

Article 35

Records Retention Policy

Sec. 35.1

Purpose

The purpose of this policy is to establish record retention requirements for the District. In addition, it provides the General Manager with legal authority to dispose of obsolete records in the normal course of business and oversee the destruction of paper and electronic records as provided by this policy.

- (a) Scope. The guidelines of this policy and its procedures are consistent with California Government Code sections 60200-60203 and other appropriate regulatory requirements.
- (b) Definitions. For the purposes of the policy, District Records and Temporary Records are defined as follows:
 - 1. District Records: Any writing or document, including electronic files, containing information relating to the conduct of the District's business and which is (1) required by law or District policy to be retained; or (2) is otherwise necessary or convenient to the performance of the District's duties and was made or retained for the purpose of preserving its content for future reference.
 - 2. Temporary Records: Temporary Records are materials not usually included within the definition of District Records and which are not kept in the ordinary course of business, such as, but not limited to: unofficial copies of documents kept only for convenience or reference; working papers; library/research materials; publications and blank forms; preliminary drafts; works in progress; preliminary electronic records used to create a final version, duplicate copies, handwritten rough notes, and other material used in the preparation or analysis of other documents which are not ordinarily retained by the District.
 - 3. Record Retention Schedule: The Record Retention Schedule (Schedule), approved with adoption of and appended to this policy, is a comprehensive list of records organized by District department which identifies the appurtenant records and length of time each District Record must be retained based on its operational, fiscal, regulatory, referential, legal and historical value. All records listed on the Schedule are District Records unless otherwise specified.

3. Record Retention Schedule: (Continued)

At the discretion of the General Manager, electronically reproduced or scanned copies of original records created on mediums which do not permit additions, modifications, deletions or changes to the original document, may be retained in lieu of paper originals, except as otherwise required by law.

Sec. 35.2 District Record Retention and Destruction Policy

District Records which have been retained past the "Retention Period," as reflected on the Schedule, may be destroyed in a secure method approved by the General Manager. However, at the District's option, records of historical, administrative, fiscal, or legal value may be retained past the Retention Period either at the District offices or be sent to an approved archive facility.

- (a) Procedure. The procedure for District Departments to maintain, classify and periodically review/dispose of paper records and electronic files, according to the Schedule, is as follows:
1. Identifying and Classifying Records: Originators and custodians of paper records and electronic files, or any information that has lasting value to the District, are responsible for appropriately identifying and retaining such records in accordance with this policy and as set forth in the Schedule.
 2. Guidance and Supervision on Policy Implementation and Compliance: Department Heads are responsible for providing records retention guidance to staff within their respective departments in accordance with this policy and Schedule.
 3. Record Review, Maintenance and Destruction Plan: By July 1 of each Calendar Year, each Department Head shall file with the General Manager a "Record Review, Maintenance and Destruction Plan" (Plan) for review and approval setting forth the time schedule, method and staff designated to review Department Records and determine which are eligible for destruction in the following Fiscal Year period.
 4. Record Review, Maintenance and Destruction Plan Completion: Following approval by the General Manager, the Plan shall be completed no later than December 31st of each Fiscal Year period.
 5. Certification of Destruction: Not later than January 1st of each Fiscal Year period, each Department Head shall certify in writing at the completion of the Record Review, Maintenance and Destruction process outlined in the Plan, including a description of the destroyed document types as listed in the Schedule.

Sec. 35.2

District Record Retention and Destruction Policy (Cont'd)

6. Maintenance of Certificates of Destruction: The General Manager or his/her designee shall maintain the "Certificates of Destruction" for the period of time designated in the Schedule.
- (b) Emails: Employees are responsible for the management of their own email inboxes. All users of District computers should review their emails for those that qualify as District Records and keep them in a separate folder on the server/network. Once these emails have reached their retention period, and are of no further use to the District, they may be deleted. Emails that are Temporary Records should be deleted in the normal course of business, generally after reading.
- (c) Temporary Records: All Temporary Records as defined in Section 35.1(b)2, shall be destroyed during the normal course of business when the item is no longer needed, unless it is required to be retained pursuant to Section 35.3 below.

Sec. 35.3

Records Related to Litigation or California Public Records Act Requests

Disposal of District Records or Temporary Records will be postponed if the records relate to pending claims or litigation or a Public Records request, as further described below.

- (a) All District Records or Temporary Records subject to a subpoena, request for production, court order, claim or litigation filed against the District, settlement, or a litigation hold request from District General or Special Counsel (collectively, "Litigation Proceedings") must be preserved for at least two years after the Litigation Proceedings are resolved. When the District receives notice of Litigation Proceedings, the General Manager or his/her designee shall issue a Litigation Hold Directive listing the subject documents. No employee who has received or has knowledge of a Litigation Hold Directive may alter, destroy, or delete any written or electronic records that fall within the scope of the Litigation Hold Directive.
- (b) All District Records or Temporary Records which are the subject of a California Public Records Act request must be preserved until the records have been disclosed or until two (2) years after the request has been denied by the District, either in whole or in part. When the District receives a Public Records Request, the General Manager or his/her designee shall so notify the appropriate Department Head. After the notification, no record may be altered, destroyed, or deleted until advised by the General Manager or his/her designee. All California Public Records Act Requests shall be responded to in compliance with the provisions of Chapter 3.5 of Division 7 of Title 1 of the California Government Code.

Article 35 Records Retention Policy (Cont'd)

Sec. 35. 4 Review of Record Retention Policy

Staff shall review the Records Retention Policy and Schedule at least every three years and provide recommendations to the Board for possible amendments to be considered. The first review shall be made prior to June 30, 2023.

ARTICLE 35 - RECORD RETENTION SCHEDULE

Type of Record	Retention Period
ADMINISTRATION	
Certificates of Destruction of District Documents	Permanent
General Correspondence	Current Year +2 yrs.
Professional Services Agreements	Termination/expiration + 10 yrs.
Policies and Procedures	Until revised/rescinded + 2 years
Legal Advertising (public notices)	Current Year +4 yrs.
Litigation	Until settled + 2 years
Election Ballots - Prop 218 (Assessment Districts)	2 years
Ethics Training Records	5 years
Non-Elected Statement of Economic Interest Filings (FPPC form 700)	7 years (can image after 2 years)
Agency Report of Consultants (FPPC form 805)	7 Years
Agency Report of Public Official Appointments (FPPC form 806)	Keep paper copy 2 years after removal from website
Public Records Requests (request and responsive records, whether disclosed or withheld)	2 years
BOARD	
Articles of Incorporation or Changes in Organization	Permanent
Board Correspondence (incoming & outgoing)	3 years
Ordinances (repealed ordinances can be destroyed 5 yrs after date of repeal)	Permanent
Resolutions	Permanent
Agendas	5 years
Agenda (Board) Reports	5 years
Minutes	Permanent
Notices of Public Special Meetings	2 years
Elected Conflict of Interest Filings (Form 700)	4 years (copies) (can image after 2 years)
Oaths of Office for elected officials	Length of term + 6 years

FINANCE	
Accounting	
Accounts Receivable	10 years
All Fund Balance Sheets	10 years
All Fund Profit & Loss Statements	10 years
All Fund Detailed Transactions	10 years
Audits	Permanent
Bank Reconciliations (statements, receipts, CDs, credit cards)	10 years
Bonds <ul style="list-style-type: none"> - Account Statements (monthly transactions) - Administration (supporting documents) - Bonds and Coupons 	Closed + 10 years Closed + 10 years Closed + 2 years
Budget, Proposed	10 years
Budget, Adopted	Permanent
Budget Preparation Material	10 years
Budget Adjustments, Journal Entries	10 years
Comprehensive Annual Financial Report (CAFR)	Permanent
Deposit, Receipts (checks, coins, currency)	Audited + 4 years
Fixed Asset Detail	Permanent
Insurance, Joint Powers Agreement	Termination/expiration + 10 years
Internal; bank transfers and wires	10 years
Inventory (year end file)	10 years
Lease Agreements (property or equipment)	Terminated +4 years
Non-Discharged Debt	Closed +4 years
Surplus Property, Auction (year end file)	10 years
Surplus Property, Disposal (year end file)	10 years
Taxes, Receivable (water, sewer, availability charge, and other special assessment detail)	10 years
Vehicle Ownership & Title Changes	Life
Accounts Payable / Purchase Orders	
Accounts Payable (invoices, checks, supporting documents)	Current +7 years
Accounts Payable Journals	10 years
Bids, RFQ's, RFP's <ul style="list-style-type: none"> - Successful - Unsuccessful 	Audited +7 years 3 years
Checks Issued - expense reimbursement to EEs; payments to contractors	Current +7 years
Disbursement Registers	10 years
Expense Reimbursements to Employees & officers; travel expense	Current +7 years

reimbursements	
Purchase Orders, Requisitions	Audited + 5 years
Investments	
Investment Files	10 years
Treasurer's Report	10 years
Utility Billing	
Applications (connections, disconnects, registers, service orders)	Permanent
Billing Records, Customer Master Files	Permanent
Cash Receipts Journals	10 years
Construction Meters	3 years
Electronic Customer Payments	10 years
Invoices (i.e. Statements for fees owed, billing, etc.)	Audited +4 years
Journals, Utility Billing Registers (new, final, trial balance)	3 years
Lock-off Lists	Current +5 years
Maintenance Service Orders (by Lot)	Permanent
Maintenance Transactions	3 years
Master Read Registers	Current +3 years
Utility Billing Remittance/Payment Stubs	Audited +1 year
Payroll	
Payroll Checks	Audited +7 years
Payroll – Active and terminated employee information (name, address, date of birth, occupation, rate of pay, weekly earnings)	Current +5 years
Salary Records <ul style="list-style-type: none"> - Beneficiary Designations (final check) - Deferred Compensation - Direct Deposit Authorizations - FSA/HSA Elections - Garnishments - Misc Deduction Authorizations - PEPP Loans - Unemployment Claims - W-4/DE-4 Forms 	Various (see below) 10 years 10 years Permanent 10 years 10 years 10 years 10 years 10 years Permanent
Payroll Registers/Journals	10 years
PERS Employee Deduction Reports	10 years
Federal & State Employment Tax Records	10 years
Timesheets (signed by employees for audit & FEMA reports)	Audited +6 years

ENGINEERING	
Agreements/Contracts	10 years after completion
Annexations	Permanent
Bids, RFPs, RFQ (unsuccessful)	3 years
CIP Projects	Permanent
Development Agreements - originals regarding development of real property, design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property; may include records of retention releases, change orders, etc.	Permanent
Easements / Real Property Deeds	Permanent
Environmental Quality Records (CEQA) - Exemptions, EIR, mitigation, Neg Decs. etc.	Permanent
Grants – Successful	4 years after completion
Grants – Unsuccessful	2 years
Insurance Certificates / Performance Bonds	Current + 2 years
Legal Notices/Affidavits of Publication	2 years
Pending Construction (before acceptance / end stop notice period)	Completion + 2 years
Permits (includes encroachments, grading)	Permanent
Property Abandonment (condemnation, demo)	Permanent
Property Disposition - District Owned	Closed +10 years
Purchasing, RFQ's, RFP's (successful)	Until Audited + 4 years
Sewer Connection Records	Permanent
OPERATIONS & FACILITIES	
Accidents/Damage to District Property	10 years
Air Pollution Control District (APCD) records	3 years
Answering Service Records	Current + 1 year
B.I.T. Vehicle Inspection Reports	2 years
Claims Filed Against District	Until Settled + 2 years
Certificates – renewals and applications	5 years
Employee Exposure Records (exception employees who work less than 1 year and first aid cases)	Duration of employment + 30 years
Environmental Quality Asbestos (documents, abatement projects, public bldgs)	Permanent
Hazardous Materials, Hazardous Waste Disposal Documents	While Current + 10 years
Hazardous Materials - Permits & Storage	Current + 3 years

Hazardous Materials - Exposure Records	30 years
Hazardous Materials -Underground Storage Tank	Permanent
Improvements (underground utilities, lighting, etc) supporting documents	Permanent
Inspections - Bucket Truck and forklift	3 years
Inspections – equipment	Duration of ownership
Inspections – Fall Protection	5 years
Inspections - Safety	1 year + current
Inspections - SPCC inspections and tests	3 years
Insurance Certificates / Performance Bonds	3 years
Maintenance/Repair Records	3 years
Permits – confined space, hot work	1 year + current
Potable Water Discharges - monitoring & reporting	3 years
Purchasing, Requisitions, POs	Audited + 5 years
Respirator Fit Testing	Until Superseded
Safety Committee Minutes	1 year + current
Safety Data Sheets (MSDS)	30 yrs - even after disposal of chemical
Sanitary Sewer Overflow (SOS)	5 years
Tests (bacteriological analysis)	Current + 10 years
Tests (Chemical analysis)	Current + 10 years
Tire records – waste and new	3 years
Training - Asbestos	1 yr after termination
Training Certifications	Duration of employment
Training - Pesticides	Duration of employment
Training – Safety	Duration of employment
Wastewater Monitoring & Reporting	10 years
Water Service Interruption – records	5 years
Workplace Monitoring & Measuring	30 years

HUMAN RESOURCES	
DMV Pull Notices	7 yrs after termination
Employment Applications - Not Hired	3 years
Employee Eligibility (I-9 forms)	3 years after hire date or 1 yr after termination, whichever is later
Employee Information & Applicant ID Records	3 years
Employee Medical Records (does not include health insurance claims or first aid records of one-time treatments for minor injuries)	Employment +30 years
Employee Programs (EAP / Recognition etc.)	3 years
Employee Recruitment	3 years
FMLA Records	3 years after termination
Job Descriptions	While current + 3 years
OSHA - 300 Log, 300A annual summary, and 301 incident report forms	5 years
OSHA Accident/Illness Reports	Duration of employment plus 30 years
PERS - Employee Benefits	3 years
Personnel Training	3 years after termination
Retirement Plan Reports required by ERISA	6 years
Workers' Compensation Records (claims, denied claims, claim files, reports, etc.)	Employment + 30 years
INFORMATION TECHNOLOGY	
Management of policies/supporting docs relating to internet	Current + 2 years
Inventory of IT (hardware/software inventory)	Current + 2 years
Network Information Systems	Current + 4 years
Program Files and Directories	As needed
Program Files and Directories (weekly backup)	6 Weeks Rotating
Recordings - video or digital recording of public meetings	30 days
Recordings - routine video monitoring, or building security systems	1 year, OR 90 days if written minutes or an audio recording is maintained
Recordings - routine daily recording of telephone calls	100 days