

**FRAZIER PARK PUBLIC UTILITY DISTRICT
RECORDS MANAGEMENT, DISCLOSURE, AND
RETENTION POLICY**

March, 2023

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Chapter One: General Provisions

§1.1 Definitions

As used herein, the following words have the following meanings:

- (a) “District” means Frazier Park Public Utility District.
- (b) “Manager” means the General Manager of the District or their designee.
- (c) “Board” means the Board of Directors of the District.
- (d) “Policy” means this Records Management, Disclosure, and Retention Policy.
- (e) “Retention Schedule” means the schedule set forth in Appendix A to this policy.
- (f) “Retention Period” means the number of years a document is to be retained under that schedule.
- (g) “Fee Schedule” means the schedule set forth in Appendix B to this policy.
- (h) “Record” means any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the District regardless of physical form or characteristics.
- (i) “Obsolete Record” means a Record that is no longer required to be retained per statutory mandate, is no longer necessary or useful for the District’s operations, and does not have historic or research significance for the District.
- (j) “Duplicate Record” means a Record that is an exact copy of another District Record.

§1.2 Declaration of Policy

The intent of this Policy is to ensure the efficient handling, storage, location, preservation, destruction, and disclosure of District Records in compliance with applicable law, in particular the California Public Records Act.

§1.3 Implementation of Policy

The Manager is authorized to interpret and implement this Policy and shall manage the District’s Records in a safe, efficient, effective, and economical manner pursuant to this Policy and with respect to applicable law. The District’s Records shall be stored in a manner and location that provides reasonable protection against accidental damage or loss, while also ensuring accurate and prompt retrieval thereof.

§1.4 Availability for Public Review

At least one official copy of this Policy shall be made available for public inspection in the office of the District during normal business hours.

Chapter Two: Records Management

§2.1 Records to Be Retained

The District shall only retain those Records which it is required to retain per statutory mandate or pronouncement; those Records necessary or useful for the District's operations; those Records which have historic or research significance for the District; and those records with data or information related to the District's operations and/or activities. Notwithstanding any other provision of this Policy, the District shall retain the following records as required by Government Code section 60201, which shall not be destroyed:

- (a) Records relating to the formation, change of organization, or reorganization of the District;
- (b) Ordinances and resolutions, unless they have been repealed or have become invalid or otherwise unenforceable for five years;
- (c) Minutes of any meeting of the District;
- (d) Records relating to any pending claim, litigation, any settlement, or any other disposition of litigation within the past two years;
- (e) Records that are the subject of any pending request for records under the California Public Records Act, whether or not the Record is exempt from disclosure, until the request has been granted or two years after the request has been denied by the District;
- (f) Records relating to any pending construction that the District has not accepted or for which a stop notice claim may be legally presented;
- (g) Records relating to any non-discharged debt of the District;
- (h) Records relating to the title to real property in which the District has an interest, including without limitation water rights, easements, leases, and rights-of-way;
- (i) Records relating to any non-discharged contract to which the District is a party;
- (j) Records that have not fulfilled the administrative, fiscal, or legal purpose for which they were created or received;
- (k) Unaccepted bids or proposals, which are less than two years old, for the construction or installation of any building, structure, or other public work;
- (l) Records less than seven years old that specify the amount of compensation or expense reimbursement paid to District employees, officers, or independent contractors.

§2.2 Retention Schedule

Records shall be retained in accordance with the Retention Schedule. The Manager is hereby authorized to destroy all Obsolete Records which have exceeded their Retention Period, subject to the media storage requirements set forth therein.

§2.3 Destruction of Obsolete Records

Before destruction of any Obsolete Record, the Manager shall prepare an Authorization to Destroy Obsolete Records form set forth as Form 1 in Appendix C of this Policy. Any authorization so prepared shall be retained permanently as provided in the Retention Schedule.

§2.4 Destruction of Damaged Records

Any District Record damaged, impaired, illegible, and/or obscured beyond recovery may be destroyed. Before destruction of any such Record, the Manager shall prepare an Authorization to Destroy Damaged Records in the form set forth as Form 2 in Appendix C of this Policy. These authorizations shall be retained permanently as provided in the Retention Schedule.

§2.5 Destruction of Duplicate Records

Any Duplicate Record may be destroyed without specific written authorization provided that at least one copy is maintained for public inspection in accordance with the Retention Schedule.

§2.6 Temporary Working Files

District personnel are permitted to maintain their own working files, including preliminary drafts, notes, memoranda, emails, text messages, voicemails, and other similar writings. These documents should be kept only so long as they are useful and are not maintained in the ordinary course of business as defined in Government Code section 7927.500.

§2.7 Media Storage Systems

Records may be retained in one or more trusted electronic media or cloud computing storage systems as defined in Government Code section 12168.7. In compliance with Government Code section 60203, such Records shall be recorded or reproduced in a medium that accurately reproduces the original in all details and that does not permit additions, deletions, or changes to the original document images and information. Such media shall be placed in conveniently accessible files and provision made for preserving, examining, and using the files. Originals of Records stored in this fashion that are not expressly required by law to be filed and preserved may be destroyed.

§2.8 Litigation Related Records

Notwithstanding any other provision of this Policy, no District Record shall be destroyed under this Policy if it is relevant to pending or anticipated litigation involving the District, or pending or anticipated claims against the District.

§2.9 Records Withheld Under the Public Records Act

Notwithstanding any other provision of this Policy, no District Record that has been the subject of a subpoena or a request under the Public Records Act may be destroyed for at least two-years from the date the District provided written notice rejecting the request.

Chapter Three: Disclosure and Inspection of Records

§3.1 Records Open to Inspection

As required by the California Public Records Act, non-exempt District Records are available for inspection upon request by all members of the public during the District's regular office hours.

§3.2 Requests for Inspection or Copying of Records

Requests to inspect or copy District records shall be made in writing in the form set forth as Form 3 in Appendix C of this Policy. Members of the public may request that District personnel assist the requestor in identifying records that may be responsive to the request as required by the Public Records Act.

§3.3 Response to Requests

The Manager is authorized to confer with the District's legal counsel regarding any particular request submitted and with regard to responding appropriately under the Public Records Act and other applicable law.

§3.4 Exemptions and Privileges Strictly Applied

The District shall not disclose Records that fall within one or more exemptions from disclosure under the Public Records Act. (See, generally, Government Code section 7923.600 *et seq.*) The District shall redact any information in any disclosed Record that is subject to redaction under any legally applicable privilege.

§3.5 Charges for Reproduction of Records

Requests for copies of physical records, for which fees are not otherwise set by law, shall be subject to the fees provided for in the Fee Schedule.

Appendix A: Records Retention Schedule

LEGEND:

A=Advisable

AT=Active

ARD=After Request Denial

D=Days

DP= Date of Payment

L=Life

OCD=Original cannot be destroyed P=Permanent

SOL=Statute of Limitations

Y=Yes

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Accounts Payable Registers	10	A
Agency Information	3	A
Agreements ¹	L+4	A
All Preliminary Engineering Reports, Plans, Maps, etc.	10	A
Annexations and Detachments	P	OCD
Annual Report to State Health Department	10	A
Audit Information Provided to the Auditor	10	A
Audit Reports and Drafts	P	Y
Awarded Request for Proposal	AT+10	A
Bacteriological Summaries	5	A
Bank Statements	10	A
Bids, Proposals and Quotes--Accepted	L+7	A
Bids, Proposals and Quotes--Rejected	5	A
Billing/Accounting Reports	10	A

¹ Life for an agreement refers to the time frame the agreement is in existence and at the conclusion of that period the four years begins to run. For example, if the District had a two year agreement with a store to provide copies at the conclusion of that two year agreement the four years would begin to run. NOTE that the four years is a guideline developed with potential statute of limitations in mind. If a particular agreement has unique statute of limitations issues, that agreement should be retained until those statutes run.

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Bills for District Services	DP+2	A
Bond Information	L+10	Y
Budget Backup	5	Y
Budgets	10	A
Building Maintenance/Leases	AT+4	A
Cash Receipt/Registers/ Ledgers	10	A
Cash Receipts and Disbursements	10	A
Chemical Analysis Reports	10	Y
Committee Minutes and Reports ²	P	Y
Conflict of Interest Statements	7	A
Construction contracts not awarded including Bid Proposal, etc	2	A
Construction Inspections Reports	P	Y
Construction Photos/Slides/Videos	P	Y
Consultant Payments, including contractors	DP+7	A
Contractor Payments, Awards, Correspondence, all related documents including proposals	L+10	A
Contracts ³	L+4	A
Correspondence—General/Public	3	

² Only applies to Committees that function under the Brown Act. All others if records are kept should be held a minimum of 3 years.

³ Caution some contracts because of their unique issues may deserve a longer retention period.

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Cost Accounting Records	3	A
Customer Aging Analysis	2	
Customer Complaints	5	
Daily Work Reports	10	A
Deeds	P	OCD
Deferred Compensation Annual Summary	3	Y
Delegation Orders	3	
Depreciation Schedules	10	
Disposal of Scrap Materials	10	
Disposal of Surplus Property	10	
District Insurance Records ⁴	L+10	A
District Ordinance, Resolution, Regulation or order adopted by the District previously but has since been repealed or otherwise invalidated or become unenforceable.	L+5	
District Ordinances, Policies, Rules and Regulations	L	OCD
District Water Rights	P	OCD
DMV Reports	L+7	
Documents relating to pending or potential lawsuits or settlements	L+3	A
EIRs, Neg Decs and supporting studies	P	OCD

⁴ This refers to individual policies at the least. However, it may be good District policy to maintain all policies that the District has had with a current insurer regardless of the actual date the policy was terminated or renewed.

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Elections	P	
Emergency Preparedness	AT+2	
Employee Accident Reports, Injury Claims and Settlements	L+5	Y
Employee Earnings Records	10	Y
Employee Education Records	P	Y
Employee Garnishments	7	A
Employee Immigration Act Affidavits	L	Y
Employee Insurance Records	L+3	Y
Employee Medical Histories	P	Y
Employee Performance Evaluations and Disciplines	P	Y
Employee Retirements	P	Y
Employee Time Cards	10	Y
Employment Applications, Changes and Terminations	P	Y
Employment Tests and Scores	P	Y
Encroachments (all)	P	OCD
Engineering Facility Correspondence	10	Y
Equipment Maintenance	AT+2	
Expense Reports	10	A
Facility Improvement Plans	P	Y
Feasibility Studies	L+10	A

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Fees/Receipts	10	A
Fidelity Bonds	L+4	A
Final Engineering Drawings and As Builts	P	Y
Final Engineering Maps	P	Y
Final Engineering Master Plans	P	OCD
Final Engineering Reports and Studies	P	Y
Formation, change of organization, or reorganization of the District.	P	OCD
General Ledger	P	Y
Hardware/Software Documentation	AT+2	
Individual Water Rights	P	OCD
Inspection Reports/Moves/Space	AT+2	
Inventory Records	AT+2	
Inventory Reports	L+7	A
Invoices	L+7	A
Job Postings	L+3	A
Job Recruitment Packets	L+3	A
Ledgers	7	Y
Legal Opinions	10	Y
Legislation	L	
Licenses and Permits to Operate	P	Y
Loans and Grants	L+10	A

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Meter Reading Books	7	A
Minutes of Board Meetings	P	Y
Month End Reports	10	Y
News Releases	2	
Newsletters	2	
Obsolete Job Descriptions	7	A
OSHA Equipment Certificates	L+5	A
Payment Receipts	10	A
Payroll Authorizations, Misc.	L+10	Y
Payroll Check Copies	10	Y
Payroll Registers	10	Y
Policies, Rules, Regulations, Ordinances	L+5	Y
Public Hearings	P	Y
PUC Reports	10	A
Purchase Request/Order	AT+7	A
Record which is the subject a denied Public Records Request	ARD+3	A
Records Destruction Authorizations Records	P	OCD
Rights of Way, Easements and Encroachments	P	OCD
Sanitary Surveys	10	A
Security Deposit Registers	5	Y
Service Orders/Authorization	AT+2	

Record Descriptions	Years Retained	Media Storage Required Prior to Destruction of Records
Staff Reports	3	
State Surplus Acquisition	7	
Statements of Economic Interest	10	
Submittals	2	
Suits, Claims, Liens, Bankruptcies	L+3	A
Tapes of Board Meetings ⁵	1 or 90D	
Tapes of Phone or Radio Communications	100D	
Tapes of Video Monitoring	1	
Title Reports	P	Y
Trial Balance	10	Y
Underground Service Alerts	3	
Vehicle Files	2	
Vendor Information	AT+3	
Wage and Benefit Surveys	3	
Water Availability Reports	L	Y
Water Rights Correspondence, Misc.	L	Y
Water Rights History	L	Y
Water Rights Protests	L	Y
Water Rights Studies	L	Y
Work Orders except customer initiated (see Customer Complaints)	2	

⁵ These tapes may be destroyed after 90 days after the meeting so long as Minutes of the meeting are prepared.

Appendix B: Fee Schedule

First page	\$1.00
Each additional page	\$0.25
Front/Back copying	additional \$.10 per page
Copying on paper other than 8.5 x 11	actual cost plus staff time
Color Copies	actual cost plus staff time
Deposit required if estimated copying costs exceed	\$25.00

Appendix C: Forms

Form 1: Authorization to Destroy Obsolete Records

Form 2: Damaged Record Destruction Authorization

Form 3: Public Records Request Form

AUTHORIZATION TO DESTROY OBSOLETE RECORDS

In accordance with the Frazier Park Public Utility District Retention Schedule, and upon consent of the District General Manager, the records listed below will be property destroyed.

RECORD SERIES			DATE OF RECORDS		Retention	Duplicated
No.	Pgs	Title	To	From	Period	
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Date:			Prepared by:			

Approval to destroy the above-listed records.

General Manager: _____ Date: _____

Destruction Completed by:

Signature: _____ Title: _____ Date: _____

AUTHORIZATION TO DESTROY DAMAGED RECORDS

In accordance with the Frazier Park Public Utility District Retention Schedule, the District General Manager hereby declares that the records listed below were damaged beyond recovery by _____.

RECORD SERIES			DATE OF RECORDS		Retention	Duplicated
No.	Pgs	Title	To	From	Period	
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
Date:			Prepared by:			

Approval to destroy the above-listed records.

General Manager: _____ Date: _____

Destruction Completed by:

Signature: _____ Title: _____ Date: _____

PUBLIC RECORDS REQUEST FORM

Please fill out this form completely, identifying specifically the records you are requesting with as much detail as possible, so that the District may expedite your request and eliminate opportunities for error. Requests should reasonably describe identifiable records in the current possession of the District. **The District is not required to, and it will not, create a new record.**

Please note that the Public Records Act provides the District with at least ten days, and in certain instances twenty-four days, to review your request and determine whether it seeks records that are disclosable under the Public Records Act. The District will notify you of its determination within the time period prescribed by law.

In accordance therewith, if you are requesting the opportunity to inspect records stored at the District's office, you will be required to make an appointment at a later date to view the records.

If you are requesting copies of records, you will be charged as prescribed by District policy and if required **records will not be copied until a cash deposit has been received.**

Name: _____ **Date:** _____

Mailing Address: _____

City: _____ **Zip:** _____ **Phone Number:** _____

Special Instructions (If Any): _____

Information Requested: _____

Description of Record(s): _____

Reason for Request: _____

Time Period Covered: _____

Request For: **Copies to Be Made** **Document Inspection Only**