

RESOLUTION 2011-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF RANCHO MURIETA COMMUNITY SERVICES DISTRICT ADOPTING A NEW RECORD RETENTION POLICY

WHEREAS, in 2004, the Rancho Murieta Community Services District ("District") adopted a Document Retention Policy;

WHEREAS, since 2004, there have been changes to the law that have prompted the District to review its Document Retention Policy;

WHEREAS, consistent with the foregoing, the purpose of this resolution is to provide substantially revised guidelines to staff regarding the retention or disposal of District records; provide the identification maintenance, safeguarding and disposal of records in the normal course of business; to ensure prompt and accurate retrieval of records; and to ensure compliance with legal and regulatory requirements;

WHEREAS, vital and important records, regardless of recording media are those having legal, financial, operational or historical value to the District;

WHEREAS, 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 in the attached Record Retention Policy; and

WHEREAS, pursuant to the provisions of California Government Code section 60200 through 60203 and California Water does section 21403, the following qualifications will govern the retention and disposal of records of the District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Rancho Murieta Community Services District hereby adopt District Policy 2011-00 Document Retention Policy.

PASSED AND ADOPTED by the Board of Directors of the Rancho Murieta Community Services District at their regular meeting held on this 21st day of September 2011 by the following roll call vote:

Ayes: Taylor, Ferraro, Pasek

Noes: None

Absent: Belton, Mobley


Abstain: None

for 

Roberta Belton, President of the Board
Rancho Murieta Community Services District

[seal]

Attest:



Suzanne Lindenfeld, District Secretary
Rancho Murieta Community Services District

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

Category:	Financial	Policy # 2011-11
Title:	Document Retention Policy	

PURPOSE

The purpose of this Document Retention Policy (“policy”) is to provide guidelines to staff regarding the retention or destruction of records of the Rancho Murieta Community Services District (“District”); provide for the identification, maintenance, safeguarding and destruction of records in the normal course of business; ensure prompt and accurate retrieval of records; and ensure compliance with legal and regulatory requirements.

BASIC POLICY AND GUIDELINES

Pursuant to the provisions of California Government Code sections 60200 through 60203 and California Water Code section 21403, the following qualifications will govern the retention and disposal of records of the District.

1. Definitions

As used in this policy, shall mean:

- a. Active Records: As a measure of activity for records that are referred to at least once a month. Also, as a retention period for a Perpetual Record that remains “active” until some event occurs to change its status, at which time it has fulfilled the Perpetual Record.
- b. Administrative Records: Records commonly found in all offices and typically retained only for short time periods – less than five (5) years. Examples include subject, chronological, budget, and policy files.
- c. Archival Records: Records with enduring value because they reflect significant historical events, document the history and development of the District or provide valuable research data.
- d. Discovery: The pretrial disclosure of pertinent facts or documents by one or both parties to a civil action or proceeding. Anything requested during discovery must be disclosed, if it exists – even non-records and records that should have been destroyed earlier. Discovery effectively freezes selected holdings until release by opposing attorney or the court.
- e. Non-Records: Material not usually included within the definition of records such as unofficial copies of documents kept only for convenience or

reference, working papers, appointment logs, stacks of publications and processed documents, and library or museum material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents. (See also Discovery.)

- f. Permanent Records: Records that are required in perpetuity, usually identified by statute or other written guidance. Examples include: original certificates, formation documents, grants, etc. (See also Discovery.)
- g. Perpetual Records: Records retained for an indefinite period of time and then stored or destroyed after some event take place. Examples include office personnel files, which are kept until a person leaves the office policy files kept until the policy is changed, contract files kept until the contract terminates.
- h. Public Records: Any writing related to the conduct of the public's business, which was prepared, owned, used, or retained by the District regardless of physical form or characteristics.
- i. Retention Records: 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 this records retention schedule.
- j. Writing: Any handwriting, typewriting, printing Photostatting, photocopying and every other means of records upon any form of communication or representation, including letters, words, pictures, sounds or symbols, or combinations thereof, and all papers, maps, magnetic or punched cards, discs, drums or other documents.

2. Policy

- a. Request for Document Destruction. The Department Manager completes and signs a Request for Destruction of Obsolete Records form ("form") listing the date and description of each document to be destroyed. A sample form is in **Appendix A** of this chapter. The Department Manager submits the form to the District Secretary.
- b. Document Check. The District Secretary checks the documents listed on the submitted form to confirm that each document is: (1) not required to be permanently retained; or (2) has been retained for the legally required period of time. The District Secretary also confirms that any applicable reproduction requirements are complete (i.e., microfilming, etc.) for each document.
- c. Form Submission. The District Secretary submits the form to the General Manager who reviews and signs the form, and then returns the signed form to the District Secretary.

- d. Supervision of Document Destruction. After receiving the signed form from the General Manager, the District Secretary oversees the destruction of the documents; indicates the method of destruction on the form; signs the form; and returns the original signed form to the General Manager.
- e. Retention of Requests. The General Manager will retain all original signed forms requesting destruction of records for a minimum period of two (2) years.

3. Retention

- a. Criteria. This section provides criteria and procedure for the retention or destruction of records in accordance with the California Public Records Act (Government Code §§ 6250 et seq), and the destruction of records for special districts as provided for in Government Code sections 60200-60204.
- b. Original Records Retained. The following original records shall be maintained permanently in the District's files:
 - 1. Records that relate to formation, change of organization or reorganization of the District.
 - 2. Records of all action taken by the Board of Directors, including any resolutions or ordinances and including any financial transactions.
 - 3. Documents received from the Tax Assessor detailing District taxes collected.
 - 4. Ballot arguments pro or contra on bond issues.
 - 5. Results of bond propositions received from the canvassing bodies.
 - 6. Results of elections for the office of member of the Board of Directors received from the canvassing body.
 - 7. Records of securities from banks.
 - 8. Receipts for securities from banks.
 - 9. Records relating to the title in real property in which the District has an interest, including deeds, easements, dedications, encroachment permits, right-of-ways.
 - 10. PERS, Social Security, and SSI records.
 - 11. Maps, surveys and materials showing District boundaries or parcels in District.

12. Proposition 218 materials related to property related fees or assessments.
 13. Bond and insurance policies insuring District property and other assets.
 14. Any document that has not fulfilled its administrative, fiscal or legal purpose for which it was created or received.
- c. Document Image Storage. The following original records or a copy of such original records as defined by California Government Code section 60203 shall be maintained permanently in the District's files:
1. Agendas and Minutes of meetings of the Board of Directors and Committees.
 2. Financial records summarizing the financial status of the District other than reports prepared pursuant to Article 9 (commencing with Section 53891) of Part 1 of Division 2 of the California Government Code.
 3. Oaths of office and related materials depicting the authenticity of the appointment of any director or officer of the District.
 4. Records that are determined by the Board of Directors to be of significant and lasting historical, administrative, legal, fiscal or research value.
 5. Annual operating budgets approved by the Board of Directors.
 6. Benefit Plan Claims, including dental, disability, education, health, life and vision including dependent care and Employee Assistance.
- d. Destruction Allowed after Passage of Time. The following records may be destroyed after the passage of time, without a copy thereof, pursuant to the procedure established in Section 2 of this policy and pursuant to the timing requirements contained in **Appendix B**.
- e. Destruction Allowed at Any Time: The following records may be destroyed without a copy thereof being maintained. The following records, papers or documents that are not expressly required by law to be filed and preserved may be destroyed at any time:
1. All duplicates when the original or, if permitted, a permanent photostatic record of which is on file.

2. Rough drafts, notes and working papers accumulated in the preparation of a communication, study or other document, unless of a formal nature contributing significantly to the preparation of the document representing the work of any department of the District, including, but not limited to, meter books after the contents thereof have been transferred to other records.
 3. Cards, listings, non-permanent indices and other papers used for controlling work and transitory files, including, letters of transmittal.
 4. Canceled coupon sheets from registered bonds.
 5. Shorthand notebooks, telephone messages, and interdepartmental notes.
- f. Compliance with Statute. The provisions of this section are intended to implement the provisions of Chapter 7 (commencing with Section 60200) of Division 1, Title 6 of the California Government Code. Nothing herein contained shall be deemed to abridge or amend said provisions, and, in the event of any conflict, said provisions of the California Government Code shall govern.

Approved by Rancho Murieta Community Services District's Board of Directors
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October 19, 2011

Appendix A
(Sample Form)

RANCHO MURIETA COMMUNITY SERVICES DISTRICT

To: General Manager
From: Department Manager
Subject: Request for Destruction of Obsolete Records

I am requesting approval to destroy the obsolete records listed below.

DATE OF RECORD	DESCRIPTION OF RECORD

APPROVED:

District Secretary

Date

General Manager

Date

The obsolete records described above were destroyed under my supervision using the following method: (specify method)

I certify that such destruction meets the requirements of the Records Retention and Destruction Policy of Rancho Murieta Community Services District and all applicable requirements of State and federal law.

District Secretary

Date of Records Destruction

Appendix B

LEGEND

Records Retention

AC = Active AU = Audit CU = Current Year E = Election P = Permanent T = Termination	AD = Adoption CL = Closed/Completion DOB = Date of Birth L = Life S = Supersede
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ADMINISTRATION

Records Series	Retention	Description
AUDIT:		
Annual Financial Report	CL + 2	Independent auditor analysis
Bonds	CL + 10	Final bond documentation
Budget Operating (copies)	S	Departmental Reference
Hearing or Review	AU + 2	Documentation created and or received in connection with an audit hearing or review
Reports	AU + 4	Internal and/or external
Reviews, Internal / External Periodic	CU	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log, list, statistics, exception a report
Fair Political Practices -		
Statement of Economic Interest-Elected Officials	T + 7	FPPC Filings
Statement of Economic Interest-Not Elected	E + 5	FPPC Filings
Petitions	E + 5	From date of filing or election; Initiative, referendum, recall
GENERAL SUBJECT:		
Biographies	CU + 2	
Correspondence / Originating Department	CU + 2	If not attached to agreement or project file
Goals & Objective	CU + 2	Departmental goals & objectives
Policies & Procedures, Departmental	S + 5	Retain while current

Records Series	Retention	Description
GENERAL SUBJECT (con't.):		
Reports -		
Departmental	CU + 2	Special/or final summary, review or evaluation
OSHA	CU + 5	OSHA Log 200, supplementary record, annual summary (federal and state – California – OSHA)
OSHA (Accident/Illness Reports)	Duration of employ + 30	Personnel – employee exposure records and employee medical records Not a public record
Staff	CU + 2	Non-agenda related, includes supporting documentation
Special Projects	CU + 5	
Support Services	CU + 2	Reproduction; printing; postal/mailing services, other internal resources
Travel Records	CU + 2	
GRANTS:		
Community Development Block Grant and Urban Development	T + 4	Applications, reports, contracts, supporting documents
Federal and State	CL + 5	Refer to grant application close-out procedure
Financial Records	CL + 5	Refer to grant application close-out procedure
Unsuccessful	CL + 2	Applications not entitled
HUMAN RESOURCES:		
Documents specifying amounts paid to employees, officers and independent contractors, including reimbursements.	CL + 7	
Benefit Plan Enrollment, Denied	CL + 4	
Benefit Claims	P	
Bond, Personnel Fidelity	T + 2	Employee Fidelity Bonds
Employee Handbook	S+ 2	General employee information including benefit plans
Employee Programs	CL + 2	Includes EAP and Recognition
Employee Rights Gen Employees Safety	T + 2 T + 5	May include Arbitration, grievances, union requests, sexual harassment and Civil Rights, complaints, disciplinary actions
Hourly Employees	T + 6	
Immigration	T + 7	I-9's
Medical Leave	CL + 3	May include Family leave; certifications; tests; W-4's;

Records Series	Retention	Description
HUMAN RESOURCES (con't.):		
Motor Vehicle Pulls (DMV)	CL + 7	
Non-Safety Employees	T + 3	Non-safety employees may include: Release Authorizations; Certifications; Reassignments; outside employment; commendations, disciplinary actions; terminations; Oaths of Office; evaluations, pre-employee medicals; fingerprints; identification cards (IDs)
Personnel Records (copies)	CU + 2	Attendance; evaluations; drafts; worksheets; postings
Recruitment	CL + 3	Applications, resumes, alternate lists/logs, indices; ethnicity disclosures; examination materials; examination answer sheets, job bulletins; eligibility; electronic database
Reports	CU + 2	Employee statistics, benefit activity; liability loss
Safety Employees	T + 5	Police, fire emergency employees may include: Release Authorization; Certifications Reassignments; outside employment; commendations, disciplinary actions; terminations; Oaths of Office; evaluations, pre employee medicals
Surveys & Studies	CU + 2	Includes classifications, wage rates
Training Records Non-Safety	CU + 7	Employee applications, volunteer program training, class training materials, internship;
Personnel (by name)	T + 7	Paperwork documenting officers internal and external training
Safety	CU + 2	Certifications/designations
Vehicle Mileage Reimbursement Rates	S + 2	Annual mileage reimbursement rates
Internet, World Wide Web	S + 2	Management/Policies and supporting documentation
Inventory, Information Systems	S + 2	Hardware/Software Inventory logs; systems manuals
Network Information Systems (LAN/WAN)	CU + 4	Configuration maps and plans
Program Files and Directories	CU + 2 CU + 2 mos CU + 1 CU + 5	Annual back up Daily back up Monthly back up Weekly back up
Tapes Information Systems	CU + 2	System Generation

Records Series	Retention	Description
LEGAL/LEGISLATIVE:		
Agenda Reports (Master, Subject Files)	L	Documentation received, created and/or submitted to Board
Appeals, Civil	CU + 3	Documentation received, created and/or submitted to Board
Applications, Boards, Commissions, Committees	CL + 2	
Case Log	CL + 7	From Close of cases listed; Chronological listing of cases
Case or Litigation Records	P	Includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statement (unless minor – 3 years after attaining 18)
Contracts and Agreements Exc. Capital Improvement	T + 5	Includes leases, equipment, services or supplies
Legal Advertising	CU + 4	Includes public notices, legal publications
Opinions	P	Confidential
Petitions	CU + 1	Submitted to legislative bodies
Tapes, Audio/Video	10 yrs	When used for minute preparation and may have historical value
PUBLIC INFORMATION:		
Brochures, publications, newsletter, bulletins	S + 2	
Calendar, District	CU + 2	
Media Relations	CU + 2	Includes cable, newspaper, radio message boards, presentations
RISK MANAGEMENT:		
Accident Reports – District Assets	CL + 7	Reports and related records
Claims, Damage	CL + 5	Paid/Denied
Incident Reports	CL + 7	Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement)
Photographs, Negatives, Film	CL + 2	
Risk Management Reports	CL + 5	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies

SECRETARY TO THE BOARD (District Secretary):		
Inventory, Records	CU + 2	Inventory of non-current or inactive records holdings and location, indices. Tapes may be recycled.
Public Records Request	CL + 2	
Records Management	CL + 2	Document includes retrieval, transfers – inactive
Records Retention Schedules	S + 4	
General Administrative	S + 2	All District policies and procedures
Policy, Council / Proclamations	S + 2	Policies, directives rendered by Board not assigned a resolution or ordinance number
DEVELOPMENT		
DISTRICT FACILITIES:		
Facility Rentals/Use	CU + 2	Permits, contracts, diagrams, schedules, insurance binders
Maintenance and Operations	CU + 2	Service requests, invoices, supporting documentation; buildings, equipment, field engineering, public facilities including work order san graffiti removal
ENVIRONMENTAL QUALITY:		
Environmental Review	CL + 2	Correspondence, consultants, issues, conservation
Pest Control	CU + 2	Pesticide applications, inspections and sampling documents
Soil	CL + 2	Analysis, construction recommendations
PROPERTY:		
Acquisition / Disposition	CL + 10	Supporting documents re: sale, purchase, exchange, lease or rental of property by District
Appraisals	CL + 2	Exempt until final acquisition or contract agreement
Pending Construction	CL	Documents that relate to construction that has not been accepted.
Unaccepted bid or proposal	CU + 2	
FINANCE		
ACCOUNTING:		
Accounts Payable	AU + 7	Invoices, check copies, supporting documents
Accounts Receivable	AU + 7	
Applications	CL + 2	Utility connections, disconnects, registers, service
Bank Reconciliation	AU + 7	Statements, summaries for receipts, disbursements and reconciliation
Billing Records	AU + 2 L – electronic	Customer name, service address, meter reading, usage, payments, applications/cancellations
Budget	Life	
Escrow Files	AU + 2 L- Electronic	

Records Series	Retention	Description
ACCOUNTING (continued):		
Budget Adjustments Journal Entries	AU + 7	Account transfers
Checks	AU + 7	Includes payroll, canceled & voided checks
Deposits, Receipts	AU + 7	Checks, coins, currency
Invoices	AU + 7	Copies sent for fees owed, billing, related documents.
Other documents relating to non-discharged debt or contract.	CL	
Journals -		
Utility Billing	CU + 2 L - electronic	Billing including monthly activity
Voucher	AU + 7	Account postings with supporting documents
Taxes, Receivable	AU + 7	
Warrant Register	AU + 7	
ADMINISTRATIVE SERVICES:		
Budget Operating (copies)	L	Departmental Reference
Budget, Proposed	L	Presented to Council
FIXED ASSETS:		
Inventory	L	Reflects purchase date, cost, account number
LICENSE:		
Business	T + 4	Paid & reports
PAYROLL:		
Adjustments	AU + 7	Audit purposes
Employee Time Sheets	AU + 7	Signed by employee for audit & FEMA Reports
Salary Records	T + 3	Deduction authorization, beneficiary designations, unemployment claims, garnishments
PURCHASING:		
Bids, RFQ's, RFP's Successful Unsuccessful	AU + 7 AU + 7 CU + 2	Request for Qualifications; Request for Proposals regarding goods and services
REPORTS:		
Deferred Compensation	T + 5	Records of employee contributions and city payments
Federal & State Tax	AU + 7	Forms 1096, 1099, W-4's and W-2's
Financial, Annual	AU + 7	

Records Series	Retention	Description
REPORTS (continued):		
Meter Reading	CU + 7	
Utility Rebates	CU + 2	
REQUISITIONS:		
Purchase Orders	AU + 7	Original documents
SURPLUS PROPERTY:		
Auction	AU + 7	Listing of property
Disposal	AU + 7	Sealed bid sales of equipment
Vehicle Ownership & Title	L	Title transfer when vehicle sold
TREASURER:		
Bank Statements	AU + 7	Financing authority
Bonds		
Account Statements	CL + 10	Monthly statement of transactions
Administration	CL + 10	Supporting documents
Bonds & Coupons	CL + 2	Paid/canceled
PUBLIC SAFETY		
EMERGENCY MANAGEMENT:		
Mutual Aid, Strategic Plans	S + 2	
Hazardous Waste Disposal	CU + 10	Documentation re handling and disposal of hazardous waster
Permits, Hazardous Material Storage	CU + 2	Departments consistently recommend permanent retention of environmentally sensitive materials
Programs, Household Hazardous Waste	S + 2	
Training Materials	S + 2	Standards and Administration
Underground Storage Tank Compliance Maintenance and Operation	CU + 2	Location, installation, removal, remediation
INVESTIGATIONS:		
Administrative/Internal	CL + 5	Initiated by citizens complaints or internally initiated; includes complaint, reports, findings
Notifications	CU + 2	To legal property owner prior to case filing that property is subject to asset forfeiture proceedings. If case is filed, notification becomes part of forfeiture case file
Evidence, Disposition Forms		Attach to duplicate Property Report, file w/DR in Records Division

Records Series	Retention	Description
INVESTIGATIONS (continued):		
Fingerprint Applicants Files	T + 2	Paperwork authorizing fingerprinting and background checks for city employment applicants and business license applicants
Informant Files	T + 10	Legal notifications, identification information, payment information, activities information
Subpoenas (Duplicate)	CU + 2	
Tapes/Audio, Telephone and Radio Communications	CU + 13 months	Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action
Surveillance/ Security Video	CU + 13 mos.	
Use of Force Supervisory Review Files	CU + 2	Includes review forms, arrest report copies, logs
SECURITY ADMINISTRATION:		
Accounting/Cash Reconciliation	CU + 2	
Alarm Records	CU + 2	
Department Manual	S	Changes to manual are recorded in the General Orders (permanent)
Equipment Communication	T + 2	Retained until termination of equipment use; Manuals, instructions, procedures
Inventory	S + 2	Listing of equipment assigned to division, to whom it is assigned
PERSONNEL:		
Collective Bargaining Agreements	CU + 3	
Training	T + 2	Certifications/designations
Unemployment Insurance Records	CU + 4	
REPORTS:		
Cards Dispatch	CU + 2	Dispatch cards and follow up slips
Cite and Release	CL + 2	
Field Interview	CL + 2	
Incident	CL + 5	Incident Reports
Barcode Forms	CU + 5	
Permanent Guest Registration Forms	CU + 5	
Reports Activity	CU + 2	Weekly/monthly/quarterly/annual activity/statistical reports by division. Retain only one form for retention period, daily shift reports, officer's daily log

PUBLIC WORKS		
Records Series	Retention	Description
PUBLIC UTILITIES:		
Backflow Test Reports	CU + 3	Reports of testing and maintenance – water supply
Utility Services – Applications	CL + 2	Applications for utility connections, disconnects, registers, service
Utility Services – Billing Records	AU + 2	Customer name, service address, meter reading, usage, payments, applications/cancellations
Utility Services – Journals, Utility Billing	AU + 2 L –electronic	Billing including monthly activity
Utility Services – Meter Reading; Reports	L	
Utility Services – Utility Rebates, Reports	CU + 2	
SANITATION/SOLID WASTE/WASTEWATER:		
Collections	CU + 2	Daily records, usage
Facilities	CU + 2	Correspondence, maps, patron list
History, Sanitation	P	Where City-owned
Biosolids Disposal	CU + 10	Sludge volume, sampling characterization/disposal site,
Maintenance and Operations	CU + 2	Includes work orders, inspection, repairs, cleaning, reports, complaints
Rates	CU + 2	
Recycling Programs	S + 2	
Regulations	S + 2	Includes legislation
Reports		
Studies	CL + 2	
Water Quality Complaints	CU + 5	
Sanitary Survey	CU + 10	
CDPH		
Correspondence	CU + 3	
Public Notifications	CU + 3	
Bacterial Analysis	CU + 5	