

## **POLICY 1055: Records Management**

To be useful, District records must be available at the right time, in the right place and to the right person or persons. This means that the records must be well organized and accessible. All records shall be maintained in accordance with federal, state and local laws, contract requirements and commonsense business practices.

**1055.1** This policy has the following goals:

- Provide certainty that no record is destroyed prematurely, and that valuable and legally required records are retained in compliance with legal retention requirements and with standard organizational practices for the retention and destruction of records
- Enable authorized employees to destroy with confidence records no longer of value
- Provide faster and more efficient retrieval of files as a result of the elimination of obsolete records and better organization of retained records
- Improve productivity through faster access to information

**1055.2** Vital and important records, regardless of recording media, are those having on-going legal, financial, operational, or historical value to the District. As provided by state law, the District shall retain and not destroy records of the following unless otherwise specifically allowed by this Policy:

- Formation, change of organization, or reorganization of the district.
- A District ordinance adopted by the district. However, if the District Board has repealed an ordinance or the ordinance is otherwise invalid or unenforceable, it may be destroyed or disposed of pursuant to this section five years after it was repealed or became invalid or unenforceable.
- Minutes of any the District Board meeting.  
Any pending claim or litigation or any settlement or other disposition of any claim or litigation within the past two years.
- Documents responsive to any pending request made pursuant to the California Public Records Act (Chapter 3.5 of the California Government Code (commencing with Section 6250) of Division 7 of Title 1), whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the district provided written notice to the requester that the request has been denied.
- Any pending construction that the District has not accepted or as to which a stop notice claim legally may be presented.
- Any non-discharged debt of the District.
- Title to real property in which the District has an interest.
- Any non-discharged contract to which the District is a party.
- Has not fulfilled the administrative, fiscal, or legal purpose for which it was created or received.
- Is an unaccepted bid or proposal, which is less than two years old, for the construction or installation of any building, structure, or other public work.

- Specifies the amount of compensation paid to district employees or officers or to independent contractors providing personal or professional services to the District, or relates to expense reimbursement to district officers or employees or to the use of district paid credit cards or any travel compensation mechanism. However, a record described in this paragraph may be destroyed or disposed of pursuant to this section seven years after the date of payment.

Appendix A provides a definition of terms and Appendix B sets forth a Records Retention Schedule.

**1055.3** The General Manager is authorized by the Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below, after consultation with the General Counsel. The General Manager is also responsible for ensuring all records are safely maintained, accessible and adequately controlled by District staff.

**1055.3.1** District records should be maintained at the District offices or such other premises as may be controlled by the District or a records storage facility under contract to the District. The District shall maintain indices of any records located off-site to enable their easy retrieval.

**1055.4** Pursuant to the provisions of Government Code §§ 60200 through 60203, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following qualifications will govern the retention and disposal of records of the District.

**1055.4.1** Duplicate records, papers and documents may be destroyed at any time without Board authorization, advice of the General Counsel, or copying to photographic or electronic media.

**1055.4.2** Originals of records, papers and documents more than two years old that were prepared or received in any manner other than pursuant to State or Federal statute may be destroyed without the necessity of copying to photographic or electronic media except for permanent records of the District as defined in this Policy.

**1055.4.3** In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

**1055.4.4** Records, papers or documents which are not expressly required by State law to be filed and preserved, including records listed in Section 1055.2 of this Policy, may be destroyed if all of the following conditions are met:

**1055.4.4.1** The record, paper or document is preserved by photograph, microphotograph, electronically recorded video image on magnetic surfaces, recording in the electronic data processing system, recording on optical disk, reproduction on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document in compliance with Section 12168.7 of the California Government Code for recording of permanent records or non-records.

**1055.4.4.2** The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; that does not permit additions, deletions, or changes to the original document images; and satisfies the requirements of Section 12168.7 of the California Government Code.

**1055.4.4.3** The photographs, micro-photographs, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

**1055.4.5** Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:

**1055.4.5.1** There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;

**1055.4.5.2** There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;

**1055.4.5.3** Said audit report or reports were prepared pursuant to procedures outlined in Government Code section 26909 and other State or Federal audit requirements, and that;

**1055.4.5.4** Said audit or audits contain the expression of an unqualified opinion.

**1055.4.6** Any accounting record created for a specific event or action may be destroyed upon authorization five years after said event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five years from the end of the fiscal period to which it applies. The following may be destroyed at any time without Board authorization or consultation with the General Counsel:

**1055.4.6.1** Duplicated (original-subject to the aforementioned requirements).

**1055.4.6.2** Rough drafts, notes or working papers (except audit).

**1055.4.6.3** Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.

**1055.4.7** All payroll and personnel records shall be retained indefinitely. Originals may upon authorization be destroyed after seven years' retention, provided said records have been microfilmed and qualify for destruction section under 1055.4.4, above. Payroll and personnel records include the following:

**1055.4.7.1** Accident reports, injury claims and settlements.

**1055.4.7.2** Medical histories.

**1055.4.7.3** Injury frequency charts.

**1055.4.7.4** Applications, changes and terminations of employees.

**1055.4.7.5** Insurance records of employees.

**1055.4.7.6** Time cards.

**1055.4.7.7** Classification specifications (job descriptions).

**1055.4.7.8** Performance evaluation forms.

**1055.4.7.9** Earning records and summaries.

**1055.4.7.10** Retirements.

**1055.4.8** Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed as provided for in section 3090.4.4. Terms and conditions of bonds warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than 10 years if micro-filmed as provided for in Policy 1055.4.4, above. Paid bonds, warrant certificates and interest coupons may be destroyed after six months if detailed payment records are kept for 10 years.

**1055.5** Minutes of the meetings of the Board of Directors are usually retained indefinitely in their original form. However, they may, upon the General Manager's authorization, be destroyed if they are micro-filmed as provided in Policy 1055.4.4, above. Recording tapes (or other media) of Board meetings will be kept for a period of five years from the date of the recorded meeting, after which they will be destroyed.

**1055.5.1** Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven years unless they pertain to a project which includes a guarantee or grant, and, in that event, they shall be kept for the life of the guarantee or grant plus seven years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

**1055.5.2** Contracts should be retained for its life plus seven years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work that is more than two years old may be destroyed.

**1055.5.3** Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer owned by the District.

## Appendix A

### Definitions for Records Retention and Disposal Policy

1. AUTHORIZATION. Approval from the General Manager, as authorized by the District's Board of Directors.
2. ACCOUNTING RECORDS. Include but are not limited to the following:
  - a. SOURCE DOCUMENTS
    - (1) Invoices
    - (2) Warrants
    - (3) Requisitions/Purchase Orders (attached to invoices)
    - (4) Cash Receipts
    - (5) Claims (attached to warrants in place of invoices)
    - (6) Bank Statements
    - (7) Bank Deposits
    - (8) Checks
    - (9) Bills
    - (10) Various accounting authorizations taken from Board minutes, resolutions or con-tracts
  - b. JOURNALS
    - (1) Cash Receipts
    - (2) Accounts Receivable or Payable Register
    - (3) Check or Warrant (payables)
    - (4) General Journal
    - (5) Payroll Journal
  - c. LEDGERS
    - (1) Expenditure
    - (2) Revenue
    - (3) Accounts Payable or Receivable Ledger
    - (4) Construction
    - (5) General Ledger

- (6) Assets/Depreciation
  - d. TRIAL BALANCE
  - e. STATEMENTS (Interim or Certified - Individual or All Fund)
    - (1) Balance Sheet
    - (2) Analysis of Changes in Available Fund Balance
    - (3) Cash Receipts and Disbursements
    - (4) Inventory of Fixed Assets (Purchasing)
  - f. JOURNAL ENTRIES
  - g. PAYROLL and PERSONNEL RECORDS include but are not limited to the following:
    - (1) Accident reports, injury claims and settlements
    - (2) Applications, changes or terminations of employees
    - (3) Earnings records and summaries
    - (4) Fidelity Bonds
    - (5) Garnishments
    - (6) Insurance records of employees
    - (7) Job Descriptions
    - (8) Medical Histories
    - (9) Retirements
    - (10) Time Cards
  - h. OTHER
    - (1) Inventory Records (Purchasing)
    - (2) Capital Asset Records (Purchasing)
    - (3) Depreciation Schedule
    - (4) Cost Accounting Records
3. LIFE. The inclusive or operational or valid dates of a document.
4. PERMANENT RECORD. Any record that the District is required to maintain permanently by state or federal law.

5. RECORD. Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document, issued by or received in a department, and maintained and used as information in the conduct of its operations.
6. RECORD COPY. The District copy of a document or file.
7. RECORD SERIES. A group of records, generally filed together, and having the same reference and retention value.
8. RECORDS CENTER. The site selected for storage of inactive records.
9. RECORDS DISPOSAL. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.
10. RECORDS RETENTION SCHEDULE. The consolidated, approved schedule list of all District records which timetables the life and disposal of all records.
11. RETENTION CODE. Abbreviation of retention action that appears on the retention schedule.
12. VITAL RECORDS. Records which, because of the information they contain, are essential to one or all of the following:
  - a. The resumption and/or continuation of operations;
  - b. The recreation of legal and financial status of the District, in case of a disaster;
  - c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following [detail the records structure of the District, stating the retention time for each class of records. Those times can be drawn from the recommendations of the Secretary of State (<http://archives.cdn.sos.ca.gov/local-gov-program/pdf/records-management-8.pdf>) or developed with the advice of legal counsel, as there are many laws governing records retention]:

- (1) Agreements
- (2) Annexations and detachments
- (3) As-built drawings
- (4) Audits
- (5) Contract drawings
- (6) Customer statements

- (7) Deeds
- (8) Depreciation schedule
- (9) Disposal of surplus & excess property
- (10) Disposal of scrap materials
- (11) District insurance records
- (12) District water rights
- (13) Employee accident reports, injury claims & settlements
- (14) Employee earning records
- (15) Employee fidelity bonds
- (16) Employee insurance records
- (17) Encroachment permits (by others)
- (18) Encroachment permits (by OWID)
- (19) Facility improvement plans
- (20) Improvement districts
- (21) Individual water rights
- (22) Individual claims/settlements
- (23) Inventory
- (24) Journal vouchers
- (25) Ledgers
- (26) Licenses & permits (to operate)
- (27) Loans & grants
- (28) Maps
- (29) Minutes of Board meetings
- (30) Payroll register
- (31) Policies, Rules & Regulations
- (32) Purchase orders & requisitions
- (33) Restricted materials permit
- (34) Rights of ways & easements



(35) Spray permits

(36) Statements of Economic Interest

Appendix B

Records Retention & Storage Summary

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
1	Records affecting title to real property or liens thereof.	X		2 yrs.	OP	ES
2	Records required to be kept permanently by statute.	X		2 yrs.	OP	ES
3	Minutes, ordinances & resolutions of Board.	X		2 yrs.	OP	ES
4	Documents with lasting historical, administrative, legal, fiscal, or research value.	X		2 yrs.	OP	ES
5	Correspondence, operational reports and information upon which District policy has been established.	X		2 yrs.	10 yrs.	12 yrs.
6	Duplicates of 5, above, when retention is necessary for reference.	X		2 yrs.		2 yrs.
7	Records requiring retention for more than five years, but no more than 15 years by statute or administrative value.	X		2 yrs.	13 yrs.	15 yrs.
8	Duplicates needed for administrative purposes for five to 15 years.		X	2 yrs.	13 yrs.	15 yrs.

9	All other original District records, or instruments, books or papers that are considered public documents not included in Groups 1 through 8.	X		2 yrs.	1 yr.	3 yrs.
10	Duplicates and other documents not public records required to be maintained for administrative purposes.	X	X	2 yrs.	3 yrs.	5 yrs.
11	Duplicate records requiring retention for administrative purposes such as reference material for making up budgets, planning and programming.		X	3 yrs.		3
12	Reference files (copies of documents which duplicate the record copies filed elsewhere in the District; documents which require no action and are non-record; rough drafts, notes, and similar working papers accumulated in preparation of a communication, study or other document, and cards, listings, indexes and other papers used for controlling work).		X	1 yr.		1 yr.
13	Transitory files, including letters of transmittal (when not a public record), suspense copies when reply has been received, routine requests for information and publication, tracer letters, and other duplicate copies no longer needed.	X	X	3 mos.		3 mos.

14	Original documents disposable upon occurrence of an event or an action (i.e., audit, job completion, completion of contract, etc.) or upon obsolescence, supersession, revocation.	X		2 yrs.	3 yrs.	5 yrs.
15	Policy files and reference sets of publications.		X	I		I
16	Duplicates or non-record documents required for administrative needs but destroyable on occurrence of an event or an action.		X	I		I

OP = Original or photographic copy.

ES = May be destroyed if stored in electronic media.

I = Indefinitely

### **POLICY 1056: Electronic Document Management Policy**

This Policy governs the retention of text messages, voicemail messages, social media posts, and email messages sent or received in the conduct of District business.

#### **1056.1 Definitions**

- **Email Message:** An electronic communication sent and received via web mail or email client.
- **Social Media:** Information posted to websites and applications that enable users to create and share content or to participate in social networking, including Facebook, Twitter, Instagram, Snap-chat, and LinkedIn.
- **Text Message:** An electronic, written communication sent and received via telephone or Internet connection.
- **Voicemail Message:** An electronic, aural communication sent or received via telephone or Internet connection.

## **1056.2 Text Messages, Voicemail Messages, and Social Media**

Text messages, voicemail messages, and social media posts not saved to an archive or a more permanent medium are intended to be ephemeral documents, not preserved in the ordinary course of business. Accordingly, they do not constitute disclosable public records, as that term is defined by Government Code section 6252, subdivision (e). Directors and District staff are not required to retain these electronic documents. Business done on behalf of the District that requires the creation and preservation of records should be conducted in other media.

## **1056.3 Email Messages**

- The District will manage email messages sent or received by the District's computer systems in accordance with Policies 1040 and 1055.
- Directors and District staff shall use (or copy to an address on) the District's computer systems for all email messages regarding District business. Directors and staff should not retain such emails on private systems. Directors and staff should forward any email messages not received by the District's computer systems nor copied to its staff or to an email address designated for that purpose, so they can be preserved in the District's email retention system, relieving individual Directors of any duty to preserve such email messages or make them available for public inspection.
- This policy applies only to the conduct of District business that is subject to the Public Records Act. It does not apply to communications to or from Directors in their other public and private capacities or communications to or from District staff that are personal, private or otherwise not kept in the normal course of District business.
- Any email message whose retention is necessary and appropriate for on-going District business shall be placed in a subject matter file so as to facilitate its easy retrieval. Any other email shall be considered ephemeral in nature and not a public record. For example, emails whose purpose is to coordinate meeting dates and times or other matters that are solely short-term and non-substantive are not considered public records and should be deleted as soon as they are no longer relevant to District business.
- All electronic messages of the District will be deleted after two years unless Policy 1055 expressly requires retention for a longer period.