

**RESOLUTION 2024-11**

**APPROVING AND ADOPTING THE RECORDS MANAGEMENT POLICY  
FOR THE MID-PENINSULA WATER DISTRICT, EFFECTIVE JUNE 28, 2024**

\* \* \*

**MID-PENINSULA WATER DISTRICT**

**WHEREAS**, Government Code Sections 60200 through 60203 govern the retention and destruction of records for special districts in California; and

**WHEREAS**, the Board of Directors of the Mid-Peninsula Water District (MPWD) had existing policies related to records management and destruction activities, including but not limited to District personnel records and contracts and agreements; and

**WHEREAS**, staff determined it was in the best interest of MPWD and the public to create a comprehensive records management policy, incorporating the MPWD's existing policies, restated and updated for legal and regulatory and professional standards compliance, to reflect MPWD administrative, financial, and operational practices, and to incorporate best management practices; and

**WHEREAS**, the MPWD 2024-2025 Strategic Plan included a priority objective to develop a comprehensive Records Management Policy; and

**WHEREAS**, the new Records Management Policy was presented to the Board of Directors at its regular meeting on June 27, 2024; and

**WHEREAS**, the Records Management Policy will be formatted and published into a manual to simplify the policy reference process and increase workplace efficiencies for staff, Board members, customers, and contractors/vendors, and allow the District to continue to operate in a transparent manner beneficial to all; and

**WHEREAS**, training will be provided to staff on the new Records Management Policy; and

**WHEREAS**, upon adoption of this resolution, the following District resolutions shall be repealed and rescinded effective June 28, 2024:

- Resolution 2005-02 Authorizing Destruction of District Personnel Records; and
- Resolution 2005-13 Authorizing Destruction of District Contracts and Agreements.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Mid-Peninsula Water District as follows:

1. The new Records Management Policy, including Exhibit A – Records Retention Schedule and Exhibit B – Certificate of Records Destruction, presented to the Board at its regular meeting on June 27, 2024, is approved and adopted for records management at the Mid-Peninsula Water District.
2. The Records Management Policy complies with California law and any obsolete records destroyed pursuant to the policy will not adversely affect the District or the public.
3. The General Manager or their designee is authorized to do all acts necessary to give effect to and comply with the terms and intent of the Records Management Policy.
4. The General Manager or their designee, with District Counsel approval, shall have ongoing authority without further approval from the Board of Directors to authorize destruction of obsolete District records in accordance with the Records Management Policy.
5. District Resolution Nos. 2005-02 and 2005-13 are rescinded effective June 28, 2024.
6. The effective date of the Records Management Policy is June 28, 2024.

**REGULARLY PASSED AND ADOPTED** this 27<sup>th</sup> day of June 2024 by the following vote:

AYES: Vella, Wheeler, Schmidt, Jordan

NOES: None

ABSTENTIONS: None

ABSENCES: Zucca

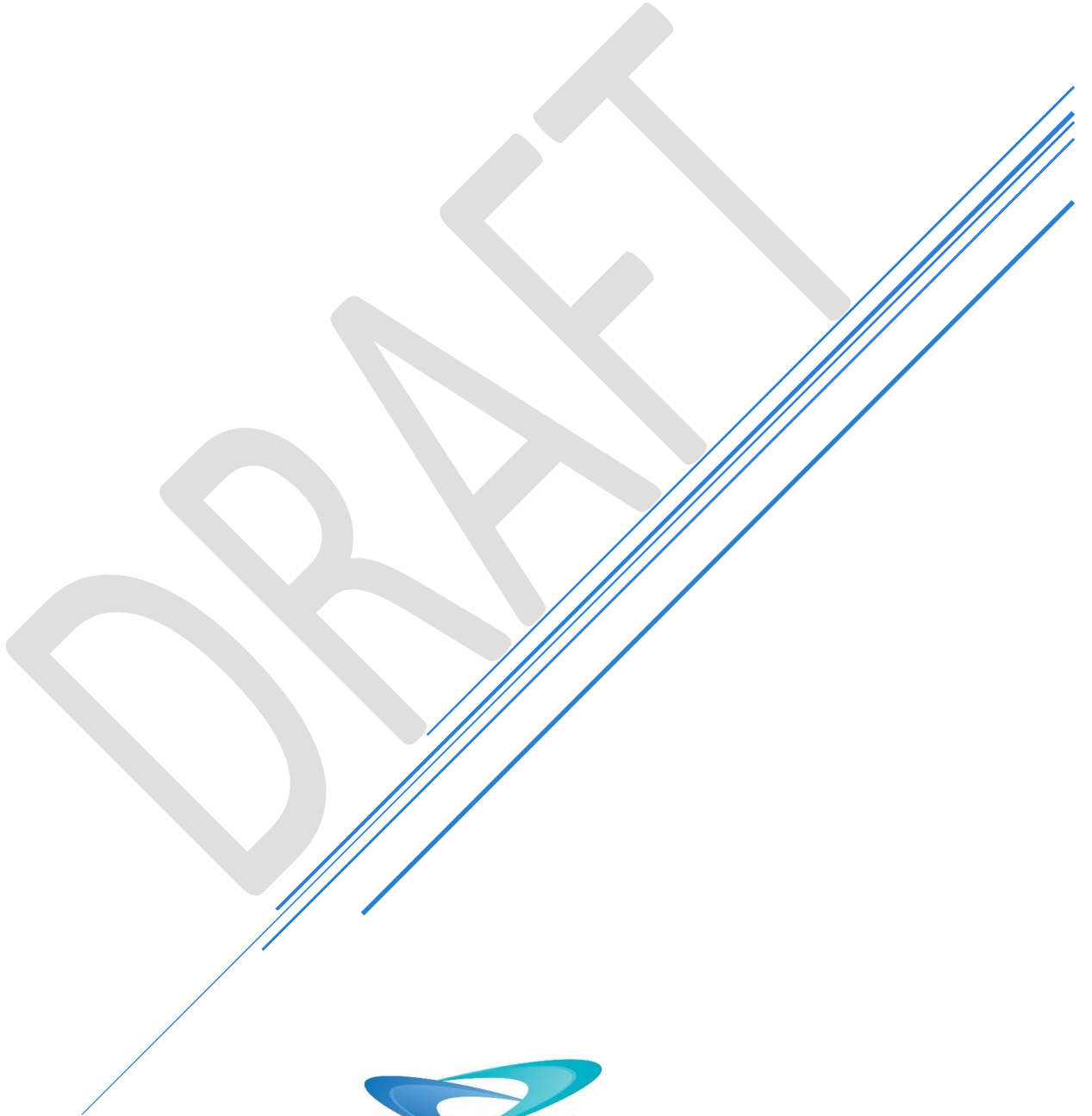
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BOARD PRESIDENT

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BOARD SECRETARY

# RECORDS MANAGEMENT POLICY

June 27, 2024





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**RECORDS MANAGEMENT POLICY**

Attachments:

- *EXHIBIT A – Records Retention Schedule*
- *EXHIBIT B – Certificate of Records Destruction*



## **RECORDS MANAGEMENT POLICY**

### **POLICY STATEMENT**

It is the policy of the Mid-Peninsula Water District (“District”) to properly manage the retention and disposition of District records. Proper management of District records ensures prompt and accurate retrieval of records and compliance with legal and regulatory requirements, as well as minimizes the use of District resources for storage of records that are no longer needed.

This policy applies to all District employees, elected or appointed officials, contractors, vendors, temporary personnel, volunteers, or anyone creating or using District records.

Management of District records applies to all records in any format (paper, electronic) or location (on-site, off-site, in District vehicles, on District computers, laptops, tablets, and other electronic devices).

### **SECTION 1.0 PURPOSE**

The purpose of this Records Management Policy (“Policy”) is to establish a comprehensive and uniform policy for the cost effective and efficient management of the District’s records, documents, and writings (including the creation, use, maintenance, security, retention, storage, preservation, and destruction), in accordance with the legal requirements and professional standards identified in this Policy.

This policy will allow the District to continue to operate in a transparent manner beneficial to employees, officials, and members of the public.

This Policy replaces and supersedes all records management and destruction policies, revisions, and amendments previously adopted by the MPWD, including:

- Resolution 2005-02 Authorizing Destruction of District Personnel Records
- Resolution 2005-13 Authorizing Destruction of District Contracts and Agreements

### **SECTION 2.0 RECORDS MANAGEMENT RESOURCES**

Government Code Sections 60200 through 60203 govern the retention and destruction of records for special districts in California.

The California Public Records Act (Government Code Sections 7920.000, *et seq.*) provides definitions for “writings” and “public records,” for the purpose of determining which records are required to be disclosed to the public upon request. It also identifies which records are confidential or otherwise exempt from disclosure to the public.



***SECTION 2.1 General Rule for Records Retention.*** All records must be retained for a minimum of two years, unless otherwise specified in this Policy.

***SECTION 2.2 Penalties for Destruction of Public Records.*** There are serious penalties for unlawful destruction of public records. California Government Code Section 6200 provides for punishment by imprisonment up to four (4) years for a District employee or official that is found guilty of willfully destroying (including altering, falsifying, mutilating, defacing, or stealing, in whole or in part) a public record without complying with the requirements of law, including this Policy.

### **SECTION 3.0 DEFINITIONS**

**Access** – Ability to locate, retrieve, and provide records at the appropriate time for the appropriate individuals.

**Active File/Record** – Materials maintained in the office of an agency for current daily operations and referred to frequently.

**Confidential Record** – Any record where there is any possibility that the information could be considered personal (such as personnel or medical records), or private (such as proprietary or non-public financial information received from a third party), or if disclosure could potentially expose the District to liability. Disclosure of a confidential record is prohibited, unless required or permitted, such as in connection with a court proceeding or by a state and/or federal regulatory agency. If there is any question as to whether or not a particular record is “confidential,” employees should contact the Attorney for the District (Attorney).

Confidential Records include:

1. Personal information that is confidential and private in nature, including information found in confidential and private employee and customer records such as protected medical information, Social Security numbers, driver’s license numbers, passport numbers, and financial account information.
2. Proprietary information provided to the District under contract with another entity under condition that the District not disclose the records.
3. Other information made confidential or exempt from disclosure by law.

**Copy** – The reproduction, by any method, of the complete substance of a record; a reproduction of an original.

**Digital Signature** – A cryptographic technique for creating a bit stream that can be affixed to a document (or any other digital object) and thereby attests to its authenticity. A digital signature includes a private key that is known only to its owner and a reciprocal public key



that can be made available to anyone. A digital object signed with a private key can only be validated by its reciprocal public key.

**Electronic Record** – Digital information content that is captured and stored in a computer storage device or media for future use as evidence of business transactions that requires access to computer technology to render it intelligible to humans, including records created in a digital format and scanned digital records representing reproductions or images of hard copy records.

**Historical Record** – Records that are no longer of use to the MPWD but because of their age or research value may be of historical interest or significance and should not be destroyed except in accordance with established procedures.

**Inactive Record** – A record that has a reference rate of less than one (1) search per month. Records that are not needed immediately, but which must be kept for administrative, fiscal, legal, historical, or governmental purposes, prior to disposition.

**LAFCo** – Local Agency Formation Commission

**Legal Hold** – A notice or memorandum instructing affected District personnel to suspend destruction of records, including e-mail communications, related to anticipated litigation, audits or investigations.

**Media** – The materials on which information may be recorded. The media may include paper, USB flash drive, external hard drive, microfilm, magnetic disk, tape, or optical disks.

**MPWDEA** – Mid-Peninsula Water District Employee Association

**Optical Character Recognition (OCR)**: A process that scans text images and stores the scanned characters in a digital form.

**Permanent Record** – A record considered to be so valuable or unique that it should be permanently preserved.

**Record** – Any writing, including e-mail communications, containing information relating to the conduct of the public's business prepared, owned, used, or retained by the District.

**Record Copy** – A record that is designated to be kept for the full retention period; not a reference, working, or convenience copy.

**Records Disposition** – Final processing of records; either destruction, permanent retention, or archival preservation.





**Records Manager** – The individual within an organization who is assigned the responsibility for managing and operating the records management policy.

**Records Retention Schedule** – The schedule of record categories which are prepared, owned, used, or retained by the District, and which identifies a minimum retention period for each category of record. Records can be destroyed after the termination of the retention period.

**RFP** – Request for Proposal

**RFQ** – Request for Qualifications

**Temporary Records** – Records that are disposable as valueless after a stated period.

**Transitory Records** – Records / items not retained in the ordinary course of business (e.g., calendars, emails that do not have a material impact on the conduct of District business, invitations, mailing lists, notes, preliminary draft documents, transmittal letters, magazines, professional association materials, facsimile transmittal forms, and records having only transitory value which has no lasting value to the District).

**Trustworthy Records** – Trustworthy electronic records that are reliable and authentic records and their integrity has been preserved over time. Reliability references that the records can be trusted as accurate representations of the activities and facts associated with a transaction(s) because they were captured at or near the time of the transaction. Authenticity means that electronic records are what they purport to be.

**Vital Records** – Records containing information necessary to the operating of government in an emergency created by disaster; and records to protect the rights and interests of individuals or to establish and affirm the government in the resumption of operation after a disaster.

**Writing** – (a) Any handwriting, typewriting, printing, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing; (b) any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combination thereof, any record thereby created, regardless of the manner in which the record has been stored.

#### **SECTION 4.0      AUTHORITY**

The General Manager is authorized to interpret and implement this Policy. The Administrative Services Manager is designated as the Records Manager who shall be responsible for:

- The administration of this Policy;



- Monitoring compliance with District policies and procedures for records management;
- Conducting an annual review of the records database to determine which records are eligible for destruction;
- Preparing a list of administrative, executive, and/or operational records eligible for destruction and appropriate authorization forms;
- Ensuring appropriate signatures are received prior to records destruction; and
- Ensuring that obsolete records are destroyed in a timely manner and obtaining the necessary forms certifying that the records have been destroyed.

The General Manager and Administrative Services Manager are authorized to do everything necessary to comply with the terms and intent of this Policy.

### **SECTION 5.0      EMPLOYEE DUTIES AND RESPONSIBILITIES**

All District employees are responsible for:

- A. Keeping accurate and complete records of District business activities and for complying with District policies and procedures.
- B. Ensuring appropriate safeguarding of confidential, historical, and vital records.
- C. Ensuring economical and efficient maintenance of records.
- D. Routinely practicing effective controls over the creation, maintenance, and use of District records in all media formats.
- E. Segregating, transferring, or disposing of District records in accordance with policies and procedures and retention schedules.

The General Manager, Administrative Services Manager, and Operations Manager are responsible for:

- A. All records within their administrative, executive, and/or operational control.
- B. Maintaining an active program for the economical and efficient use of records.
- C. Ensuring subordinate employee compliance with this Policy.
- D. Reviewing annually and designating and approving destruction of District records that have reached the end of their retention period under their control per this Policy and retention schedules.

### **SECTION 6.0      RECORDS RETENTION**

This Policy provides employees with direction as to how long District official records must be minimally retained in accordance with laws, regulations, and business needs. It further provides for the preservation, protection, retention, and legal disposition of District records. Standards regarding the retention and disposal of District records are essential to ensure information is available when it is needed. To do this efficiently and effectively, records must be identified, organized, and maintained for the requisite number of years as specified by the retention schedule, and then destroyed with proper documentation.



**SECTION 6.1 General Guidelines.** The following general provisions apply to all District records.

- A. Pursuant to this Policy, except where a record is expressly required to be preserved according to state law, the District may destroy any original obsolete document without retaining a copy of the document if the retention and destruction of the document complies with the retention schedule as set forth in this Policy. (Government Code Section 60201).
- B. Pursuant to this Policy, except where a record is expressly required to be preserved in its original format in accordance with state law, the District may retain electronic records without retaining the original hard copy document if the retention and destruction of the document complies with the retention schedule as set forth in this Policy.
- C. In addition to retention periods required under this Policy, the District shall retain original administrative, legal, fiscal, and/or historical records with continued value (e.g., records for long-term transactions and/or special projects) until all matters pertaining to such records are completely resolved or the time for appeals has expired.
- D. Records, including but not limited to organizational policies, legislative actions, programs, and plans, which are superseded following approval of new ones after revision, update, or replacement, should be marked SUPERSEDED and retained according to this Policy.
- E. Pursuant to Government Code Section 60201(d), the District shall not destroy any of the following records:
  1. Records relating to the formation, change of organization, or reorganization of the District.
  2. Ordinances and resolutions, unless they have been repealed or have become invalid or otherwise unenforceable for five (5) years.
  3. Official Minutes of any meeting of the District.
  4. Records relating to any pending claim, litigation, any settlement or other disposition of litigation within the past two (2) years.
  5. Records that are the subject of any pending request for records under the California Public Records Act, whether the record is exempt from disclosure, until the request has been granted or two (2) years after the request has been denied by the District.
  6. Records relating to any pending construction that the District has not accepted or for which a stop notice claim may be legally presented.
  7. Records relating to any non-discharged debt of the District.
  8. Records relating to the title to real property in which the District has an interest.
  9. Records relating to any non-discharged contract to which the District is a party.
  10. Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received.
  11. Unaccepted bids or proposals, which are less than two (2) years old, for the construction or installation of any building, structure, or other public works.
  12. Records less than seven (7) years old that specify the amount of compensation or expense reimbursement paid to District employees, officials, or independent contractors.



- F. In addition, the following records are required to be retained in their original hard copy format for at least two (2) years before imaging or scanning them into electronic format. The electronic version becomes the “original,” pursuant to state law. (Government Code Sections 60203[b] and 81009):
1. Statements of Economic Interest for Elected Officials (copies of FPPC Form 700). Total retention is four (4) years.
  2. Statements of Economic Interest for Non-Elected Officials (originals of FPPC Form 700). Total retention is seven (7) years.

**SECTION 6.2 Vital Records and Business Continuity.** Vital records contain information necessary to the operations of the MPWD in an emergency created by disaster for business continuity. For emergency and business continuity preparedness, vital records for the MPWD include, but are not limited to, the following:

- A. All Permanent Records Identified in Exhibit A – *MPWD Records Retention Schedule*
- B. Accounting Journals and Ledgers
- C. Agreements and Contracts
- D. As-Built System Drawings
- E. Financial Audits
- F. Claims / Settlements
- G. Customer Billing Information
- H. Deeds
- I. Depreciation Schedule
- J. Disposal of Surplus and Excess Real Property
- K. Disposal of Scrap Materials
- L. District Insurance Records
- M. District Water Rights
- N. Employee Accident Reports, Injury Claims, and Settlements
- O. Employee Earnings Records
- P. Employee Compensation, Payroll, and Benefits Records
- Q. Encroachment Permits (By MPWD and Others)
- R. Inventories
- S. Journal Vouchers
- T. Licenses and Permits (To Operate)
- U. Loans and Grants
- V. Official Minutes of Board Meetings
- W. Payroll Register
- X. Policies, Rules and Regulations
- Y. Purchasing Requisitions
- Z. Rights-of-Way and Easements
- AA. Statements of Economic Interest
- BB. Water System Maps



MPWD will ensure that its Information Technology professional consultant deploys and maintains on off-site snapshot methodology to facilitate disaster recovery in the event of a catastrophic loss of facilities, including a local file backup to compliment the snapshots.

*SECTION 6.3 Duplicate Records.* Pursuant to this Policy, the General Manager and/or the Administrative Services Manager is authorized to destroy at any time any duplicate record, paper, writing, or document of the District, while the original, whether in paper or electronic format, is retained by the District for the legally required period.

*SECTION 6.4 Transitory Records.* Transitory records may be destroyed when no longer required without authorizations being obtained. Transitory records are items not retained in the ordinary course of business (e.g., calendars, emails that do not have a material impact on the conduct of District business, invitations, mailing lists, notes, preliminary draft documents, transmittal letters, magazines, professional association materials, transmittal letters, facsimile transmittal forms, and records having only transitory value).

*SECTION 6.5 Exceptions to Scheduled Disposal of Obsolete Records.* Scheduled disposal of records that have met or exceeded their retention periods must be postponed if the records are responsive to, subject to, or relate in some way to any of the following:

- A. A lawsuit filed by or against the District.
- B. Threatened or anticipated litigation known to the District.
- C. A Request for Production received by the District from an opposing party in litigation.
- D. A court order.
- E. Government investigation conducted in connection with the District.
- F. Protection or enforcement of the District's legal rights.
- G. Tax audits, assessments or other investigations.
- H. Legal hold or request for preservation of evidence received by the District, until the judgment is final.

The above exceptions apply to both hard copy and electronic records. No Records may be destroyed, even if to do so would otherwise be compliant with the Records Retention Schedule, if they reasonably relate to ongoing or reasonably anticipated litigation, audits or investigation, regardless of whether the Attorney has issued a formal legal hold.

District personnel must immediately report to the General Manager or their designee any issues, claims or disputes where litigation is threatened or reasonably foreseeable. Prompt reporting is critical in order for the District to take appropriate steps to impose a Legal Hold, to suspend destruction of relevant records (including pertinent emails), and to ensure the District's compliance with a legal obligation to preserve potential evidence. All questions regarding whether records or writings should be retained for legal or litigation purposes should be directed to the Attorney.



**SECTION 6.6 Records Storage.** All of the District records referenced in this Policy will be maintained at District offices and properties located at:

- 1075 Old County Road, Suite A, in Belmont California; and
- 3 Dairy Lane, in Belmont, California; and
- 1510 Folger Drive, in Belmont, California; and
- Such other off-site repositories that the District may designate from time to time for storage and safekeeping of its records.

Confidential Records shall be maintained in a secure location with access limited to designated management or confidential staff. All Confidential Records may be shredded, erased by permanent means or otherwise rendered illegible and unusable.

**SECTION 6.7 Records Retention Schedule.** The Records Retention Schedule establishes the retention periods for records and authorizes disposition for many of the District's administrative, fiscal, and legal records. Retention periods are based upon federal, state, and local mandate, business needs, and general knowledge. District staff shall implement the Records Retention Schedule as it applies to their administrative or operational records.

- A. The Records Retention Schedule is attached to this Policy as EXHIBIT A and is incorporated into this Policy by reference. It may be updated from time to time by the General Manager and/or Administrative Services Manager, in consultation with District Counsel, to remain current with federal and state laws regarding retention of District records.
- B. Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown.
- C. The following index of records is established for the Records of Retention Schedule:
  1. Accounting and Finance / Customer Services / Risk Management
  2. Administration / Human Resources / Information Technology / Legal / Public Relations and Outreach
  3. Board of Directors
  4. Operations
- D. The legal authorities (in alphabetical order) relied upon for development of the Records Retention Schedule:
  - California Environmental Quality Act (CEQA)
  - California Government Code (GC)
  - Code of Civil Procedure (CCP)
  - Code of Federal Regulations (CFR)
  - Fair Political Practices Commission (FPPC)
  - Family Medical Leave Act (FMLA)
  - California Occupational Safety & Health Act (CalOSHA)



## **SECTION 7.0 RECORDS DESTRUCTION**

Destruction of District records and final disposition is performed by the Administrative Services Manager and must occur on a routine basis and in a systematic manner, in the normal course of business activity and in accordance with the Records Retention Schedule. Final disposition of records is performed after the identified record has met or exceeded its retention period no matter what media is used to store the record (paper, electronic).

**SECTION 7.1 Certificate of Records Destruction Form.** Prior to destruction of District records, staff shall use the records destruction certificate attached to this Policy as EXHIBIT B to identify and list the records to be destroyed. Signature approvals are required by the Administrative Services Manager, the General Manager, and District Counsel. The Administrative Services Manager will certify destruction and will be the final signature required on the form. The General Manager should provide an annual summary report of destroyed obsolete records to the Board of Directors.

**SECTION 7.2 Records Destruction Procedures.** The procedures for destruction of District records are as follows:

- A. Use the Records Retention Schedule (EXHIBIT A) to determine the final disposition of original District records.
- B. Identify paper, hard copy, or electronic files, records, and media that are ready for destruction and complete the Certificate of Records Destruction form (EXHIBIT B).
- C. Route the destruction form to obtain proper signatures for approval.
- D. Once approvals have been obtained, arrange for the destruction of the records.
- E. Permanently retain certificates of destruction in accordance with the Records Retention Schedule.

**SECTION 7.3 Method for Records Destruction.** The District has identified that shredding and recycling the paper produced from the destruction of its records is the most appropriate method of disposal and in adherence with its continued certification as a Bay Area Green Business.

**SECTION 7.4 Lost or Accidentally Destroyed Records.** Employees are required to promptly report to their supervisor if a record is lost or accidentally destroyed, and provide a written report, signed and dated to the General Manager or their designee, including the following information:

- A. Identify the records affected and their condition.
- B. Describe the circumstances surrounding the loss or inadvertent destruction of records and how it was identified. For example:
  - Were the records destroyed/damaged beyond repair?
  - Were they lost before they met their retention period?
  - How was the problem identified or discovered?
  - What was the cause: weather, pests, fire, disorganized filing systems?



- C. Describe the actions taken to recover, reconstruct, or remediate the records (if applicable). Document further the prevention strategies or safeguards implemented to prevent future loss or inadvertent destruction of records.
- D. Responsible Manager for the Records.

The documentation of the loss or accidental destruction is not intended to punish or malign the employee but is a legal requirement. It further promotes transparency and demonstrates a proactive effort to prevent future loss. Proper documentation will also aid the MPWD should the record(s) be subject to a Public Records Act request, audit, or litigation in the future.

### **SECTION 8.0 ELECTRONIC RECORDS MANAGEMENT / NETWORK DRIVES**

- A. Policies and procedures for paper records also apply to electronic records.
- B. District staff are required to delete drafts, copies, notes, and memoranda not retained in the ordinary course of District business on a regular basis from all computer and electronic media.
- C. District staff are required to store all files on OneDrive or network drives, which are backed up regularly and are accessible to other employees during absences from the work environment.
- D. District staff should not store any District records on desktops or computer/laptop "C drives," which are not backed up.

### **SECTION 9.0 MANAGEMENT AND RETENTION OF ELECTRONIC COMMUNICATIONS**

Electronic communications generate correspondence and other documentation, which are public records that may be subject to disclosure under the California Public Records Act (Government Code Section 7920.000, *et seq.*) and such records require protection and retention in accordance with the law.

- A. The MPWD's electronic communication systems, including electronic mail (e-mail) social media sites, and other communication tools, are intended as mediums of communications only and are not intended or designed for the long-term storage or maintenance of records.
- B. E-mail is a business tool, which will be used in accordance with generally accepted business practices and current law to provide an efficient and effective means of communication. Only District-based e-mail should be used for District business.
- C. Users are solely responsible for the management of their electronic mailboxes. For the e-mail system to function as designed, employees must regularly delete electronic data (e-mails and attachments) from the e-mail system.
- D. The following types of e-mail messages (sent and received) and attachments are generally not considered records and shall not be retained in the ordinary course of business:
  - Routine messages comparable to telephone communications.
  - Scheduling related messages.





- General information (e.g., announcements, solicitations, professional list serve messages).
  - Informal communication among staff and/or consultants.
  - Informal notes and personal messages.
  - Personal messages that are not work- or agency-related.
- E. Employees shall regularly monitor their individual e-mail files, including Inbox, Sent, Deleted, and Archived folders, and routinely delete from the e-mail system the hereinabove described e-mail messages.
- F. E-mail messages (sent and received) and attachments that contain information relating to the conduct of the MPWD's business and that are deemed to be a record shall be printed in hard copy and placed in the appropriate file or converted to the appropriate electronic format and properly retained in local file systems in accordance with this Policy, and then deleted from the e-mail system.
- G. Effective January 1, 2025, going forward, e-mail communications shall not be retained in the MPWD's e-mail system for more than 180 days from the date the e-mail is sent or received. At the General Manager's discretion, e-mail archive indefinite folders may be established for individual user e-mails that serve a business purpose for the MPWD.
- H. The General Manager shall ensure that the Information Technology professional consultant promptly eliminates access for employees that separate from the MPWD so that they do not have access to District e-mail immediately following notification from the General Manager or their designee and that the separating employee's supervisor, or employee as designated by the General Manager, should have access to that e-mail account.
- I. When an employee separates from the MPWD, the records stored in the e-mail account of the employee shall be the responsibility of that employee's former supervisor. The supervisor shall review the e-mails of the former employee, ensure the content of their e-mail account are non-records and not retained in the ordinary course of business, and then authorize their deletion (after appropriate records are retained for their retention period, as appropriate).

#### **SECTION 10.0 TRUSTWORTHY ELECTRONIC RECORDS / DOCUMENT IMAGING**

- A. Trustworthy Electronic Records are those electronic records that are intended to serve as the District's official records (rather than preliminary drafts or copies). For purposes of this Policy, "Official Record" is used interchangeably with "Trustworthy Electronic Record." An electronically generated document (paper scanned to image file or electronic file), controlled by daily operational procedures, policies, and security, to ensure reasonable expectations of document integrity, free from physical or electronic additions, subtractions or other modifications that would change the content of the original document. A "Trusted Copy" means a record which is a copy of an originally created record if the copy is created on a "trusted system" in accordance with the requirements of Government Code section 60203. Once a "Trusted Copy" is created, it may replace the originally created record, and the "Trusted Copy" will be retained in accordance with this program and the Record Retention Schedule. While "trusted



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copies” are not spelled out in specific retention categories in the Record Retention Schedule, they are inherent and an important component to the District’s strategy to migrate paper documents to the electronic document management solution.

- B. The District will be in full compliance with all applicable laws to ensure the integrity of its official records and trustworthy electronic records. All images and indexes shall be stored on unalterable media, which shall be stored in a safe and separate location.
- C. Whether scanning is accomplished “in-house” (by District employees) or “outsourced” (external services), any new records series to be imaged or which is intended to serve as the District’s official record must be approved by the General Manager prior to commencement. Scanned documents will use OCR format.

**SECTION 11.0      POLICY REVIEW**

This Policy should be reviewed at least once every four (4) years, except as otherwise noted within this policy, or as necessary when there are new legal requirements or policies developed.



## RECORDS RETENTION SCHEDULE

1

### 1. ACCOUNTING AND FINANCE / CUSTOMER SERVICES / RISK MANAGEMENT

Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown.

CATEGORY	RECORD TYPE	DESCRIPTION	RETENTION
Accounting	Accounting Reports, Statements	Monthly budget status, revenue, expense, balance sheet, quarterly reports	Audit + 5
Accounting	Annual Financial Report (CAFR)	Annual Comprehensive Financial Report	Permanent
Accounting	Audit Reports	Financial services, internal and external reports, independent auditor analysis, management letters	Audit + 5
Accounting	Accounting Journals, Registers, Ledgers	Journals: General, payroll Registers: Cash receipts, cash disbursements, accounts receivable, accounts payable, checks Ledgers: General, payroll	Audit + 5
Accounting	Checks	Checks issued by the District, including expense reimbursement to employees and Board members, payments to independent contractors; includes check copies, canceled and voided checks, electronic versions of checks	Audit + 7
Accounting	Credit Cards, District-Issued	Credit card bills/statements, and other records related to use of District-issued credit cards	Audit + 5
Accounting	Purchasing Vendor Information	Vendor information, I-9s	Audit + 5
Accounting	Purchasing Bids, RFPs, RFQs	Bids, RFPs and RFQs not related to capital projects	Audit + 5
Accounting	Accounting Internal Controls and Procedures	Rules and regulations regarding internal work practices	Superseded + 2
Banking / Investments	Banking, Certificates of Deposit	Statements, reconciliations, transactions, earnings reports	Audit + 5
Banking / Investments	Local Agency Investment Fund (LAIF), United States Treasuries, Other Investments	Statements, transactions, earnings reports	Permanent
Budget	Operating and Capital	Annual operating and capital budgets, and amendments	Permanent



## RECORDS RETENTION SCHEDULE

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CATEGORY	RECORD TYPE	DESCRIPTION	RETENTION
Debt	Bonds, Certificates of Participation, Refunding, Loans—State, Federal, or Bank	Authorizations, public hearing records, prospectus, certificates, notices, transcripts, official statements	Completed + 10
Fixed Assets	Inventory	Purchase date, costs, depreciation	Audit + 5
Fixed Assets	Surplus Property	Auction, listing, sale, disposition of property	Audit + 4
Fixed Assets	Vehicles and Equipment	Purchase documentation, DMV registration and title; Title transfers when vehicle sold	Until sold + 2
Payroll	CalPERS Employee Deduction Reports	Records of CalPERS deductions	Separation + 4
Payroll	Registers	Labor costs and employee programs	Permanent
Payroll	Reports District level	W-2, Federal 941, CA DE6, CA DE7	Audit + 5
Payroll	Reports Employee level	Dates and hours worked, gross pay, net pay, and all related taxes, deductions, benefits, adjustments, etc.	Audit + 5
Payroll	Salary Records	Deduction authorizations, paid time off, beneficiaries, garnishments, unemployment claims	Separated + 5
Payroll	Timecard Data, LOAs, PAFs	Record of employee attendance	Audit + 5
Payroll	Payroll Internal Controls and Procedures	Rules and regulations regarding internal work practices	Superseded + 2
Reporting	State Controller	Financial transaction report government compensation	Permanent
Reporting	State Water Resources Control Board	Water arrearage payment program, and Low-Income Household Water Assistance Program (LIHWAP)	Audit + 5
Reporting	Employment Development Department	Unemployment, disability, independent contractor	Current Year + 4
Revenue	Water Consumption, Meter Charges	Water consumption, meter fees, late fees	Audit + 5
Revenue	New Connections	Meters, capacity, intent to serve, project review, supply assessment	Audit + 5
Revenue	Other Revenue	Property taxes, interest	Audit + 5
Revenue	Receivables Payments / Cash Receipts / Deposit Receipt Forms	Proof of payment for fire flow tests, meter upgrades, new services, and landscape reviews	Audit + 5
Revenue	Water Rate Study	Rates and fees study, rate models	Permanent
Revenue	Water Capacity Charges	Water capacity charges, rate models	Permanent
Revenue	Miscellaneous Fees	Miscellaneous fees, cost of service	Permanent



## RECORDS RETENTION SCHEDULE

3

<b>CATEGORY</b>	<b>RECORD TYPE</b>	<b>DESCRIPTION</b>	<b>RETENTION</b>
Revenue	Proposition 218	Notices, protests and ballots	Completed + 4
Revenue	Rate Implementation	Annual revenue review, SFPUC pass-throughs, and rate increase	Audit + 6
Risk Management	Insurance: Certificates of Commercial and Professional Liability	Consultants, contractors, vendors	Completed + 5
Risk Management	Insurance Programs: Liability, Property, Workers' Compensation	Program documents, performance bonds, employee bonds, insurance certificates	Current Year + 5
Risk Management	Accident / Damage Reports	Reports and related records	Closed + 5
Risk Management	Incident Reports	Theft, arson, vandalism, property damage, etc.	Current Year + 2
Risk Management	Claims	Claim forms, paid or denied, supporting documents, settlements	Closed + 5
Utility Billing	Customer Requests	Start-stop service, name change, meter reading, usage, payment, disconnect, and service requests such as checking for leaks, pressure checks, etc.	Current Year + 2
Utility Billing	Billing Registers	Monthly activity, meter reading	Current Year + 2
Utility Billing	Leak Adjustments / Qualifying Medical Needs / Rate Assistance / Rebates / Payment Plans	Program related records, including administrative and customer requests	Current Year + 5
Utility Billing	Receivables Payments / Cash Receipts	Payment records	Current Year + 5
Utility Billing	Reconciliations	Daily work for cashiering; daily journal tape from register and payment receipts	Audit + 2
Utility Billing	Temporary Connections	Contractor and developer records, temporary fire hydrant meters for construction	Completed + 2
Utility Billing	Water Waste	Violation records, including administrative and public reports	Current Year + 5
Utility Billing	Utility Billing Internal Controls and Procedures	Rules and regulations regarding internal work practices	Superseded + 2



## RECORDS RETENTION SCHEDULE

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### 2. ADMINISTRATION / HUMAN RESOURCES / INFORMATION TECHNOLOGY / LEGAL / PUBLIC RELATIONS AND OUTREACH

Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown.

CATEGORY	RECORD TYPE	DESCRIPTION	RETENTION
Administration	Agreements – Contracts (Non-CIP)	Original agreements and back-up materials for non-CIP contracts and agreements, leases, licenses, reimbursements, maintenance, and professional services	Completed + 4
Administration	California Public Records Act	Requests, acknowledgments, responses	Current Year + 2
Administration	Agency Formation Records	Formation, incorporation, organizational, historical	Permanent
Administration	Policies and Programs	District policies and programs	Superseded + 5
Administration	Records Destruction	Approved disposed records certificates	Permanent
Administration	Records Inventories and Indexes	Tracking logs, indexes of records	Superseded + 5
Administration	Strategic Planning	Mission, values, vision, strategic plans	Superseded + 5
Administration	Service, Sphere of Influence, Annexations	Reports, public notices, certifications	Permanent
Emergency Planning	Emergency Planning, Response, Recovery	Emergency preparedness, response, and disaster recovery, including evacuation plans, emergency response requirements	Superseded + 10
Grants	Funded	Applications, reports, contracts, project files, statements	Completed + 5
Grants	Unfunded	Applications, proposals	Completed + 2
Human Resources	Labor Relations	MPWDEA bargaining unit, letter agreements, exempt employment agreements, personnel policies and procedures	Superseded + 7
Human Resources	Compensation and Benefits	CalPERS retirement plans, COBRA, compensation plans and studies, healthcare benefits, supplemental retirement plans, salary schedules, employee safety and wellness programs	Superseded + 7
Human Resources	Employee Development	Performance evaluations, education, awards, discipline, promotion, training	Separation + 7



## RECORDS RETENTION SCHEDULE

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<b>CATEGORY</b>	<b>RECORD TYPE</b>	<b>DESCRIPTION</b>	<b>RETENTION</b>
Human Resources	Labor Law and Legal Compliance	FSLA, NLRA, CFMLA, compliance, reporting, training	Separation + 7
Human Resources	Recruitment and Selection	Job descriptions/classifications, internship, community service, recruitment, selection, pre-employment information and reports, onboarding, orientation	Current Year + 5
Human Resources	Employment Applications	Unsolicited employment applications	Current Year + 2
Human Resources	Workplace Safety	Safety programs, CalOSHA log of work-related injuries and illnesses, annual summary, and incident reports, DMV pull notices, security	Current Year + 5
Human Resources	Employee Personnel Files	All records, documents, and files related to employee's employment	Separation + 7
Information Technology	Hardware, Software, Telecommunications, Cybersecurity	Assessments, inventory, documentation, backups, logs, voicemail, operations manuals	Current Year + 2
Legal Services	Legal Opinions	Confidential attorney client privileged information/documents	Completed + 5
Legal Services	Litigation / Mediation	Litigation and mediation or settlement files	Completed + 7
Public Relations	Public Relations and Community Information/Outreach Historical	Records with historical value	Permanent
Public Relations	Public Relations and Community Information/Outreach General	Advertising, bill inserts, brochures, correspondence, fact sheets, Q&As, newsletters, photos, press releases, social media, special events, videos	Current Year + 2
Public Relations	Correspondence General	Letters, e-mails, text messages, voicemails, social media, invitations not related to another record series	Current Year + 2
Real Property	District Real Property	Title, grant deeds, easements, quit-claims, acquisition, appraisals, surplus, transfers	Permanent



## RECORDS RETENTION SCHEDULE

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### 3. BOARD OF DIRECTORS

Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown.

CATEGORY	RECORD TYPE	DESCRIPTION	RETENTION
Board Appointments	Certification Records	Administrative record of election from County Elections Office, Board member oaths of office	Separation + 10
Board Appointments	Other Agency Board / Committee	BAWSCA, ACWA Board and Committee, ACWA JPIA Board, Interagency	Current Year + 5
Board Meetings	Board Meetings, Regular and Special	Agendas, agenda packets, official minutes	Permanent
Board Committees	Board Committee Meetings	Agendas, meeting reports	Current Year + 3
Compensation	Board Compensation and Benefits	Compensation and benefits	Current Year + 5
Compliance	Mandatory Training	Certificates of Completion for Ethics and Harassment Prevention training	Current Year + 5
Compliance	FPPC Filings	Form 700, Statement of Economic Interest Elected and Public Officials (Section 6.1[F] of the Records Management Policy)	Current Year + 7
Elections	Initiatives and Measures, LAFCO, ACWA, ACWA JPIA	Administrative record of election conducted by County Elections Office, LAFCO Special District Representative, ACWA Region 5 Board, ACWA JPIA Executive Committee or Captive Water Insurance Fund	Permanent
Legislation	Resolutions / Ordinances	Legislative actions	Permanent
Recordings	Recordings of public meetings	Audio or video recordings in person or via virtual meetings of public meetings made by or at the direction of the MPWD	60 days
Reporting	Registry of Public Agencies (formerly Statement of Facts – Roster of Public Officials)	Annual filing with the CA Secretary of State's Office reporting officers of the Board of Directors	Current Year + 7





## RECORDS RETENTION SCHEDULE

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### 4. OPERATIONS

Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown.

CATEGORY	RECORD TYPE	DESCRIPTION	RETENTION
As-Built Drawings	As-Built System Plans and Drawings	As-built drawings of system improvements by contractors	Permanent
Construction Projects	Capital Improvements and Construction Projects	Planning, engineering design, construction records, including contracts and agreements and related materials, for District facilities, structures, and systems	Permanent
GIS Mapping	Maps, Geographic Information	System maps, distribution, sampling	Superseded + 10
Meter Operations	Meter Maintenance, Testing, Reading	Meter specifications, maintenance and testing reports, reading reports	Current Year + 2
Meter Operations	Consumption Tracking	SFPUC meter readings, reconciled with MPWD billing system, water loss tracking, and historical water use data records for MPWD system	Permanent
Master Plan	Comprehensive System Analysis / Master Plan	Comprehensive planning for District water system improvements	Superseded + 10
New Connections	Developer Project Files	Intent to serve letters, service applications, fire services, water supply agreements	Completed + 10
Operations	Bacteriological Analysis, Chemical Analysis	Compliance records, including location, date, method used and results, analysis of bacterial and chemical content	Current Year + 12
Operations	Consumer Confidence Report	Annual report on drinking water quality	Current Year + 7
Operations	Corrosion Control	Compliance records	Current Year + 12
Operations	Discharge Monitoring	Pollution discharges	Current Year + 5
Operations	Maintenance / Repair Records	Water system main line repairs and maintenance, including mainline valves, fire hydrants, water storage tanks, pumps and motors, PRVs, generators, etc.; Form 1s	Permanent
Operations	Maintenance / Repair Records (Permits)	Vehicles and equipment, and generators; fuel station at Dairy Lane, including regulatory inspections and reporting	Current Year + 5
Operations	Permits: NPDES	Compliance with Clean Water Act regarding pollutants	Permanent
Operations	Sanitary Surveys	Statistics, reports, correspondence	Current Year + 10



## RECORDS RETENTION SCHEDULE

8

<b>CATEGORY</b>	<b>RECORD TYPE</b>	<b>DESCRIPTION</b>	<b>RETENTION</b>
Operations	SCADA	Supervisory Control and Data Acquisition system specifications and reports	Current Year + 5
Operations	State Certification	Compliance records	Current Year + 12
Operations	Lead and Copper Testing	Methodology, analysis, records, corrections	Current Year + 18
Operations	Water Outages and Customer Complaint Log	Leaks, pressure, color, taste, odor, turbidity, and other organisms	Current Year + 5
Operations	Water Quality	Compliance records, including sampling data, analysis, reports, surveys, records, evaluations, schedules, valves	Current Year + 12
Operations	Standard Operating Procedures	Rules and regulations regarding internal work practices	Superseded + 2
System Standards and Specifications	Water System Standards and Specifications	Design, construction, testing of water mains and appurtenances	Superseded + 10
Water Use Efficiency	UWMP and WSCP	Urban water management planning and water shortage contingency planning, including reporting, tracking, and compliance records; plans submitted to SWRCB	Superseded + 10
Water Use Efficiency	Water Conservation, School Education, BAWSCA Workshops, Community Events	Programs and activities related to MPWD's water conservation programs, including education in schools, BAWSCA workshops, and participation in community events	Current Year + 5
Water Use Efficiency Reporting	State Water Resources Control Board, BAWSCA, Internal	MPWD system water use / drought tracking and reporting	Current Year + 5



1075 Old County Road, Suite A  
Belmont, CA 94002

## CERTIFICATE OF RECORDS DESTRUCTION

**This form documents the destruction of public records in accordance with MPWD's Records Management Policy and Records Retention Schedule.**

1. PERSON COMPLETING FORM: \_\_\_\_\_ DIVISION: \_\_\_\_\_

2. RECORDS TO BE DESTROYED *(Attach Separate Sheet[s] if Necessary)*

CATEGORY	RECORDS DESCRIPTION	DATE RANGE (MONTH/YEAR)	LOCATION

3. RECORDS DESTRUCTION APPROVALS – We certify that the records listed above were retained for the scheduled retention period per the MPWD Records Management Policy, required audits were completed, and no pending or ongoing litigation or investigation involving these records is known to exist.

**APPROVED:**

**APPROVED:**

\_\_\_\_\_  
RESPONSIBLE MANAGER Date: \_\_\_\_\_

\_\_\_\_\_  
DISTRICT COUNSEL Date: \_\_\_\_\_

**APPROVED:**

**DESTRUCTION CERTIFIED:**

\_\_\_\_\_  
GENERAL MANAGER Date: \_\_\_\_\_

\_\_\_\_\_  
RECORDS MANAGER Date: \_\_\_\_\_