

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Operations
Policy Title : Records Inspection, Retention, Disposal, and
Storage Policy
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Records Inspection, Retention, Disposal, and Storage Policy

100.00 Purpose of the Policy

This document describes the Regional Water Authority's policy concerning records inspection, retention, destruction, and storage.

200.00 Inspection

200.10 Purpose and Scope

This section provides criteria for the inspection of records.

200.20 General

Public records of the Authority are open to inspection during normal office hours and every person has a right to inspect these records.

200.30 Definitions

As used in this section:

- a. "Public Records" includes any writing containing information relating to the conduct of public business prepared, owned, used, or retained by the Authority regardless of physical form or characteristics and which is not otherwise exempt from disclosure in accordance with applicable laws.
- b. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording upon any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, magnetic or punched cards, discs, drums, or other documents. Writing does not

include compilations of writings created outside the normal course of business.

200.40 Exemptions

Nothing in this section requires disclosure of the following records:

- a. Preliminary drafts, notes, or intra- or inter-agency memoranda not retained by the Authority in the ordinary course of business, if the public interest in withholding such records clearly outweighs the public interest in disclosure;
- b. Records pertaining to pending litigation in which the Authority is a party or to claims made pursuant to Division 3.6 (Commencing with Section 810) of Title 1 of the Government Code, until such litigation or claim has been finally adjudicated or otherwise settled;
- c. Personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy;
- d. Geological and geophysical data, plant production data, and similar information relating to utility systems development obtained in confidence from any person;
- e. Test questions, scoring keys, and other examination data used to administer examinations for employment;
- f. The contents of real estate appraisals, engineering or feasibility estimates and evaluations made for or by the Authority relative to the acquisition of property, or to prospective supply and construction contracts, until such time as the property has been acquired or the contract agreement has been obtained. The law of eminent domain will not be affected by this provision;
- g. Records exempted or prohibited from disclosure pursuant to provisions of Federal or State Law, including, but not limited to, provisions of the Evidence Code relating to privilege;
- h. Data, plans, drawings, schematics, manuals and other documents related to the security and protection of the Authority's water supplies; and
- i. Other records the disclosure of which is not required by law.

200.50 Additional Public Records

Notwithstanding the foregoing:

- a. Every employment contract between the Authority and a public official or public employee is a public record.
- b. An itemized statement of the total expenditures and disbursements of the Authority provided for in Article VI of the California Constitution will be open for inspection.

200.60 Justification for Withholding of Records

The Authority will justify withholding a record by demonstrating the record is exempt under the express provisions of Government Code section 6254 (including the records listed above in section 1.4) or by demonstrating that the public interest served by not making the record available clearly outweighs the public interest served by disclosing the record. Written notice of intent to withhold records stating the reasons for withholding the records will be provided to the person requesting the record within ten days of the request for inspection as required by Government Code sections 6253, subdivision (c) and 6255, subdivision (b).

200.70 Copies of Records

- a. A person may obtain copies of identifiable records, preferably by written request on the Authority's request form, although verbal requests are acceptable. The Authority Secretary is the custodian of the Authority's records and will provide the requestor with exact copies of all requested records unless a record is in electronic form or in a specialized format, in which case the Authority will provide the most accurate copy possible within the limits of available technology and the requestor's instructions and willingness to pay the appropriate costs to retrieve and reproduce copies of such non-standard records. Officers, agents and employees of the Authority are not required to request records in compliance with this section when acting within the course and scope of employment or office holding. If the Authority is unable to provide requested copies within ten days of the request, it will advise the requestor in writing of the date when the record will be provided.
- b. The charge for plain paper standard black and white letter or legal size photocopies will be \$0.10 per page, which reflects the Authority's direct copying costs. Large format documents, maps, color copies and similar specialized documents will be charged at cost, which the Authority will determine and advise the requestor of and receive approval from the requestor before copying begins. Payment for all services is required at

the time copies are provided, although in the case of large or specialized copying jobs (e.g., large maps or color), the Authority may require a deposit as provided below in subdivision (c) before beginning copying and/or sending the job to an outside copy service, in which case the copy service's actual charges will be passed through to the requestor. A certified copy of each requested record will require an additional payment of \$3.00. No charge will be imposed for research.

- c. The Authority Secretary may require a person who desires to obtain a copy of a record to deposit an amount equal to the estimated fees for copying prior to receiving the record. The portion of the deposit not required will be refunded. If the deposit is insufficient, the Authority may require the requestor to pay an additional deposit.

200.80 Public Counter Records

- a. Except for writings exempt from public disclosure, the Authority Secretary will maintain a duplicate copy of the last approved Board meeting minutes and the agenda and written materials distributed to the Board for discussion or consideration at the next scheduled Board meeting. These records will be maintained at the public counter located in the Authority's administrative office. Public records discussed during a public meeting but not previously available will be made available before the commencement of discussion at such meeting or as soon thereafter as practicable.
- b. No charge will be imposed for the use or review of the records described in this section. The Authority will, however, impose a copy charge if a copy of a public counter record is requested.

200.90 Recording-Keeping

The Authority's Finance and Administrative Services Officer will maintain a record of requests for inspection that are denied and the reasons for the denial.

300.00 Retention, Disposal and Storage

300.10 Purpose and Scope

This section provides criteria for the retention, destruction, and storage of records.

300.20 Records Retention Schedule

This is the Authority's Records Retention Schedule, which has been adopted by the Board of Directors by Resolution 07-04 in accordance with Government Code sections 12236 and 60201, subdivision (b)(2). As provided by California

law, the Authority will retain, store and dispose of its records in accordance with this schedule and the requirements and procedures set forth in this policy.

R = Legally required retention period.

Until Converted = until converted to “Other Storage Medium Retention Period.”

<u>Title</u>	<u>Original Form Minimum Retention Period</u>	<u>Other Storage Medium¹ Minimum Retention Period</u>
<u>Administration:</u>		
Correspondence	3 years	10 Years
Policy and Procedures	7 years after cancellation	10 Years
Formation/accreditation	Permanent Until Converted	Permanent R
Oaths of office/ballots/other official materials related to election or appointment of directors and officers	Term of Office + 7 years R	10 Years
Filings with Secretary of State	Permanent Until Converted	Permanent R
Work Orders/ Time Sheets	3 years	None
Form 700 Statements of Economic Interests	7 years after filing R	None
<u>Board of Directors:</u>		
Agendas	3 years	10 Years
Meeting Notices	3 years	10 Years
Board and standing committee meeting minutes	Permanent	Permanent R
Ordinances and Resolutions	Permanent	Permanent R
Conflict of Interest Code	Current + 3 years R	10 Years
Board policies and procedures	Current + 3 years	10 Years
Ethics Code	Current + 3 years	10 Years
<u>Committees:</u>		
Agendas	3 years	10 Years
Meeting notices	3 years	10 Years
Minutes	3 years	Permanent R
Reports	3 years	10 Years

¹ Microfiche, microfilm, computer disk or other permanent record in compliance with Government Code section 60203 (a) and (b).

Contracts:

Agreements and contracts	7 years following end of contract R	10 Years
Requests for proposal and request for qualifications	Contract Termination + 5 years	None
Responses to requests for proposal and requests for qualifications	Contract Termination + 5 years R , but only for two years for all unaccepted proposals	None

Financial:

<u>Accounts payable</u>	Audit + 7 years	10 years
Correspondence		
A/P ledger/distribution journal		
Cash disbursements		
Payroll/stipend payments	R	
Petty cash reports		
Expense reports	R	
Invoices	R	
Purchase orders	R	
Warrants	R	
<u>Accounts Receivable</u>	Audit + 4 years	10 years
A/R register		
Aged trial balance		
Invoices		
<u>Audit Reporting</u>	Audit + 4 years	10 Years
Correspondence		
Reports		
State Controller's report		
Work papers		
<u>Banking</u>	Audit + 4 years	10 years
Correspondence		
Bank confirmations		
Bank reconciliations		
Bank statements		
Canceled and voided checks		
Deposit slips		
Signature authorization		
<u>Financial Reporting</u>	4 years	10 years
Correspondence		
Reports and studies		
Charts of accounts		
Treasurer's reports		

Accountant reports		
<u>Ledgers</u>	Audit + 4 years	10 Years
Account analysis		
Balance sheets		
General ledger		
Journal entries		
<u>Annual Budgets</u>	4 years	10 Years
<u>Bond Insurance</u>	4 years after repayment R	10 Years
Trust indentures	R	
Funds management agreement	R	
Other permanent bond records	R	
Canceled checks for bond interest payments/redemption	10 years	None
<u>Securities</u>		
Acquisition of securities	4 years	10 Years
Broker/ bank receipts	4 years	10 Years
Periodic statements	10 years	None
<u>Personal Property</u>		
Inventory	Current + 4 years	10 Years
Maintenance and inspection logs	4 years	None
Computer licenses and documentation	Expiration/obsolescence	None
<u>Insurance:</u>		
Memoranda of coverage	Expiration + 5 years	10 Years
Insurance policies	Expiration + 5 years	10 Years
Endorsements	Expiration + 5 years	10 Years
Certificates of insurance	Expiration + 5 years	10 Years
Coverage opinions	Expiration + 5 years	10 Years
Surety/Fidelity Bonds	Expiration + 5 years	10 Years
Required to be maintained by insurer	10 Years	10 Years
<u>Legal:</u>		
General correspondence	3 years	10 Years
Attorney correspondence	3 years	10 Years
Claims and claims records	2 years after close of claim R , but only for two years	10 Years (rejection letters, settlement agreements and releases only)
Minor's claims	2 years from age of 18 R	10 Years (rejection letters, settlement agreements and releases only)
Litigation	2 years after litigation	10 Years (judgments,

Opinions	concludes R 7 years	settlement agreements and releases only) 10 Years
<u>Membership:</u>		
Membership records	7 years, Until Converted	10 Years
Program participation agreements	10 Years	10 Years
Appointment resolutions/letters	7 years Until Converted	10 Years
<u>Personnel:</u>		
Personnel files	Termination + 5 years	Permanent
Job descriptions	Current + 2 years	None
Time sheets	Current + 4 years	None
Call reports and logs	Current + 4 years	None
Employment Agreements	Expiration + 4 years R , in some form for at least 7 years after termination	7 Years
<u>Real Property:</u>		
Deeds and other documents related to real property interests	Permanent, Until Converted	Permanent R
Eminent domain	Permanent, Until Converted	Permanent R
Annexation and detachment	Permanent, Until Converted	Permanent R
<u>Miscellaneous:</u>		
Other records Board determines to be of significant and lasting historical, administrative, financial, legal or research value	Permanent, Until Converted	Permanent
Records not prepared or received nor required to be maintained pursuant to state or federal law	2 years	None
Other records prepared or received pursuant to state or federal law, but not expressly required to be maintained	3 years	10 Years
Board meeting tape recordings	After Approval of Minutes by Board or 30 days, whichever is later R , if Authority chooses to record	None

300.30 Retention of Other Records

- a. The Authority must retain the following records, regardless of any different destruction policy or schedule as to any identified record or records specified in the records retention schedule set forth in section 2.2 above:
 - i. Any record of the Authority that is the subject of a pending request made under the California Public Records Act, Government Code sections 6250 through 6276.48, until the Authority has either (A) complied with the request or (B) withheld the record and provided written notice to the requestor denying the request; **R**
 - ii. Documents related to public works not accepted by the Authority or to which a stop notice claim may be legally presented; **R**
 - iii. Documents related to any non-discharged Authority debt; and **R**
 - iv. Any document that has not yet fulfilled the administrative, fiscal, or legal purpose for which it was created or received by the Authority; **R**
- b. The Authority may dispose of the following records at any time, without maintenance of a copy:
 - i. Duplicates, the original or a permanent photographic record of which is on file;
 - ii. Rough drafts, notes and working papers prepared or kept by any employee or accumulated in the preparation of a communication, study or other document, unless of a formal nature contributing significantly to the preparation of the document; and
 - iii. Shorthand notebooks, telephone messages and inter-departmental notes.

300.40 Records Storage

All of the records referenced in this section will be maintained at the Authority's Administrative office located at 5620 Birdcage Street, Suite 180, Citrus Heights, California 95610, or such other repository that the Authority may designate from time to time. All records requests should be directed to the Authority's administrative office at 5620 Birdcage Street, Suite 180, Citrus Heights, California 95610. Records kept by Authority consultants are not public records

of the Authority because they are not held by the Authority in the normal course of business.

300.50 Records Disposal

The Authority Manager, or his or her designee, may destroy and discard, by any permanent method that protects the confidentiality of any privileged or confidential information contained therein, any Authority record after the expiration of the applicable retention period described in the above Records Retention Schedule.

400.00 Policy Review

This policy shall be reviewed at least biennially.