

**WEST BASIN MUNICIPAL
WATER DISTRICT
ADMINISTRATIVE CODE**

Resolution No. 1-16-1024

Adopted January 20, 2016

Part 7. RECORDS MANAGEMENT¹**CHAPTER 1. GENERAL****ARTICLE 1. RECORDS MANAGEMENT PROGRAM****7-1.101 PURPOSE AND SCOPE**

This Article establishes a Records Management Program (RMP) that provides systematic control of records regardless of format or location, from creation or receipt and identification by the Employee through processing, use, distribution, maintenance, storage, retrieval and final disposition by either destruction or perpetual retention.

Objectives of the RMP:

- (a) Identify District records to facilitate access to information required to conduct business.
- (b) Provide protocols to ensure compliance with the California Public Records Act (Government Code sections 6250 et seq.);
- (c) Establish procedures for the maintenance and preservation of District records in accordance with the District's Records Retention Schedule;
- (d) Promote awareness among District staff of the importance of the RMP and provide consistency in the storage, retention and destruction of the District records;
- (e) Ensure the preservation of records subject to a Legal Hold because of ongoing, threatened or anticipated litigation, claim, audit, proceeding or governmental or District investigation, until the matter is resolved or the need for such records has ceased;
- (f) Protect the integrity of the District's records.

Administration of the RMP:

- (a) The RMP is administered under the authority of the Board of Directors, and its implementation is overseen by the Records Management Coordinator, as supervised by the General Manager's designee.

- (b) All Department Heads are responsible for ensuring that the approved Records Retention Schedule is implemented in their respective departments.
- (c) All District employees are responsible for complying with the requirements of the District's Records Management Manual and Records Retention Schedule.

The scope of the RMP includes:

- (a) Receipt, preservation and disposition of District Records.
- (b) Public inspection of District records.
- (c) Maintenance of, and compliance with, the approved Records Retention Schedule and Records Management Manual.
- (d) Use of appropriate technology to facilitate records' storage and retrieval.

The RMP manages District records in all storage media including paper, microfilm, and other hardcopy formats, optical images, electronic records and any other storage media.

The RMP applies to District's Board of Directors, employees and representatives.

District staff shall comply with the RMP to ensure proper maintenance and disposition of District records. Violation of the RMP will result in disciplinary action up to and including dismissal.

7-1.102 DEFINITIONS

- (a) Historical Records – records that have continuing value to the District after the business or legal recordkeeping requirements have been met. Historical records relate to the formation, major events, or growth and development of the District.
- (b) Legal Hold – a situation in which the destruction of a record is temporarily suspended and the record is retained past the assigned period due to an investigation, litigation or audit in which the records may be needed.
- (c) Record – recorded information, regardless of medium or characteristics, created or received by the District that provides evidence of its operations,

or its compliance with statutes and regulations. A Record can be in various formats, including hardcopy, electronic, and audio/video, can be recorded in various media, including paper, computer disk, optical image, etc.

- (d) Records Management Manual - a source of instruction and reference for creating, preparing, processing, storing and disposing of records.
- (e) Records Retention Schedule (RRS) – a list of District records organized by Record Series, including approved retention periods and other attributes.
- (f) Representatives – any contractor, agent, or other service provider (including any temporary worker whose services are provided by a third party contractor) that has express or implied responsibility to maintain District records in the course of its services to the District.

ARTICLE 2. PUBLIC INSPECTION

7-1.201 PUBLIC RECORDS

All public records of the District are available for review by the public in accordance with the California Public Records Act, as set forth in Government Code section 6250, et seq.

ARTICLE 3. RETENTION AND DESTRUCTION OF RECORDS

7-1.301 PURPOSE AND SCOPE

This Article provides criteria for the retention and destruction of District records. This Article may be cited as the District's "Regulations for the Retention and Destruction of District Records."

7-1.302 RECORDS RETENTION SCHEDULE

District has adopted a Records Retention Schedule that provides direction for maintenance and disposition of records in all formats and storage locations. The retention periods identified on the RRS are the time period for which each of the series of records must be maintained before being destroyed unless a Legal Hold requires that their destruction be suspended. The time periods are established based on business needs, industry best practices and applicable government recordkeeping requirements. The RRS has been reviewed and has received concurrence of Department Managers, Legal Counsel and the Board of Directors. It shall be maintained by the Records Management Coordinator.

7-1.303 DESTRUCTION OF RECORDS

The Records Management Coordinator must prepare a Records Destruction Certificate for District records that have met the required retention periods and are not classified as Historical Records or subject to a Legal Hold. Destruction process can only be implemented after review and approval of the following:

- Department Manager
- Chief Financial Officer
- Legal Counsel
- General Manager OR his/her designee

LIST OF CHANGES TO PART 7, CHAPTER 1. GENERAL

¹ Part 7. Records Management amended by resolution 3-17-1063 on March 30, 2017.