

**RESOLUTION NO. 19-14**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
PALMDALE DISTRICT AMENDING AND RESTATING ITS RECORD  
RETENTION POLICY AND RECORD RETENTION SCHEDULE FOR THE DISTRICT  
AND APPROVING DESTRUCTION OF RECORDS IN ACCORDANCE THEREWITH**

WHEREAS, in order to maintain the efficiency of the operation of the Palmdale Water District (“District”), it is helpful to authorize the destruction of records held by the District which are no longer useful or necessary for the operation of the District and which will not foreseeably become useful or necessary in the future; and

WHEREAS, Government Code Section 60200, et seq. and Water Code Section 21403 sets forth certain legal requirements relating to the retention and destruction of certain records and documents; and

WHEREAS, the Board of Directors desires to authorize the General Manager, or his or her designee, to review the District records from time-to-time, and to provide for the removal and destruction of those documents and records which are no longer required by statute to be retained and which are no longer necessary or useful in the District’s operations; and

WHEREAS, on November 21, 2005, the Board of Directors of the District adopted Resolution No. 05-10 to adopt a Record Retention Policy and establish a Record Retention Schedule to establish an orderly procedure for the storage, reproduction and possible destruction of District records on a continuing basis and to provide for the protection of records vital to the District in the event of a disaster; and

WHEREAS, on July 25, 2012, the Board of Directors of the District adopted Resolution No.12-10 amending and restating its Record Retention Policy and Record Retention Schedule.

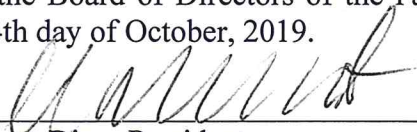
WHEREAS, the Board of Directors desires now to amend and restate its Record Retention Policy, attached hereto as Exhibit “A” and its Record Retention Schedule attached hereto as Exhibit “B.”

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Palmdale Water District as follows:


1. **Section 1.** The Recitals set forth above are incorporated herein and made an operative part of this Resolution.
2. **Section 2.** The Board of Directors hereby approves and adopts the Records Retention Policy set forth in Exhibit “A”, attached hereto, which establishes guidelines for the retention and destruction of District records.
3. **Section 3.** The Board of Directors hereby approves and adopts the Record Retention Schedule set fort in Exhibit “B,” attached hereto, which outlines the length of time a District record must be retained by the District.

4. **Section 4.** The General Manager of the District, or designee, shall be the official custodian of all District records, files, and documents, and no records, files, or documents shall be removed from the District, deleted, or destroyed without the express authorization of the General Manager, or designee, given in accordance with the Records Retention Policy; provided that the General Manager may delegate the authority under this section to another employee of the District.
5. **Section 5.** The Board of Directors directs the General Manager to review the Record Retention Policy periodically and present any revisions to the Board of Directors for modifications as may be necessary to keep retention information current and efficiently maintained.
6. **Section 6.** Upon the effective date of this Resolution, Record Retention Policy, and Record Retention Schedule, adopted herein, the Resolution, Record Retention Policy, and Record Retention Schedule shall supersede any and all prior resolutions, policies, and schedules adopted prior to that date.
7. **Section 7.** If any provision in this Resolution, Record Retention Policy, or Record Retention Schedule, or the application thereof to any person or circumstances, is for any reason held invalid, the validity of the remainder of this Resolution, Record Retention Policy, or Record Retention Schedule, or the application of such provisions to other persons or circumstances shall not be affected thereby. The Board of Directors hereby declares that it would have passed this Resolution, Record Retention Policy, or Record Retention Schedule, and each provision thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof to any person or circumstance be held invalid.
8. **Section 8.** This Resolution shall become effective upon the date of adoption as set forth herein.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Palmdale Water District at a Regular Board Meeting held on the 14th day of October, 2019.


  
\_\_\_\_\_  
Vincent Dino, President

**ATTEST:**

  
\_\_\_\_\_  
Don Wilson, Secretary

**APPROVED AS TO FORM:**

ALESHIRE & WYNDER, LLP

  
\_\_\_\_\_  
Eric Dunn, General Counsel

## **EXHIBIT "A"**

### **PALMDALE WATER DISTRICT RECORD RETENTION POLICY**

The purpose of this RECORD RETENTION POLICY ("Policy") is to provide guidelines to staff regarding the retention or destruction of PALMDALE WATER DISTRICT ("District") records; 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.

The General Manager, or his or her designee, is authorized by the BOARD OF DIRECTORS ("Board") to interpret and implement this policy, and to cause to be destroyed any or all such records, papers, and documents that meet the qualifications listed in this policy.

Pursuant to Government Code Section 60200, et seq. and Water Code Section 21403, the following qualifications will govern the retention and destruction of District records.

1. The General Manager shall be the official custodian of all District records. No records shall be removed from the District, deleted, or destroyed without express authorization of the General Manager given in accordance with this policy, provided that the General Manager may delegate the authority under this Policy to another employee of the District.
2. District records shall be retained for the period of time indicated on the Record Retention Schedule attached hereto as Schedule 1. In some instances, circumstances may exist which justify the retention of a particular record for a longer period of time.
3. District records (whether originals or reproductions) may be destroyed at the end of their applicable retention period unless the General Manager, or his or her designee, determines there is a compelling reason to continue retention of the document.
4. Any duplicate record may be destroyed at any time so long as the original or a permanent electronic or other permanent record of which is maintained in accordance with this policy.
5. All original records to be destroyed must be listed. Requests for the destruction of original records must be approved by the General Manager and the General Counsel prior to destruction. A Request for Records Destruction/Certificate of Destruction and listing of documents to be destroyed, and copy of the appropriate page(s) from the records retention schedule shall be filed in the District.
6. The following records shall be retained permanently in their original form, unless the Record Retention Schedule expressly authorizes the records to be preserved in a permanent electronic format or other permanent method of preserving a copy:

- a. Records that relate to the formation, change of organization, or reorganization of the District;
  - b. Ordinances and resolutions adopted by the Board;
  - c. Minutes of any meeting of the Board;
  - d. Records that relate to the title to real property in which the District has an interest;
  - e. Records determined by the Board or the General Manager to be of significant and lasting historical, administrative, engineering, legal, fiscal, or research value; and
  - f. Records required by law to be permanently retained.
7. Regardless of the retention periods indicated on the Record Retention Schedule, the following records shall continue to be retained:
  - a. Records that are the subject of any pending request made pursuant to the California Public Records Act, whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the District provided written notice that the request has been denied;
  - b. Records that relate to any pending construction that the District has not accepted or to which a stop notice claim legally may be presented;
  - c. Records that relate to any nondischarged debt of the District;
  - d. Records that relate to any pending claim or litigation or any settlement or other disposition of litigation within the past two years;
  - e. Records that relate to any nondischarged contracts to which the District is a party;
  - f. Records that have not fulfilled the administrative, fiscal, or legal purpose for which it was created or received;
8. All records authorized for destruction shall be destroyed and disposed of in a commercially reasonable manner.
9. The District may utilize alternative storage methods for those records which are not required to be maintained in their original form. Upon Board authorization, District records may be photographed, microphotographed, reproduced by electronic video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document. This preservation must comply with minimum standards or guidelines recommended by the

American Standards Institute or the Association for Information on Image Management for recording of permanent records or non-permanent records.

- a. The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium shall be maintained in conveniently accessible files with provision being made by the District for preserving, examining, and using files.
- b. The reproductions can be certified, and such certified reproductions shall be deemed to be original public records for all purposes pursuant to Government Code §60203. Certification of the record must comply with standards approved by the California Attorney General, including a statement of identity, description and disposition or location of the records reproduced and the date, reason, and authorization for such reproduction.

**LEGEND**

C = Completion/Closed

S = Supersede

D = Disposal of underlying asset

T = Termination

P = Permanent

**CITATIONS**

CCP = Code of Civil Procedure

GC = Government Code

CCR = Code of California Regulations

LC = Labor Code

CFR = Code of Federal Regulations

USC = United States Code

**MEMORANDUM**

DATE        XX/XX/XX

TO:           \_\_\_\_\_, General Manager  
              \_\_\_\_\_, General Counsel

FROM:        \_\_\_\_\_

**RE:           REQUEST FOR RECORDS DESTRUCTION**

On October 14, 2019, the Board of Directors adopted Resolution No. 19-14 establishing a Record Retention Policy and Schedule. In accordance with that policy and schedule, certain records have been identified as eligible for destruction. A listing of those records and relevant sections from the records retention schedule are attached.

Provide general information about the request: *[EXAMPLE: 15 BOXES OF RECORDS EXCEEDING THE RETENTION REQUIREMENTS AND, AS SUCH, ARE BEING PREPARED FOR DESTRUCTION. THE METHOD OF DESTRUCTION WILL BE VIA RECYCLING.]*

Please sign below indicating your approval for the destruction of the attached listing of records.

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
General Counsel

**CERTIFICATE OF DESTRUCTION**

I, [EMPLOYEE NAME], do hereby certify that the records listed on the attached were properly disposed of on [DATE].

\_\_\_\_\_  
**Original: Executive Assistant or Admin. Management Analyst**

Attachments:

1. List of records to be destroyed
2. Relevant sections of the records retention schedule



**EXHIBIT "B"**

**LEGEND: C = Completion-Closed / D = Disposal of underlying asset / P = Permanent / S = Supersede / T = Termination**

Review	Category	Record Series	Retention Period Citation (Years)	Description/Notes	Review Notes
	Administrative/General	Annexation records	P		
	Administrative/General	Board meeting agendas and packets	2	Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas.	
	Administrative/General	Board meeting minutes	P	GC 60201	
	Administrative/General	Board meeting recordings, audio/video	3 months	GC 34090.7	
	Administrative/General	Bylaws	P	For districts that have Bylaws	May destroy 5 years after superseded (repealed, invalid, or unenforceable)
	Administrative/General	Claims	C+5	GC 25105.5	
	Administrative/General	Conflict of Interest Code	S + 7		May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
	Administrative/General	Contract, services or goods provided to District (not including construction contracts)	T+4	GC 60201	
	Administrative/General	Correspondence, general	2		Letters; emails; memos [note GC provides 2 years; AB 1184 would be 2 years for public agency e-mails]
	Administrative/General	Expense reimbursement	3		
	Administrative/General	FPPC - Form 700	7	GC 81009(e)	FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
	Administrative/General	FPPC - other forms	7	FPPC Regs. 18944; FPPC filings; May be kept in permanent electronic format or other permanent 18944.1; GC 82015 method for preserving a copy after 2 years	
	Administrative/General	Formation records	P	GC 60201	
	Administrative/General	Grant application, successful	C+5		
	Administrative/General	Grant funding records	C+5		
	Administrative/General	Judgments; court orders; settlement agreements	P		
	Administrative/General	Ordinances	P	GC 60201	May destroy 5 years after superseded (repealed, invalid, or unenforceable)
	Administrative/General	Policies and procedures	S+3		
	Administrative/General	Public Records Act requests	C+2		
	Administrative/General	Resolutions	P		May destroy 5 years after superseded (repealed, invalid, or unenforceable)
	Administrative/General	Rules and regulations	S+3		
	Administrative/General	Software license agreement and documentation	C+3		
	Administrative/General	Staff reports	2		
	Board of Directors	Campaign disclosure, elected	7	GC 81009(c), (g) FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years	
	Board of Directors	Campaign disclosure, not elected	E+5	GC 81009(b), (g) FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years	
	Board of Directors	Election records	E+4		Candidate statements; nomination papers
	Board of Directors	Ethics training certificates	7	GC 53235.2	
	Board of Directors	Expense reimbursement	3		
	Board of Directors	FPPC - Form 700	7	GC 81009(e)	FPPC filings; May be kept in permanent electronic format or other permanent method for preserving a copy after 2 years
	Board of Directors	FPPC - other forms	7	FPPC Regs. 18944; FPPC filings; May be kept in permanent electronic format or other permanent 18944.1; GC 82015 method for preserving a copy after 2 years	
	Board of Directors	Oath of office	T+6		
	Board of Directors	Travel records	7		
	Construction/Development	Bid packages (successful)	C+2		
	Construction/Development	Bids and proposals (unsuccessful)	C+2		
	Construction/Development	Bond, surety	T+3		
	Construction/Development	Construction records	C+10	GC 60201	All records related to construction projects, such as successful bids, contracts, change orders, correspondence, invoices, designs, engineering
	Construction/Development	Contract, construction	P		
	Construction/Development	Correspondence, environmental review	C+3		
	Construction/Development	Developer agreements	P		
	Construction/Development	Environmental review documents	P		EIRs; negative declarations; notices of exemption; notices of determination
	Construction/Development	Planning documents	S+3		
	Construction/Development	Plans and specifications	P		District approved as-built records
	Construction/Development	Requests for proposals	C+2		
	Finance - Accounting	Accounts payable	7		Invoices; check copies; supporting documents
	Finance - Accounting	Accounts receivable	7		Invoices; check copies; supporting documents
	Finance - Accounting	Asset records	D+7		
	Finance - Accounting	Audit reports	P		
	Finance - Accounting	Bank reconciliations	5	26 CFR 1.6001-1	Statements; summaries for receipts disbursements & reconciliation
	Finance - Accounting	Bank statements	7		
	Finance - Accounting	Billing records	4		Customer name, service address, meter reading, usage, payments, applications/cancellations
	Finance - Accounting	Bonds	P		Records of issuance
	Finance - Accounting	Budget, adopted	P		Annual operating budget approved by legislative body
	Finance - Accounting	Budget, operating	3		Operating budget and related updates
	Finance - Accounting	Checks	4	CCP 337	Paid; cancelled; voided; payroll
	Finance - Accounting	Check register	7		
	Finance - Accounting	Correspondence, acctg., credit and collection	7		
	Finance - Accounting	Customer ledger/account	7		
	Finance - Accounting	Deposit slips; receipts	4	CCP 337	Checks; coins; currency
	Finance - Accounting	Depreciation schedules	D+7		
	Finance - Accounting	Expense reimbursement	3		
	Finance - Accounting	Financial statements/reports (interim)	3		
	Finance - Accounting	Inventory records	D+7		
	Finance - Accounting	Investment reports	P	CCP 337; GC 53607	Per Secretary of State Guidelines
	Finance - Accounting	Investment statements	P	CCP 337; GC 53607	Per Secretary of State Guidelines
	Finance - Accounting	Invoices (not including water bills)	7		
	Finance - Accounting	Journals	10		Cash; general; payroll; purchase
	Finance - Accounting	Journal entries, year-end	P		
	Finance - Accounting	Ledgers (general and others)	P		
	Finance - Accounting	Petty cash records	3		
	Finance - Accounting	Promissory notes	T+7		
	Finance - Accounting	Purchase orders	3		
	Finance - Accounting	Remittance statements	3		
	Finance - Accounting	Source documents; records created for a specific transaction	5		Source documents detailed in a permanently retained register, journal, ledger, or statement
	Finance - Accounting	Tax records and reports	C+4	29 USC 436; 26 CFR 31.6001.1-4	
	Finance - Accounting	Tax returns	C+5	CFR 31.6001.1; 29USC 436	
	Legal	Litigation; case files	T+5	GC 60201	All documentation pertaining to the claim
	Legal	Legal memoranda and advice letters	4	CCP 340.6, 343	
	Personnel	Application for employment (hired)	T+3	LC 1198.5	
	Personnel	Application for employment (not hired)	2	GC 12946	recruitment record, applications and interview documents for applicants not selected for hire; retention period from end of recruitment period plus 2 years
	Personnel	Contract, employment	T+3	LC 1198.5	
	Personnel	Correspondence, personnel	T+3	LC 1198.5	
	Personnel	Disability claim	T+3	LC 1198.5	
	Personnel	Employee benefits records	T+6	29 USC 1027; 28 CCR 1300.85.1; 11 CCR 560; 29 CFR 1627.3(b)(2)	Benefit plans; health insurance programs; extension of benefits for separated employees; insurance policies (health, vision, dental, etc.)
	Personnel	Employee licenses/certifications, including certifications of required training	T+1		
	Personnel	Employee manual	S+2		



Personnel	Expense reimbursement	3			
Personnel	Immigration records (I-9 forms)	3 or T+1	8 CFR 274a.2(b)(2)(i)(A)		
Personnel	Memorandum of Understanding with employee organization	P			Recommended to be permanent due to possible future negotiations
Personnel	Paychecks	7	GC 60201		
Personnel	Pension records	P			
Personnel	Personnel file	T+3	LC 1174, 1198.5, 1198.5	Applications; resumes; job descriptions; documents signed by employee; accident reports; injury claims; records of hiring, promotion, discipline & termination; May be kept in permanent electronic format or other permanent method for preserving a copy after end of employment	
Personnel	Recruitment records (hired)	T+3	LC 1198.5		
Personnel	Recruitment records (not hired)	2	GC 12946	recruitment record, applications and interview documents for applicants not selected for hire; retention period from end of recruitment period plus 2 years	
Personnel	Safety committee meeting materials	2			
Personnel	Salary and wage changes	T+3	LC 1198.5		
Personnel	Terms and Conditions of Employment	P			Recommended to be permanent due to possible future negotiations
Personnel	Time records	2	29 CFR § 516.6	Time cards, tickets and clock records	
Personnel	Training records	3		Certificates; licenses	
Personnel	Travel records	2			Retain at least two years from the end of fiscal year. After two years, destroy after audit or four years, whichever occurs first.
Personnel	Unemployment claims	T+3			
Personnel	Wages; rates; payroll; earnings; deductions; garnishments	3	GC 60201	May be kept in permanent electronic format or other permanent method for preserving a copy after end of employment	
Personnel	Withholding certificates	T+3			
Personnel	Worker's compensation records	5	8 CCR 15400.2	Claim files; reports; working files; Claim files with awards for future benefits must not be destroyed, but may be kept in permanent electronic format or other permanent method for preserving a copy 2 years after the claim is closed or becomes inactive.	5 years from the date of injury or from the date on which the last provision of compensation benefits occurred as defined in Labor Code Section 3207, whichever is later.
Property	Agreements for purchase or sale	P	GC 60201	Supporting documents related to sale, purchase, reconveyance, exchange, lease, or rental	
Property	Appraisals	P			
Property	Damage reports	7			
Property	Deeds	P	GC 60201	Documents related to title to real property in which the district has an interest	
Property	Easements and licenses	P	GC 60201	Documents related to title to real property in which the district has an interest	
Property	Eminent Domain judgments and orders	P			
Property	Equipment repair records	3			
Property	Fixed assets	D+4			
Property	Lease, equipment	T+4	CCP 337		
Property	Lease, real property	T+4	CCP 337.2		
Property	Maintenance records, buildings and machinery	4			
Property	Mortgages	T+4	CCP 337		
Property	Options	T+4	CCP 337		
Property	Plans and specifications	P			
Property	Plant acquisition records	D+4			
Property	Property tax and assessment records (paid to District)	P			
Property	Property taxes paid by District	10			
Property	Title reports	P	GC 60201	Documents related to title to real property in which the district has an interest	
Property	Vehicle records	D+2			
Risk Management	Accident reports (settled)	4			
Risk Management	Insurance policy	P			
Water	Agreements to purchase or sell water rights	P			
Water	Contract, water facilities agreements	P		Contracts for acquisition, operation, maintenance of land, water systems, water entitlements, and water rights; May be kept in permanent electronic format or other permanent method for preserving a copy after 5 years	
Water	Leases of water rights	T+7			
Water	Meter complaint inquiries	7			
Water	Meter history	7			
Water	NPDES permit	P	40 CFR 122.28		
Water	Planning documents	S+3			
Water	Rates and charges - notices and supporting reports and documentation	S+3	CCP 338(a); Howard Jarvis Taxpayers Assn. v. City of La Habra (2001) 25 Cal. 4th 809	Supporting reports and studies; written protests and other documents related to the imposition or increase of a rate, fee, charge or assessment	
Water	Water distribution system design, installation and repair records	P			
Water	Water quality tests, bacteriological	5			
Water	Water quality tests, other	12			
Water	Water quality reports	12			
Water	Water quality violations	3			
Water	Well records	P			