

Section	ADM-3 Administration	Approval Date	10/23/03
Policy	ADM-3.6 Records Management Policy	Latest Revision	8/19/20

ADM-3.6 Records Management Policy

3.6.1 Policy

3.6.1.1 Purpose

The purpose of this document is to establish and describe the Records Management Policy (“Policy”) of the San Juan Water District (“District”). The Policy establishes the guidelines and procedures under which District staff will retain, organize, purge, and destroy District records maintained by all departments. In addition, this Policy contains the Records Retention Schedule (Appendix A) and provides references to the applicable state and federal statutes that regulate public records retention.

3.6.1.2 Preparation and Amendment

The Policy shall be prepared under the direction of the General Manager and reviewed by District Legal Counsel to ensure compliance with applicable statutes. This Policy will be reviewed bi-annually in order to maintain currency with legal and District requirements.

3.6.2 Definitions

The following definitions apply to terms used in this Policy and Appendix A - Records Retention Schedule:

3.6.2.1 Records

Records include any documents, pictures, video recordings, audio recordings, books, paper, microfilm, computer printouts, computer disks or tapes, and any other fixed or permanent medium, which contain information relating to the conduct of the public’s business prepared, owned, used, or retained by the District regardless of physical form or characteristics. A record is not a compilation of existing records created outside the normal course of business.

Public Records - Any Record relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics that is otherwise not exempt from disclosure under Government Code sections 6254 and 6255 and other applicable provisions of law.

3.6.2.2 Functional Area

This refers to the area or department that generates, maintains or is responsible for a Record.

3.6.2.3 Office

Defines on the Records Retention Schedule the length of time for which a Record in its original form must be maintained in the department where the document originated or is kept.

3.6.2.4 Archive

Defines on the Records Retention Schedule the length of time for which the original or approved permanent copy of a Record must be transferred from the retaining department to storage for the archival retention period prescribed in the Records Retention Schedule.

3.6.2.5 Total Retention

Defines on the Records Retention Schedule the total length of time for which a Record must be retained by the District before it can be destroyed.

3.6.2.6 Records Retention Schedule

A list of all records produced or maintained by the District and the actions taken with regards to those records. A retention schedule is the District's legal authority to receive, create, retain, and dispose of official public records. It assists the District by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, or legal value. In the event of litigation, courts accept a retention schedule as establishing an agency's "normal course of doing business".

3.6.2.7 Retention Period

The length of time a record must be retained to fulfill its administrative, fiscal and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.

3.6.3 Records Retention

The criteria used to determine the length of time to retain records includes: statutory requirements; purpose, function and use; information content; and uniqueness (whether the information exists elsewhere). Records must be retained in accordance with Government Code sections 60200 through 60204 governing retention and destruction of the records of special districts. However, specific state and federal statutes may require longer, or shorter, retention periods.

The District maintains permanent Records indefinitely in accordance with Government Code section 60201. The permanent records of the District are listed in the Records Retention Schedule within this Policy.

3.6.4 Destruction and Disposal of Records

Destruction of Records will be in accordance with this Policy and the attached Records Retention Schedule, as authorized by the General Manager or his/her designee. Records must be destroyed after the expiration of the applicable retention period in accordance with this Policy and generally accepted records information management guidelines and procedures. The acceptable method(s) of destruction are listed on the Records Retention Schedule. Generally, Records not containing information of a confidential or proprietary nature may be destroyed by means of recycling or other waste removal service. Records containing confidential or proprietary information must be shredded or otherwise permanently destroyed. Records recorded on electronic or magnetic media may be erased and the media re-used or discarded.

District Records may be destroyed by District staff or a licensed, bonded and insured document destruction service. If District staff destroys Records, the staff member destroying the Records will prepare and sign a "Certificate of Destruction." If the District uses a document destruction service, it shall obtain a Certificate of Destruction from the document destruction service following destruction of District records. All Certificates of Destruction shall be filed with the District Records Disposal Log.

3.6.5 Retention of Other Records

3.6.5.1 The District 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:

- (1) Any record of the District that is the subject of a pending request made under the California Public Records Act, Government Code sections 6250 through 6276.48, until the District has either (a) complied with the request or (b) withheld the record and provided written notice to the requestor denying the request;
- (2) Documents related to public works not accepted by the District or to which a stop notice claim may be legally presented;
- (3) Documents related to any non-discharged District debt; and
- (4) Any document that has not yet fulfilled the administrative, fiscal, or legal purpose for which it was created or received by the District.
- (5) Documents related to a Natural Disaster or Federal Emergency Management Agency (FEMA) claim.

3.6.5.2 The District may dispose of the following records at any time, without maintenance of a copy:

- (1) Duplicates, the original or a permanent photographic record of which is on file;
- (2) Rough drafts, notes, working papers and audio recordings 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, including but not limited to meter books after the contents thereof have been transferred to other records;
- (3) Cards, listings, non-permanent indices, other papers used for controlling work and transitory files including letters of transmittal, suspense letters, and tracer letters;
- (4) Canceled coupon sheets from registered bonds; and
- (5) Telephone messages and inter-departmental notes.

3.6.6 Public Record Requests

A person may obtain copies of Public Records of the District, preferably via written request, though verbal requests may be acceptable. The District reserves the right to require a written request. Public Records of the District are open to inspection during regular business hours and every person has a right to inspect these records. Officers, agents and employees of the District are not required to request records in compliance with this section when acting within the course and scope of employment or office holding.

Copies of requested Public Records will be provided by the District within ten days or the District will notify the requestor within ten days when the requested Public Records will be provided.

The District will provide the requestor with exact copies of all requested Public Records unless a record is in electronic form or in a specialized format, in which case the District will provide the most accurate copy possible within the limits of available technology and the requestor's instructions and agreement to pay the legally-chargeable costs to retrieve and reproduce copies of such non-standard records.

Certain Public Records are exempt from disclosure under the California Public Records Act (Government Codes sections 6250-6276.48). The District will justify withholding a Record by demonstrating that it is exempt under the express provisions of Government Code section 6254 or by demonstrating in accordance with Government Code section 6255 that the public interest served by not making the Record available clearly outweighs the public interest served by disclosing the Record. The District will provide a requestor with written notice of an intent to withhold a Record stating the reasons for the withholding within ten days of the request for inspection as required by Government Code sections 6253, subdivision (c) and 6255, subdivision (b).

3.6.6.1 Copy Charge

The District may charge a per page fee to copy a record, in an amount specified on the District's current Schedule of Rates, Fees, Charges and Deposits. If the request includes Public Records created in an electronic format, the District may charge the costs of producing such Records in accordance with Government Code section 6253.9. No charge will be imposed for research. The District reserves the right to have copies of specialized, oversized and color Records printed by an outside copy service and to charge the requestor the actual costs for such outside copy services. The District also reserves the right to require a requestor to deposit the estimated amount of copying fees and any costs for mailing before copying and delivering requested Records.

3.6.6.2 Request List

The District will maintain a log of requests for inspection that are denied and the reasons for the denial.

3.6.7 Public Counter Records

3.6.7.1 Except for writings exempt from public disclosure, the District 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 District'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.

3.6.7.2 No charge will be imposed for the use or review of the records described in this section. The District will, however, impose a copy charge if a copy of a public counter record is requested.

3.6.7.3 The District also posts on its website copies of all public counter records, archived Board meeting minutes and agendas, current Board policies, and other important District documents. Requestors are encouraged to view and obtain copies of available documents on the District’s website by visiting: www.sjwd.org

Revision History:

Revision Date	Description of Changes	Requested By
1/13/10	To add meeting audio recordings to schedule	Shauna Lorange, General Manager
8/19/20	Incorporated Appendix into policy and made numerous changes to the policy and schedule.	Paul Helliker, General Manager

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Administration					
<i>Board of Directors and Committees</i>					
Authorizing Documents	Permanent	Permanent	Permanent		G.C. §60201(d)(1)
Board Policies and Procedures	Current + 3 years	Permanent	Permanent		
Conflict of Interest Code	Current + 3 years	Permanent	Permanent		G.C. §87300
Ethics Code	Current + 3 years	Permanent	Permanent		
Ethics Training - Proofs of Completion	5 years	None	5 years	Shred	G.C. §53235.2(a)
Form 700 Statements of Economic Interests	7 years from Filing	None	7 years from Filing	Shred	G.C. §81009(e)
Meeting Agendas	3 years	Permanent	Permanent		
Meeting Audio Recordings	30 days or until minutes approved	None	30 days or until minutes approved	Deletion	
Meeting Minutes	Permanent	Permanent	Permanent		G.C. §60201(d)(3)
Meeting Notices	3 years	Permanent	Permanent		
Ordinances and Resolutions - current ³	Permanent	Permanent	Permanent		G.C. §60201(d)(2)
Ordinances and Resolutions - Repealed/Invalid	5 years from Repeal	None	5 years from Repeal	Disposal	G.C. §60201(d)(2)
Reports (including all attachments)	3 years	Permanent	Permanent		
<i>Election Materials</i>					
General	3 years	Permanent	Permanent		G.C. §81009(a)
Special	3 years	Permanent	Permanent		G.C. §81009(a)
<i>Legal</i>					
Attorney Correspondence	1 year	2 years	3 years	Shred	
General Correspondence	1 year	2 years	3 years	Shred	

¹ Archived Records may be retained in original form or the original may be copied in a permanent medium and the original destroyed.

² For all Record categories where no legal authority is cited, the District has discretion to set the retention period in accordance with Government Code section 60201, subdivision (b)(2)

³ Ordinances and Resolutions that are superseded, repealed, unenforceable or otherwise invalid may be disposed of five years after being rendered invalid.

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Legal (con't)					
Lawsuits/Claims	Until Closed + 2 years	None	Until Close + 5 years	Shred	G.C. §60201(d)(4)
Opinions	1 year	7 years	7 years	Shred	
Real Property Interests (Title, Acquisition, Disposition)	Permanent	Permanent	Permanent		G.C. §60201(d)(8)
Customer Service					
Utility Billing					
Connection Records/Will Serves	1 year	Permanent	Permanent		
Credit Bureau Assignments	1 year	3 years	Audit + 3 years	Shred	
Deposit Slips	1 year	3 years	Audit + 3 years	Shred	
Meter Reads in Billing System	Permanent	None	Permanent		
Payment Stubs & Tapes	1 year	3 years	Audit + 3 Years	Shred	
Refunds	Audit + 1 year	6 years	Audit + 7 Yrs	Shred	G.C. §60201(d)(12)
Service Requests	1 year	3 years	Audit + 3 years	Shred	
Utility Billing Register	1 year	3 years	Audit + 3 years	Shred	
Daily Call Log Reports	3 years	0 years	3 years	Shred	
Water Efficiency					
Landscape irrigation reports	1 year	3 years	4 years	Shred	
Rebate Applications	1 year	5 years	6 years	Shred	
Water Loss Audit & Validation	3 years	Permanent	Permanent		
Finance					
Accounts Payable (A/P)					
1099's Issued	Audit + 1 year	6 years	Audit +7 years	Disposal	26 CFR Sec, 31.6001-1(e)(2)
A/P supporting documentation (voucher, invoice, purchase order, receiving documents)	Audit + 1 year	6 years	Audit + 7 years	Disposal	G.C. §60201(d)(12)
Check Register Packet	Audit + 1 year	6 years	Audit + 7 years	Disposal	G.C. §60201(d)(12)

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Accounts Payable (A/P) (con't)					
Payable/Receipt Registers, Adjustment, Void and Check Registers	Audit + 1 year	6 years	Audit + 7 years	Disposal	G.C. §60201(d)(12)
Purchase Order File (quote comparisons, email communication, documentation of receipt, requisitions and PO itself)	Audit + 2 years	None	Audit + 2 years	Disposal	
Vendor Information Packet (including W-9, Form 590, etc.	Until no longer active + 7 years	None	Until no longer active + 7 years	Disposal	G.C. §60201(d)(12)
Voided Checks	Audit + 1 year	6 years	Audit + 7 years	Disposal	
Accounts Receivable (A/R)					
Cash Receipts	Audit + 1 year	6 years	Audit + 7 years	Disposal	
Cash Receipts for Connection fees	Audit + 5 years	Permanent	Permanent		
Credit Bureau Assignments	Audit + 1 year	3 years	Audit + 4 years	Shred	
Invoices	Audit + 1 year	3 years	Audit + 4 years	Shred	
Debt Administration					
Bond Transcripts (issuing documents)	Cancellation of Debt, Redemption or Maturity	10 years	Cancellation of Debt, Redemption or Maturity + 10 years	Disposal	G.C. §60201(d)(7)
CalPERs Actuarial Valuation Reports (Pension)	10 years	None	10 years	Disposal	
Financing Agreement for Other Long-Term Indebtedness	Cancellation of Debt, Redemption or Maturity	10 years	Cancellation of Debt, Redemption or Maturity + 10 years	Disposal	G.C. §60201(d)(7)
OPEB Valuation Report	10 years	None	10 years	Disposal	

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
General Ledger					
Audited Financial Statements	Audit + 10 years	Permanent	Permanent		
Budgets – adopted/final	Audit + 10 years	Permanent	Permanent		
Detailed General Ledger (electronic)	7 years	None	7 years	Delete	
Fixed Asset Listing (in year-end binder, if not, retain separately as shown)	Audit + 2 years	5 years	Audit + 7 years	Disposal	
Journal Entries	Audit + 1 year	7 years	Audit + 7 years	Disposal	
Monthly Bank Reconciliations and Statements	Audit + 1 year	6 years	Audit + 7 years	Disposal	
Year End Audit Binder (contains reconciliation and supporting documentation for each account with a material year-end balance – balance sheet and income statement accounts)	Audit + 5 years	Permanent	Permanent		
Grants					
Grant records including procurement documents, expenditures, grant reports, program income receipts and records, etc.	Expiration of Grant + 3 years	Expiration of Grant + 4 years	Expiration of Grant + 7 years	Disposal	Gov't Code section 8546.7; 21 CFR 1403.36 & 1403.42(b); 24 CFR 85.42, 91.105(h), & 570.502; 29 CFR 97.42
Inventory					
Annual Physical Count Documentation	Audit + 1 year	6 years	Audit + 7 years	Disposal	
Inventory Issue Batch Reports	Audit + 1 year	6 years	Audit + 7 years	Disposal	
Property Disposal Records	Audit + 1 year	6 years	Audit + 7 years	Disposal	

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Investments					
Investment receipts, Advisor Reports and Statements, Investment Confirmations & Trade Tickets and Investment Account Statements	Audit + 1 year	6 years	Audit + 7 years	Shred	
Natural Disasters Losses / Claims (including supporting documents pertaining thereto)					
Federal Emergency Management Agency (FEMA) ⁴	Until Closed by FEMA + 3 years	None	Until Closed FEMA + 3 years	Delete/Shred/Disposal	
Human Resources					
Pre-Employment Records					
Job Announcements	2 years	None	2 Years	Disposal	
Job Applications and Resumes	Duration of employment (if hired) + 2 years	None	Duration of employment + 2 years	Shred	
Payroll Files					
CalPERS Contribution Reports (electronic)	Permanent	None	Permanent		SJWD Board Policy
Quarterly tax filings and reconciliations of the Federal 941 and the California DE9	Audit + 1 year	6 years	Audit + 7 years	Shred	G.C. §60201(d)(12) and IRS
Timesheets and Payroll Register (taxable wages, hours, earnings, deductions)	Audit + 1 year	6 years	Audit + 7 years	Shred	G.C. §60201(d)(12)
Unlawful Employment Practices, Claims, Investigations and Legal Proceedings including Personnel and Payroll records of complaining parties and all those holding or applying for similar positions	Until Disposition of Case	Appeals Periods	Until Disposition of Case and all appeals periods have expired	Shred	

⁴ Superseding the retention schedules listed above and below; all documents related to any FEMA claim must be kept for the duration of the open claim plus 3 years after the case is closed.

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Payroll Files (con't)					
W-2s	Until updated or termination + 1 year	6 years	Audit + 7 years	Shred	G.C. §60201(d)(12) and 4 yrs per IRS
Wage Garnishment Order	Until Revoked + 7 years	None	7 years after revocation	Shred	
Employee Personnel Files					
I-9 Forms	Termination + 7 years	None	Termination + 7 years	Shred	
Accommodation Letters (regarding FMLA leave and ability of District to accommodate restrictions)	Termination + 7 years	None	Termination + 7 years	Shred	
Alcohol test results indicating an alcohol concentration of .02 or greater	5 years	None	5 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Annual calendar year summary of testings	5 years	None	5 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Benefits: Enrollment Forms, Deduction Agreements, etc.	Until Termination + Audit	None	Termination + 7 years	Shred	
Chemicals Safety and Exposure Records	Until Termination + Audit	30 years	Audit + 30 years	Shred/Disposal	8CCR 3204
COBRA Notices	Termination + 7 years	None	Termination + 7 years	Disposal	
Discharge, layoff, transfer and recall records	Termination + 7 years	None	Termination + 7 years	Shred	
Disciplinary Notices	Termination + 7 years	None	Termination + 7 years	Shred	

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Employee Personnel Files (con't)					
Documentation of refusals to take required alcohol and/or controlled substances tests	5 years	None	5 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Driver evaluation and referrals (including DMV pull program notices)	5 years	None	5 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Education Reimbursement Agreement	Termination + 7 years	None	Termination + 7 years	Shred	
Employee Health Records	Termination + 7 years	92 years	Termination + 99 years	Shred	8CCR 3204
Employment Verifications	Termination + 7 years	None	Termination + 7 years	Shred	
Fitness for Duty Evaluation Results	Termination + 7 years	None	Termination + 7 years	Shred	
General Information: Legal Name, Social Security Number, Birth/Marriage/Death Certificates, Address and Contact Information, etc.	Termination + 7 years	None	Termination + 7 years	Shred	
Offer Letter (including workweek) Workweek/Flex Time MOU, Salary, etc.	Until Termination + 7 years	None	Audit + 5 years	Shred	
Performance Management (Evaluations, etc.)	Termination + 7 years	None	Termination + 7 years	Shred	
Personnel Action Notices (PAN)	Termination + 7 years	None	Termination + 7 years	Shred	
Records of negative and cancelled controlled substances test results and alcohol test results with a concentration of less than .02	1 year	None	1 year	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Records of verified positive controlled substances test results	5 years	None	5 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Employee Personnel Files (con't)					
Records relating to the alcohol and controlled substances collection process.	2 years	None	2 years	Shred	Drug and Alcohol Program Procedure in Personnel Manual
Training: Certificates, etc. (if provided for file)	Termination + 7 years	None	Termination + 7 years	Shred	
Union and Employee Contracts	Until Termination + Audit	Permanent	Permanent		
Workweek/Flex Time MOU (as it pertains to employee file. Board Secretary should maintain MOU's as permanent documents)	Termination + 7 years	None	Termination + 7 years	Disposal	
Other					
OSHA Logs and Records	5 years	None	5 years	Shred	
Picture of Posted Labor Posters (electronic)	3 years	None	3 years	Disposal/ Delete	
Salary Survey	Current	2 years after completion of new study	2 years after completion of new study	Shred	
Risk Management					
Insurance					
Certificates of Insurance (District Insurance Policies)	Current + Audit	Permanent	Permanent		For protection from litigation
Claims against the District (Injury, Property, General Liability)	Settlement + 1 year	None	Settlement + 1 year	Disposal	
Insurance Policies	Current + Audit	Permanent	Permanent		For protection from litigation
Memoranda of Coverage	Current + Audit	Permanent	Permanent		For protection from litigation

Records Retention Schedule by Functional Area

Functional Area Category Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
Insurance (con't)					
Surety/Fidelity Bonds	Current + Audit	Expiration + 5 years	Expiration + 5 years	Disposal	
Vendor Certificates of Insurance and Endorsements (District as Additional Insured)	Completion of Work + 7 years	None	Completion of Work + 7 years	Disposal	
Water System					
Capital Improvements					
Accepted bid documents	5 years	Permanent	Permanent		
As-built plans/documents (includes submittals, fabrication drawings, cutsheets, etc.)	7 years	Permanent	Permanent		
Contracts (including insurance endorsements naming District as additional insured)	7 years	Permanent	Permanent		G.C. §60201(d)(12)
Unaccepted construction or installation bids & proposals	2 years	None	None	Disposal	G.C. §60201(d)(11)
Source, Treatment, and Distribution					
Maps	7 years	Permanent	Permanent		
Master Plans	10 years	Permanent	Permanent		
Meter Operations	2 years	10 years	10 years	Disposal	
Permits	7 years	10 years	10 years	Disposal	
Policies & Procedures	2 years	10 years	10 years	Disposal	
Rates	2 years	10 years	10 years	Disposal	
Reclamation	2 years	10 years	10 years	Disposal	
Reports	7 years	Permanent	Permanent		
Source of Supply	2 years	10 years	10 years	Shred	
Surveyor Field Notes	7 years	Permanent	Permanent		
Surveys, Water System Sanitary	7 years	Permanent	Permanent		
Test	2 years	10 years	10 years	Shred	
Valve Main Records	2 years	10 years	10 years	Shred	
Violations, Drinking Water	2 years	10 years	10 years	Shred	

Records Retention Schedule by Functional Area

Functional Area <i>Category</i> Record Series	Retention			Destruction Method	Legal Authority ²
	Office	Archive ¹	Total		
<i>Development</i>					
Acreage Agreements	Permanent	Permanent	Permanent		
Conveyance Agreements	Permanent	Permanent	Permanent		
Connection Related Deposits and Payments	Permanent	Permanent	Permanent		
<i>Property</i>					
Deeds	Permanent	Permanent	Permanent		
Easements	Permanent	Permanent	Permanent		
Encroachment Agreements	Permanent	Permanent	Permanent		