLEAN POWER ALLIANCE OF SOUTHERN CALIFORNIA that the attached Records Retention and Disposal Policy, presented as Exhibit A, as amended therein, is hereby approved as of September 5, 2024;

IT IS FURTHER DETERMINED, AFFIRMED, AND ORDERED that any and all acts authorized pursuant to this Resolution and performed prior to the passage of this Resolution are hereby ratified and approved; and

IT IS FURTHER DETERMINED, AFFIRMED, AND ORDERED that this Resolution shall be continuing and remain in full force and effect.

ADOPTED AND APPROVED this 5th day of September 2024.



Deborah Klein Lopez, Chair

ATTEST:



Gabriela Monzon, Secretary

EXHIBIT A

RECORDS RETENTION AND DISPOSAL POLICY

(see attached)



Policy Title	Records Retention & Disposal Policy	
Policy Number	CPA 2019-11	Effective: 07/18/2019 Amended: 09/05/2024

1. Purpose

The purpose of this Records Retention and Disposal Policy (Policy) is to ensure that necessary records and documents of the Clean Power Alliance of Southern California (CPA) are adequately protected and maintained and to ensure that records that are no longer needed by CPA or are of no value are discarded at the appropriate time. This policy is also for the purpose of aiding employees of CPA in understanding their obligations in retaining electronic documents - including e-mail, web files, text files, draft documents, PDF documents and all Microsoft Office or other formatted files.

2. Policy

This Policy represents the CPA policy regarding the retention and disposal of records and the retention and disposal of electronic documents.

3. Administration

Attached as Appendix A is a Records Retention and Disposal Schedule that is approved as the initial maintenance, retention and disposal schedule for physical records of CPA and the retention and disposal of electronic documents. The Chief Administrative Officer is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure the Records Retention and Disposal Schedule is followed. The General Counsel, in consultation with the Chief Administrative Officer, is authorized to: make modifications to the Records Retention and Disposal Schedule when required to ensure that it is in compliance with local, state and federal laws; to include the appropriate record categories, or retention periods for CPA; monitor local, state and federal laws affecting record retention; and monitor compliance with this Policy.

Unless an original is required pursuant to this Policy, to a contract provision, or required by law, CPA may destroy physical copies of records or duplicate electronic copies of records and keep an electronic copy as a permanent record, provided the retained electronic record accurately and legibly reproduces the original thereof in all details and the electronic copy does not permit additions, deletions or changes to the original document images.

Periodically, the agency shall review compliance with the policy. Records that have reached the end of their Required Retention Period, including electronic records, are to be destroyed by following procedures established by the Chief Administrative Officer.

4. Suspension of Records Disposal in Event of Litigation or Claims

In the event CPA is served with any subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning CPA, becomes aware of or receives a claim governed by or exempt from the Government Code §§ 900, et seq., such employee shall inform the Chief Executive Officer and the General Counsel and any further disposal of documents shall be suspended until such time as the General Counsel determines otherwise. The General Counsel shall take such steps as is necessary to promptly inform all staff of any suspension in the further disposal of documents.

5. Applicability

This policy applies to all physical records generated in the course of CPA's operation, including both original documents and reproductions. It also applies to the electronic documents described above.

This policy was approved by the Board of Directors of CPA on July 18, 2019.

Revised Appendix A
Records Retention and Disposal Schedule
September 5, 2024

Record Type	Required Retention Period	Descriptions (if applicable)
Board and Committee Documents		
Board or Committee Approved Documents	Permanent	Resolutions, policies, meeting minutes, budgets
Board and Committee Meeting Materials	Permanent	Agendas, staff reports, and any other materials provided to Board/Committee members
Board Form 700s	4 years after submission to FPPC	Copies of original statements forwarded to the FPPC
Elections	3 years after the election	Signed ballots and any correspondence transmitted with ballots, tally sheets.
Joint Powers Agreement and Bylaws	Permanent	Includes all versions approved by the Board
Board Acknowledgement Forms	Permanent	Including, but not limited to, Energy Risk Management Policy Acknowledgements, Privacy and Customer Confidentiality Policy, and Confidential Information Policy Acknowledgments
FPPC Agency Reports – Ticket/Pass Distribution (Form 802)	7 Years	GC 81009(e) Report of tickets/passes identifies persons who received tickets/passes and describes the public purpose for the distribution
Conflict of Interest Code	Permanent	Most recent version shall be kept

		permanently. All other versions 7 years.
Biennial FPPC certification	7 Years	
Quarterly Lobbying Reports	As required by the FPPC	
Public Records Act requests and responses	7 years after CPA responds to the Public Records Act request	
Contracts and Related Documents		
Executed contracts, including any amendments, change orders, task orders, confirms, master agreements	10 years after termination or expiration of contract or amendment, whichever is later	Energy products authorized in the ERMP and non-energy agreements and related documents or ancillary agreements, including but not limited to subcontractor consent, declaration of COD, and any other documents related to or referenced in the agreement. Except for NDAs which are covered in a separate category.
Drafts of contracts, including any amendments, change orders, task orders, confirms, master agreements	4 years after termination of contract	
Non-disclosure agreements	2 years after the expiration of the term of the agreement, if term specified; otherwise, permanent	
Exclusivity Agreements and any extensions thereof	4 years after the expiration of the agreement or extension, whichever is later	Exclusivity agreements with shortlisted counterparties from an energy request for offer (RFO) or bilateral offer.
Regulatory/Administrative		
Records submitted to the CPUC, CAISO, CARB, EIA, or CEC	Permanent	Includes Letters, Advice Letters, motions, compliance filings, briefs,

		testimony admitted into evidence, or other documents treated as a record by the CPUC or CEC
CPUC, CAISO, CARB or CEC Data Requests	10 years after submission	Includes data requests from intervenors, stakeholders or other parties within the context of a CPUC or CEC proceeding
Confidentiality Declarations submitted to the CPUC or the equivalent of a Confidentiality Declaration submitted to the CEC	4 years after submission or until the CPUC or CEC no longer keeps the record, whichever is later	
Customers		
Ad Hoc Customer Reports and Lists	5 years	Mailing lists, analysis reports
Customer Database Information (CRM)	Permanent	Customer database reports, complaints, correspondence, communications, usage history, billing data, account balances, program participation, opt-out data, customer service emails
AMI Data Lists and Reports	Permanent	Non-aggregated customer AMI usage data
Human Resources		
Employee personnel records	7 years after employee leaves CPA	Resumes, offer letters, reference check, personnel action form, change of status, benefits, performance reviews, terminations, new hire forms, background checks, and leave requests
Employee benefit information	6 years after plan year	Benefit plans (such as insurance)

California Family Rights Act or Family Medical Leave (if applicable) records	7 years after employee leaves CPA	Request/claim for benefit; basic employee data, including name, address, occupation, rate of pay, terms of compensation, daily and weekly hours worked per pay period, additions to/deductions from wages and total compensation. Dates of leave taken by eligible employees, etc.
Payroll Records	8 years from the payroll period	Timecards and payroll journals, garnishments
Payroll tax records	8 years from date tax paid	Amounts of wages subject to withholding. Actual taxes withheld and dates withheld. Reason for any difference between total tax payments and actual tax payments.
Recruitment files	2 years after hiring decision	Interview notes, recruitment materials, correspondence
Job descriptions	7 years after employee leaves CPA	
Retirement plan records	Permanent	
Safety Data	5 years from date of the record	Logs, records, or summaries of occupational injuries and illnesses.
W-2 or 1099 forms	8 years for W2, 4 years for 1099 from date of issuance	
Workplace Violence Records	5 years	All records of workplace violence hazard identification, evaluation, and correction; training, incident logs and workplace violence incident investigations

Staff Form 700s	4 years after submission to FPPC	Copies of original statements forwarded to the FPPC
Workers' comp documents	Permanent	
Salary/ Benefit Studies	6 Years after Board Approval	Studies or market data of salaries and benefits
Financial Documents		
Accounts payable or receivable ledgers, schedules, and trial balances	7 years	
Audit reports	Permanent	
Bank statements, deposit slips, and related documents	7years	Includes bank reconciliations
Cash receipts and disbursements	7 years	
Chart of accounts	Permanent	
Canceled Checks	7 years	
Credit Applications (Business)	2 years after notification	
Electronic fund transfer documents	7years	
Equipment records	5 years after disposition or project completion	
Expense reports, analyses and distribution schedules	7 years	
Federal, state and local tax returns	5 years from the due date of the return or the date the return is filed	
Annual financial statements	Permanent	
Fixed asset records and appraisals	7 years post disposal	
Forecasts & projections including load forecasts	10 years	
General Ledgers (end-of-year trial balances)	7 years	
Interim and year-end financial statements and trial balances	Permanent	
Invoices from contractors or vendors	7 years minimum and 2 years after completion of contract	Invoices submitted by Vendors seeking payment from CPA
Original Letters of Credit or Guarantees	Term of Letter of Credit or Guarantee	Copies of a Letter of Credit or Guarantee

		shall be considered a "Loan document"
Licenses	Permanent	
Loan documents, notes	7 years	Original signatures may be maintained for these types of documents.
Monthly trial balances	7 years	
Tax exemption documents, including application for exemptions	Permanent	
Reimbursement requests	5 years after the request submission	Director, CAC member, or CPA employee
Letters to third parties requesting information related to audit,	5 years	
UUT/EES submission	5 years from the due date of the return or the date the return is filed	
Insurance administration	Permanent	
Credit Agreement (and related/ancillary/collateral documents), credit agreement requirements (e.g., quarterly certificate)	7 years	
Internal Documents		
General E-mails	2 years	E-mails that are routine communications or information exchanges.
Drafts of business documents (non-contract related)	30 days after final version is approved	Drafts of program documents, marketing materials, etc.
Audit reports	Permanent	AMI Data Audit (annual and triennial), IT related audits.
Business documents, including but not limited to, Marketing, General Educational, or Informational Material	2 years after public distribution	Flyers, brochures, electronic advertisements, reports, electronic information
Legal Files and Papers		

Court Orders	Permanent	
Legal Memoranda and Opinions	Permanent	
Government Claims / Litigation Files	5 years after the conclusion of litigation	Claim, complaint, discovery, pleadings, correspondence, etc.
Government Claims / Litigation Related Agreements	Permanent	Including any ancillary documents related to settlements.
Property Records		
Lease agreements	7 years after termination	Includes any sub-lease, rental agreements.
Permits	Permanent	Tenant improvements, etc.
Solicitations (RFP, RFQ, Bids)		
Bids & Proposals (Awarded)	7 years after close of solicitation	Including Q&A
Bids & Proposals (Unsuccessful)	6 months after close of solicitation	Including Q&A
Correspondence with bidders	2 years after close of solicitation	
Published Solicitations	2 years after close of solicitation	
Drafts of Solicitations	30 days after final version is approved	Drafts of program documents, marketing materials, etc.
Training Records		
Attendance Records	7 years after training	
Electronic Chat Communications (Text or Chat Messages)		
Chat Messages	30 days after creation.	