

Sacramento Suburban Water District

Records Inspection, Retention, Disposal, and Storage Policy

Adopted: October 20, 2003

Revised: January 23, 2006; January 28, 2008; August 17, 2009; November 21, 2011

100.00 Purpose of the Policy

This document describes the Sacramento Suburban Water District'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 District 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 District 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 District 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 District 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 District 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 District's water supplies; and
- i. Private information pertaining to any customer, director or employee that is explicitly exempt under Government Code sections 6254(c) and 6254.16 or that may be exempt because of personal safety and privacy concerns under Government Code section 6255, including, but not limited to, personal identifying information and private data such as social security numbers, credit history, water usage, and confidential personnel and financial records.
- j. Other records the disclosure of which is not required by law.
- k. Computer software developed by the District for internal use and not otherwise made available to the public except by selling, leasing, or licensing

such software for commercial or non-commercial use. The District's proprietary computer software may include computer mapping systems, computer programs, and computer graphics systems.

200.50 Additional Public Records

Notwithstanding the foregoing:

- a. Every employment contract between the District and a public official or public employee is a public record.
- b. An itemized statement of the total expenditures and disbursements of the District provided for in Article VI of the California Constitution will be open for inspection.
- c. Documents concerning an open session item of a noticed public meeting that are provided to all or a majority of the Board or a committee less than 72 hours before that meeting.

200.60 Justification for Withholding of Records

The District will justify withholding a record by demonstrating the record is exempt under the express provisions of Government Code sections 6254 and 6254.16 and any other applicable statute (including the records listed above in section 200.40) 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 and an estimated time for when releasable documents will be furnished will be provided to the person requesting the record within ten days, or later if good cause requires, of the request for inspection as required by Government Code sections 6253, subdivision (c) and 6255, subdivision (b).

200.70 Confidentiality of Certain Records

While the District supports and implements the legal principles underlying the "government sunshine laws", including the Public Records Act and Brown Act, it also recognizes the equally important constitutional principles underlying its customers', directors' and employees' rights to privacy in their personal information. Such information includes those items described in Section 200.40(i) of this Policy and the District' Identity Theft Prevention Policy. The District will not disclose private information of any customer, director or employee unless compelled by a legally-authorized subpoena, court order or order of another government agency with the power to obtain such records or authorized by the customer, director or employee in writing. In cases where there is no clear exemption from disclosure, the District will attempt to contact the customer, director or employee whose private information is being requested, inform the customer, director or employee of the request, and provide that person or entity with the opportunity to object to the request and if

desired, to seek a court order to protect the private information being requested from disclosure.

200.80 Copies of Records

- a. A person may obtain copies of identifiable records, preferably by written request on the District's request form, although verbal requests are acceptable. The District Secretary is the custodian of the District's records and will provide the requestor with copies of all requested 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 willingness to pay the appropriate costs to retrieve and reproduce copies of such non-standard records. Nothing in this Policy or the Public Records Act requires the District to provide copies of electronic documents in their native format when a paper copy would provide a sufficiently accurate reproduction of the contents of the document and ensure that a record of the District cannot be altered. 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. If the District 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 in accordance with the Regulation 3 of the District's Regulations Governing Water Service, which reflects the District's direct copying costs. Large format documents, maps, color copies and similar specialized documents will be charged at cost, which the District 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 the District 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 District 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 District may require the requestor to pay any balance of copying charges due before any records are released.

200.90 Public Counter Records

- a. 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.

- b. Public counter records also include those public meeting documents described in subdivision (c) of section 200.50 of this Policy.
- c. 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.
- d. 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.sswd.org.

200.95 Recording-Keeping

The District Secretary 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 District’s Records Retention Schedule, which has been adopted by the Board of Directors by Resolution 06-01 in accordance with Government Code sections 12236 and 60201, subdivision (b)(2), and reviewed at least biennially. As provided by California law, the District 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.”

**Original Form
Minimum**

**Other Storage
Medium¹Minimum**

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

<u>Title</u>	<u>Retention Period</u>	<u>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
Consumer confidence reports	Permanent Until Converted	10 years
Oaths of office/ballots/other official materials related to election or appointment of directors and officers	Term of Office + 7 years R	10 years after end of term of office
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
Form 801 Gift to Agency	7 years after filing R	None
Form 470 annual Financial Disclosure Statements	7 years after filing R	None
<u>Board of Directors:</u>		
Agendas	3 years	10 years
Meeting Notices	3 years	10 years
Staff Reports	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
Proofs of Completion of Directors' and Designated Employees' Ethics Training	Five years R	None
<u>Committees:</u>		
Agendas	3 years	10 years
Meeting notices	3 years	10 years
Minutes	3 years	Permanent R
Reports	3 years	10 years
<u>Contracts:</u>		
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

<u>Title</u>	<u>Original Form Minimum Retention Period</u>	<u>Other Storage Medium Minimum Retention Period</u>
<u>Capital Improvements:</u>		
Capital improvement contracts	7 years following end of contract R	10 years
Accepted bid documents	5 years	10 years
As-built plans/ documents	7 years following end of contract	10 years
Unaccepted construction bids and proposals	2 years R	None
<u>Elections Materials:</u>		
General	3 years	10 years
Special	3 years	10 years
<u>Financial:</u>		
<u>Accounts payable</u>	All categories below - Audit + 2 years	7 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>	All categories below - Audit + 2 years	7 years
A/R register		
Aged trial balance		
Invoices		
<u>Audit Reporting</u>	All categories below - Audit + 2 years	7 years
Correspondence		
Reports		
State Controller's report		
Work papers		
<u>Banking</u>	All categories below - Audit + 2 years	7 years
Correspondence		
Bank confirmations		
Bank reconciliations		
Bank statements		

<u>Title</u>	<u>Original Form Minimum Retention Period</u>	<u>Other Storage Medium Minimum Retention Period</u>
Canceled and voided checks		
Deposit slips		
Signature authorization		
<u>Financial Reporting</u>	All categories below - 2 years	7 years
Correspondence		
Reports and studies		
Charts of accounts		
Treasurer's reports		
Accountant reports		
<u>Ledgers</u>	All categories below - Audit + 2 years	7 years
Account analysis		
Balance sheets		
General ledger		
Journal entries		
<u>Annual Budgets</u>	2 years	7 years
<u>Issuance of Indebtedness</u>	All categories below – 4 years after repayment R	7 years
<u>Bond Insurance</u>	R	
Trust indentures	R	
Funds management agreement	R	
Other permanent bond records	R	
Canceled checks for bond interest payments/redemption	10 years	3 years
<u>Securities</u>		
Acquisition of securities	2 years	7 years
Broker/ bank receipts	2 years	7 years
Periodic statements	2 years	7 years
<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

<u>Title</u>	<u>Original Form Minimum Retention Period</u>	<u>Other Storage Medium Minimum Retention Period</u>
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 concludes R	10 years (judgments, settlement agreements and releases only)
Opinions	7 years	10 years
<u>Membership:</u>		
Membership records	7 years or until converted	10 years
Program participation agreements	10 years	10 years
Appointment resolutions/letters	7 years or until converted	10 years
<u>Personnel:</u>		
Personnel files	Permanent, until converted	Permanent
Amount of compensation paid to Officers and Employees	7 years after date of payment R	None
Reimbursements, advances and credit card payment records for Officer and Employee travel and other District-related expenses	7 years after date of payment R	None
Job descriptions	Current + 2 years	None
Time sheets	Current + 4 years	None
Call reports and logs	Current + 4 years	None
Employment Agreements	Expiration/Termination + 4 years	None

<u>Title</u>	<u>Original Form Minimum Retention Period</u>	<u>Other Storage Medium Minimum Retention Period</u>
Job applications and resumes	2 years	None
Position advertisements	2 years	None
Employment testing results	2 years	None
OSHA logs and records	None	5 years
Safety and training records	None	Employment + 4 years
Drug & alcohol test records	2 years	5 years
DE 34-New Employee Report	None	4 years
I9-Employment Eligibility	3 years after hire or 1 year after termination, whichever is later	None
<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>Tax-Related:</u>		
Auditor's assessed valuation certificates	5 years R	10 years
District tax collection information	5 years R	12 years
<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 District chooses to record	None

300.30 Retention of Other Records

- a. 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 set forth in section 2.2 above:
 - i. 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) waited at least two years after the record was withheld and written notice denying the request was provided to the requestor; **R**
 - ii. Documents related to pending public works not accepted by the District or to which a stop notice claim may be legally presented; **R**
 - iii. Documents related to any non-discharged District 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 District. **R**
- b. The District 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, including but not limited to meter books after the contents thereof have been transferred to other records;
 - iii. Cards, listings, non-permanent indices, other papers used for controlling work and transitory files including letters of transmittal, suspense letters, and tracer letters;
 - iv. Canceled coupon sheets from registered bonds; and
 - v. 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 District's Administrative office located at 3701 Marconi Avenue, Suite 100, Sacramento, California 95821; District facilities at 5331 Walnut Avenue, Sacramento, California 95841 and 7800 North Antelope Road, Antelope, California 95843; or such other

repository that the District may designate from time to time. All records requests should be directed to the District's administrative office at 3701 Marconi Avenue, Suite 100, Sacramento, California 95821.

300.50 Records Disposal

The District 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 District 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.