

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2018-1465**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING RECORD RETENTION AND DESTRUCTION POLICY**

WHEREAS, the Board of Directors ("Board") of the Nipomo Community Services District ("District") is authorized by the provisions of Government Code section 60200, et seq., to establish a records retention and destruction policy and schedule applicable to District records; and

WHEREAS, a records retention and destruction policy and schedule provides guidance to staff regarding the retention or disposal of District records; provides for the identification, maintenance, safeguarding and disposal of records in the normal course of business; ensures prompt and accurate retrieval of records, and, ensures compliance with legal and regulatory requirements; and

WHEREAS, the District's existing records retention policy was adopted by way of Resolution 2015-1391, which repealed a prior version of a similar policy adopted by Resolution 2000-718; and

WHEREAS, the Board desires to establish a new records retention and destruction policy and schedule, as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

Section 1. The Board finds and declares that the destruction or disposition of District records in accordance with the policies adopted herein and the Records Retention and Destruction Policy and Schedules set forth in Exhibit A hereto, incorporated herein by reference, will not adversely affect any interest of the District or of the public.

Section 2. The Records Retention and Destruction Policy and Schedules set forth in Exhibit A hereto is hereby adopted.

Section 3. The records of the District, as set forth in the Records Retention and Destruction Policy and Schedules attached hereto as Exhibit A, are hereby authorized to be destroyed, upon the direction of the District General Manager or his/her designee, as provided by Section 60200, et seq., of the Government Code, and in accordance with the provisions of said policy and schedules, without further action by the Board.

Section 4. Resolution 2015-1391 is hereby repealed in its entirety.

Section 5. The Board finds that the Recitals set forth above are true, correct, and incorporated herein by reference.

Section 6. If any section, subsection, sentence, clause or phrase of this Resolution or the attached Exhibit A is for any reason held to be unconstitutional,

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ineffective, invalid, or in any manner in conflict with the laws of the United States or of the State of California, such decision shall not affect the validity of the remaining portions of this Resolution. The Board hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases is declared unconstitutional, ineffective, invalid, or in any manner in conflict with the laws of the United States or of the State of California.

Section 7. This Resolution shall take effect immediately.

On the motion Director Armstrong, seconded by Director Blair and on the following roll call vote, to wit:

AYES: Directors Armstrong, Blair, Woodson, Gaddis and Eby
NOES: None
ABSENT: None
ABSTAIN: None

the foregoing resolution is hereby adopted this 24th day of January, 2018.



ED EBY
President of the Board

ATTEST:



MARIO IGLESIAS
General Manager and Secretary to the Board

APPROVED AS TO FORM AND
LEGAL EFFECT:



WHITNEY G. McDONALD
District Legal Counsel

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Exhibit A
NIPOMO COMMUNITY SERVICES DISTRICT

RECORDS RETENTION AND DESTRUCTION POLICY

I. Purpose and Intent: The purpose of this policy is to provide guidelines to staff regarding the retention or disposal of Nipomo Community Services District ("District") records, provide for the identification, maintenance, safeguarding and disposal 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 is authorized by the District Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below.

II. Definitions.

A. "Record" or "Records" has the same meaning as the term "public records" defined in Government Code §6252. This does not include materials that are typically discarded as soon as they are read, such as letters of transmittal and acknowledgements of receipt which do not add any information to the material transmitted; informal notes, worksheets, and rough drafts of letters, memoranda, or reports that do not represent the basic steps involved in the preparation of the communication; informal notes, including stenographic notebooks and stenotype tapes, and dictating media which have been transcribed; miscellaneous notices of community-wide affairs, employee meetings, holidays; stocks of publications or blank forms that are kept for supply purposes only; follow-up reminders, or copies of suspense tracers pertaining to correspondence with pending action; library and reference material; or advertisements, solicitations, and junk mail. The General Manager is vested with discretion to determine whether an item or material qualifies as a "Record."

III. Pursuant to the provisions of Government Code §§60200 through 60203, Water Code §21403, and the guidelines provided by the Secretary of State pursuant to Government Code §12236, the following qualifications will govern the retention and disposal of records of the District:

A. Records Retention Schedules

1. The District adopts the Records Retention Schedules attached hereto and incorporated herein by reference as Attachments A and B. This policy and the Records Retention Schedules comply with the records retention guidelines provided by the California Secretary of State.

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Exhibit A

2. Records that are no longer required to be retained as identified in Attachments A and B shall be destroyed as provided for in this policy.

B. Duplicate Records may be destroyed at any time without the necessity of Board authorization or copying to photographic or electronic media.

C. Records that are more than two years old and that are not otherwise addressed in the attached Records Retention and Destruction Schedules or in this policy may be destroyed without the necessity of copying to photographic or electronic media.

D. Originals of Records which are not expressly required to be filed and preserved by law, by this policy, or by the attached Records Retention and Destruction Schedules, may be destroyed at any time after meeting the following conditions:

1. The record, paper, or document is photographed, microphotographed, reproduced by electronically recorded 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 in compliance with Government Code § 12168.7 for recording of permanent records or nonpermanent records;
2. The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details and that does not permit additions, deletions, or changes to the original document images; and,
3. The photographs, microphotographs, or other reproductions on film, optical disk, or any other medium are placed in conveniently accessible files and provisions are made for preserving, examining, and using the files.

Following compliance with the provisions of this section, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

E. Procedure for Destruction of Records:

1. An employee completes and signs a "Request for Destruction of Obsolete Records" form, listing the date and description of the documents

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to be destroyed. A sample form is attached to this policy as Attachment C. The employee submits the form to the Records Coordinator.

2. The Records Coordinator checks the documents listed on the submitted form to confirm that each document is: (1) not required to be permanently retained, or (2) has been retained for the legally required period of time. The Records Coordinator also confirms that any applicable reproduction requirements (i.e., imaging, etc.) for each document are complete.

3. The Records Coordinator submits the form to the General Manager, who reviews and signs the form and then returns the signed form to the Records Coordinator.

4. After receiving the signed form from the General Manager, the Records Coordinator oversees the destruction of the documents, indicates the method of destruction on the form, signs the form and returns the original signed form to the General Manager.

5. The General Manager will retain all original signed forms requesting destruction of records for a minimum period of two (2) years.

IV. Exceptions. Notwithstanding any provision herein or in the Records Retention Schedules, the following records may NOT be destroyed:

A. Records relating to formation, change of organization, or reorganization of the District.

B. An ordinance adopted by the District. However, an ordinance that has been repealed or is otherwise invalid or unenforceable may be destroyed or disposed of five years after it was repealed or became invalid or unenforceable.

C. Minutes of any meeting of the legislative body of the District.

D. Records relating to any pending claim or litigation or any settlement or other disposition of litigation within the past two years.

E. Records that are the subject of any pending request made pursuant to the Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1), 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 to the requester that the request has been denied.

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- F. Records relating to any pending construction that the District has not accepted or as to which a stop notice claim may be presented.
- G. Records relating to any nondischarged debt of the District.
- H. Records relating to the title to real property in which the District has an interest.
- I. Records relating to any nondischarged contract to which the District is a party.
- J. Any record that has not fulfilled the administrative, fiscal, or legal purpose for which it was 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. Any record that specifies the amount of compensation paid to District employees or officers or to independent contractors providing personal or professional services to the District, or that relates to expense reimbursements to District officers or employees or to the use of District paid credit cards or any travel compensation mechanism. However, a record described in this paragraph may be destroyed or disposed of seven years after the date of payment.

Attachment A
Nipomo Community Services District
Records Retention Schedule

Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
Administrative	Brochures, Publications, Newsletters, Photographs and News Clippings, Press Releases	Retain selected documents only for historic value	Calendar Year+2 Years	GC 60201
	Correspondence – General	Letters, memoranda, emails, or other items of correspondence sent or received by District employees, officials, or consultants, not otherwise addressed in this Schedule	Calendar Year+2 Years	GC 60201
	Correspondence with Department of Public Health	General correspondence with DPH, including letters and email, not otherwise specifically covered by the retention schedule	Calendar Year End+5 Years	GC 60201
	Email	Emails sent or received by District officials or employees pertaining to the conduct of the District’s business, regardless of location or account, which constitute public records and are not otherwise addressed more specifically in this Schedule. Does not include emails that are intended for a temporary purpose and are discarded after that purpose is achieved, unless they are subject to a litigation hold letter from the District Counsel or a pending Public Records Act request. Also does not include drafts and intra-agency notes and memoranda that are not public records, which may be destroyed once they have served their purpose.	Calendar Year+2 Years	GC 60201
	Ethics Training	Records that indicate both the dates of training and the entity that provided the training	Calendar Year End+5 Years	GC 53235.2(b)
	Insurance Certificates	May include liability, property, general liability, auto liability, professional liability, excess liability	Permanent	CCP 337, CG 60201
	Information Systems, Backup Tapes	System generation. Used for Disaster Recovery Purposes Only	(none)	GC 60201
	Policies, Procedure Manuals – Administrative	All policies and procedures, directives used by the District but not assigned a resolution number	Until Superseded+2 Years	GC 60201
	Security Recordings, Videotapes (Public Areas – Parking Lots, etc.)	Does not record “Regular and Ongoing Operations” of the District but are part of building security recording systems	1 Year, unless subject to pending litigation	GC 53160

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Service Orders – Customer Service	Requests from customers for services to be performed	After Audit+5 Years	GC 60201
Board of Directors	Minutes	Minutes of District Board meetings	Permanent	GC 60201(d)(3)
	Oaths of Office	Elected and public officials	Current+6 Years	GC 60201; 29 USC 1113
	Policies	Original policies adopted by the District Board	Until Superseded+2 Years	GC 60201
	Records Retention Schedules	Records retention or destruction schedules adopted by Board of Directors	Permanent	GC 60201; CCP 343
	Recordings – audio	Audio recordings of Board meetings made for preparation of Board meeting minutes	30 Days, provided Minutes have been adopted	GC 54953.5(b), GC 60201; 64 Ops. Atty. Gen 317
	Recordings, video – meetings of legislative bodies	Video Tapes, CDs or DVDs of public meetings made by or at the direction of the District (e.g., Board meetings)	1 Year, or 90 days if Minutes of the meeting have been adopted	GC 53160 GC 53161
	Resolutions	Vital records. Originals may never be destroyed. Image immediately.	Permanent	GC 60201
	Staff Reports	Staff reports and supporting information presented at Board Meetings	Permanent	GC 60201
	Strategic Plans		Permanent	GC 60201
Engineering	Bids, Unaccepted	Unaccepted bid packages only	2 Years	GC 60201(d)(11)
	Bids, Accepted; Notices & Affidavits	Accepted bid packages, notices and affidavits	After Audit+4 Years	GC 60201 CCP 337
	Bonds, Surety	Documentation created and/or received in connection with the performance of work/services for the District	Close/Completion+10 years	CCP 337.15 GC 60201
	Capital Improvements, Construction / Job Files – PERMANENT FILE	Agreements/Contracts, Bid Package (Winning), Board Letters (copy), Change Orders, Consultant Proposals (Successful), Environmental documents, Final As-Built Drawings (Record Drawings), Inspection Pictures, Inspection Reports, Material Testing, Permits (Design, Environmental), Preliminary Design Report, Rights of Way Easements, Soils, Geotechnical Reports, Specifications, Submittals, Surveys, CAD files, Engineer's Calculation Files	Permanent	GC 60201
	Capital Improvements,	Project Administration: Bid Summary, Bonds, Certified Payroll, Grant	Close/Completion+10 Years	CCP 337.15, GC 60201

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Construction / Job Files – ADMINISTRATIVE FILE / INSPECTION FILE	Documents, Errors & Omissions, Insurance Certificates, Notifications, Progress Payments, Punch Lists, Videos Post-Construction & Pre-Construction, Correspondence (Transitory / Preliminary Drafts), Engineer's Estimates, Memoranda, NPDES, Permits (Construction & Street Opening)		
	Encroachment Permits	For continuing encroachments over District property, including annual permits to agencies	Permanent	GC 60201
	FEMA Claims	Documentation of claims submitted to FEMA	10 Years, Or three years after date of final Financial Status Report whichever is later.	GC 60201 FEMA Guidelines
	Fire Flow Letters	Water pressure to fire hydrants	Calendar Year+2 Years	GC 60201
	Grants / Community Development Block Grant (CDBG); Urban Development; other Federal and State grants and Loans	Grants documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient docket, environmental review, grant documents, inventory, consolidated plan, etc.	Close/Completion+5 Years (but refer to grant for close-out procedures)	GC 60201 24 CFR 570.502 24 CFR 85.42
	Intent to Serve and Will Serve Files / Tract Files / Private Development Applications	Various investigations and records related to providing water & wastewater service to various properties	Permanent	GC 60201
	Permits from Regulatory Agencies	CCRWQCB, etc.	Permanent	GC 60201
	Pipeline Installations	Job Files for in-house and contract water and wastewater pipeline installations	Permanent	GC 60201 CCP 337.15
	Record Drawings / Plans / Maps / “As Built”	All originals should be maintained in Engineering, with copies at the various facilities	Permanent	GC 60201
	Studies & Reports	Engineering Studies & Reports, including Feasibility Studies	Permanent	GC 60201
Finance	Accounts Payable	Invoices, reports, investments, purchase orders, independent contractor's compensation, employee or Director expense reimbursement, or District credit card records	After Audit+7 Years	GC 60201(d)(12) CCP 337
	Accounts Receivable	Checks received, reports, investments, receipt books	After Audit+4 Years	GC 60201; CCP 337

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Annual Financial Report	Independent auditor analysis	Permanent	GC 60201
	Assessments, Liens, Tax Rolls	Files and records submitted to County Assessor for inclusion on Property Tax bill	Permanent	GC 60201
	Audit Hearing or Review	Documentation created and or received in connection with an audit hearing or review	After Audit+2 Years	GC 60201
	Audit Reports	Financial services; internal and/or external reports; independent auditor analysis	Permanent	GC 60201
	Bank Account Reconciliations	Bank statements, receipts, certificates of deposit, Backup, etc.	After Audit+5 Years	GC 60201 26 CFR 16001-1
	Billing Records	Documentation of billing for services, including any adjustments	After Audit+4 Years	GC 60201
	Budget, Annual		Permanent	GC 60201
	California State Tax Records	Forms filed annually; quarterly and year-end reports	After Audit+4 Years	R&TC 19530 R&TC 19704 GC 60201
	Checks	Includes originals of payroll, canceled and voided checks, yellow copies of checks	After Audit+7 Years	GC 60201(d)(12)
	Deferred Compensation Reports / 457 Reports	Records of pension/retirement funds	7 Years	GC 60201(d)(12)
	Deposits, Receipts / Cash Receipts / Cash Journals	Receipts for deposited checks, coins, currency	After Audit+4 Years	GC 60201; CCP 337
	Federal Tax Records	May include Forms 1096, 1099	After Audit+4 Years	26 CFR 1.6001-1e; IRS Reg 31.6001-1(e)(2); GC 60201
	Financial Reports	Including Trial Balances, Delinquency Reports, Transaction Reports	Permanent	GC 60201
	Fixed Assets Inventory	Reflects purchase date, cost, account number	Calendar Year+2 Years	GC 60201
	Fixed Assets Surplus Property	Auction; disposal – Listing of property; sealed bid sales of equipment	After Audit+4 Years	GC 60201 CCP 337
	Fixed Assets - Vehicles	Title to vehicles	Until sold	VC 9900 et seq.
	Fund Transfers	Internal; bank transfers & wires	After Audit+4 Years	GC 60201 CCP 337
	General Ledgers	All annual financial summaries	Permanent	GC 60201 CCP 337

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Gifts/Bequests	Receipts or other documentation	After Audit+4 Years	GC 60201
	Investment Reports, Transactions	Summary of transactions, inventory, and earnings report	After Audit+4 Years	GC 60201 CCP 337
	Journal Entries / Journal Vouchers		After Audit+7 Years	GC 60201(d)(12)
	Payroll Records	Employee folders, registers, time cards/sheets, W-2s, leave time accruals	After Audit+7 Years	GC 60201(d)(12)
	Purchasing RFQ's, RFP's	Requests for Qualifications & Requests for Proposals regarding goods and services	After Audit+5 Years	CCP 337 GC 60201
	Purchasing Requisitions, Purchase Orders	Original Documents	After Audit+4 Years	GC 60201 CCP 337
	State Controller Reports	Annual reports	After Audit+4 Years	GC 60201
	Stop Payments	Finance – bank statements	After Audit+5 Years	GC 60201
	Warrant Register/Check Registers/Receipt Registers	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	After Audit+7 Years	GC 60201(d)(12)
Human Resources	Accident/Illness Reports / SDI (State Disability Insurance)	Employee Medical Records & Employee Exposure Records regarding exposure to toxic substances or harmful physical agents – includes Material Safety Data Sheets (MSDS) Does NOT include: health insurance claims; first aid records of one-time treatments for minor injuries; records of employees who worked less than one (1) year if records are given to employee upon termination Not public records	Length of Empl.+30 Years	8 CCR 3204(d)(1)(A); 8 CCR 10102; 8 CCR 15400.2; GC 12946; GC 60201 CCP 337 et seq.
	Benefit Policies	Policies regarding benefits provided to employees	Length of Employment+2 Years	29 CFR 1627.3(b)(2); GC 12946; GC 60201
	Cal-OSHA Records	OSHA Logs (200, 300, 300A, 301, etc.), Citations, Violations	Calendar Year End+5 Years	8 CCR 14300.33(a); 29 CFR 1904.33; 29 CFR 1904.44; GC 60201; LC 6429c
	DMV Records	DMV Driver Information Reports / DMV Pull Notices; Not public records	Length of Employment+7 Years	GC 60201; GC 12946;

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
				8 USC 1324(a)
	Drug Tests	Records of driver alcohol test results, records of driver verified positive controlled substance test results, documentation of refusal to take tests; driver evaluation and referrals; calibration documentation; records related to the administration of the testing programs; copy of calendar year summary.	Calendar Year+5 Years	29 CFR 1627.3(b)(v); 49 CFR 382.401; GC 12946, 60201,
	Employee Bonds / Public Official Bonds	Personnel fidelity bonds	Length of Empl.+4 Years	GC 60201; PC 801.5, 803(c)
	Employee Files – Medical File	Medical records made or maintained by a physician, nurse, or other health care personnel, or technician pertaining to employees exposed to toxic substances or harmful physical agents. Includes Respiratory Fit Tests. Does not include first-aid records of one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, which do not involve medical treatment, loss of consciousness, restriction of work or motion, or transfer to another job. Not public records	Length of Empl.+30 Years	29 CFR 1910.1020; 8 CCR 3204 (d)(1)(A)(B); GC 60201
	Employee Files – Official Personnel File	Personnel – Application, release authorizations, certifications, reassignments, training records, outside employment, disciplinary actions, terminations, evaluations; Not public records	Length of Empl.+10 Years	GC 12946 29 CFR 1602.31 & 1627.3(b); GC 60201; 29 USC 1113
	Employee Handbook		Until Superseded+2	GC 60201
	Employment Applications / Recruitment Files – Not Hired	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	Close/Completion+3 Years	GC 60201; GC 12946; 29 CFR 1602, 1627.3; 2 CCR 7287.0(c)(2); 8 CCR 11040(7(c))
	I-9 Forms	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	Length of Empl.+3 Years	Immigration Reform/Control Act 1986 Pub. L 99-603, Section 101(b)(3)(B)

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Insurance, Risk Management Reports	Federal OSHA Forms; Loss Analysis Report; Safety Reports: Actuarial Studies	Calendar Year End+5 Years	29 CFR 1904.44 8 CCR 14300.33 29 CFR 1904.33,
	PERS & Deferred Compensation (457) Plans-Employee Benefits	Retirement & Deferred Compensation Plans	Calendar Year+10 Years	29 USC 1027
	Safety Manual	Human Resources maintains the originals of the Safety Manuals; Maintenance & Operations maintains the Safety Meetings, agendas, Safety training material, sign-in sheets-copies	Until Superseded+5 Years	GC 60201
	Unemployment Claim Files		After Audit+7 Years	GC 60201(d)(12)
	Workers Compensation Files	Work-injury claims (including denied claims); claim files, reports, etc.	After Settlement+30 Years	8 CCR 10102 8 CCR 15400.2, 8 CCR 3204(d)(1); GC 12946; CCP 337
Legal	Accidents / Damage to District Property	Records relating to damage to District property, including repairs of damage	Close/Completion+10 Years	GC 60201; CCP 337.15
	Appraisals	For real property owned by District – Not public record (i.e. exempt from disclosure) until real estate transaction is complete	After Audit+5 Years	GC 60201 GC 6254(h)
	Claims Against the District	Including records of paid and denied claims	Close/Completion+5 Years	GC 60201; CCP 337
	Legal Opinions	Confidential – not for public disclosure (attorney-client privilege)	Until Superseded+2 Years	GC 60201
	Litigation / Lawsuits	Case files	Close/Completion+10 Years	GC 60201
	Potential Claims	Records relating to incidents with reasonable likelihood of giving rise to a claim against the District	Calendar Year End+3 Years	GC 60201
	Water Rights – Litigation and historic records	Records pertaining to groundwater litigation	Permanent	GC 60201
Official Records	Affidavits of Publication / Posting	Records documenting compliance with laws requiring public notice, including public or legal notices, certificates, affidavits or publication, and similar documents.	Calendar Year End+4 Years	GC 60201 CCP 343

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Agreements / Contracts –	Includes Grants, Intra-Agency Agreements, Property Agreements, Leases, Water Supply Agreements, etc.	Permanent	CCP 337 GC 60201
	Annexations, Reorganizations, Boundary Changes	Notices, Resolutions, Certificates of Completion	Permanent	GC 60201, (d)(1)
	Articles of Incorporation	A written instrument that creates and defines the rights and privileges of a corporation. May include, but is not limited to original charter, petitions for incorporation, constitution, by-laws, amendments.	Permanent	GC 60201(d)(1)
	Ballots - Assessments	Ballots and protest letters for new or increased assessments	Calendar Year End+2 Years	GC 53753(e)(2) CA Constitution Art. XIII
	California Environmental Quality Act (CEQA) / National Environmental Policy Act (NEPA)	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding consideration	Permanent	GC 60201 14 CCR 15095(c)
	Campaign Statements	FPPC Forms 460, 470, etc.	Permanent	GC 81009(b)(g)
	Certificates of Election	Certificates of election, original election reports and statements	Permanent	GC 60201; GC 81009(a), (d)
	Economic Interest Statements – Form 700 – Copies of statements of elected officials	Copies of original statements of elected officials.	Calendar Year End+4 Years (can image after 2 Years)	GC 81009(f), (g)
	Economic Interest Statements – Form 700 – Original statements of non-elected filers	Originals of statements of designated employees	Calendar Year End+7 Years (can image after 2 Years)	GC 81009(e), (g)
	Election Petitions – Initiative/Recall/Referenda	Petitions supporting initiatives, recalls, or referenda, whether an election is called or not	8 Months from election results	EC 17200, 17400; GC 6253.5
	FPPC Forms 801 / 802	Gift to Agency Report / Tickets Provided to Agency Report	7 Years	2 CCR 18944.1 GC 81009(e)
	Historical Records	Records with Significant Historical Value	Permanent	GC 60201
	Master Plans & Reports	Adopted water and wastewater facilities master plans	Permanent	GC 60201

Attachment A

Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
	Offers of Dedication / Conveyance Agreements	Offers of dedication from Developers	Permanent	GC 60201
	Property Records	Deeds, recorded documents, easements, maps, and supporting documents regarding sale, purchase, exchange, of property by District	Permanent	GC 60201(d)(8)
	Public Records Requests	Requests from the public to inspect or copy public documents, plus copies of provided and withheld records	2 Years from date of response to request	GC 60201(d)(5)
	Requests for Destruction of Obsolete Records	Documentation of destroyed records	2 Years	GC 60201
	Rules & Regulations	For water and wastewater service	Permanent	GC 60201
Operations & Maintenance	Confined Space Entry Permits, Originals		Calendar Year End+3 Years	40 CFR 122.41(j)(2)
	Department of Health Services, Public Health, Water Resources Reports	Monthly and Annual	Calendar Year End+5 Years	GC 60201
	Hazardous Materials Records	Permits, Hazardous Materials Storage, Disposal, Manifests, including any EPA records, records of asbestos abatement	Permanent	GC 60201
	Leaks / Leak Reports		Calendar Year End+5 Years	40 CFR 122.41(j)(2); 40 CFR 141.33(b); 22 CCR 64470
	O & M Manuals, Maintenance Manuals, Policies & Procedures	Equipment service/maintenance	Until Superseded	GC 60201
	Pressure Vessel Certifications or Permits	Air Compressors, CNG Tank, Propane, etc.	Until Superseded	GC 60201
	Safety Meetings, agendas, Safety training material, sign-in sheets-copies (originals maintained by the Safety Officer)	Safety Committee, Safety Training. Human Resources is responsible for maintaining the Safety Manual	Calendar Year End+5 Years	GC 60201; 8 CCR 3203
	Underground Service Alert-USA Tickets	Both Received and Called In	Calendar Year End+3 Years	GC 4216.2(d) & 4216.3(d)
	Used Oil Disposal	Records documenting disposal of used oil	Calendar Year End+3 Years	22 CCR 66266.130(c)

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Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
				(5); H&S 25250.18(b), 25250.19(a)(3)
	Vehicle & Equipment History Files		After Disposition+1 Years	GC 60201
Wastewater	CCTV Inspections	Video Documentation of Inspections with Field Notes	1 Year, unless subject to pending litigation,	GC 53160 GC 60201
	Collections / Collection Repair Job Orders (Wastewater)		Calendar Year End+4 Years	GC 60201
	Lab Records - Wastewater	Including Lab Reports, Worksheets, Sampling, Chains of Custody, Red Log Books, regarding wastewater & all discharges from treatment plants. Includes NPDES Discharge Monitoring records	Calendar Year End+3 Years	40 CFR 122.21, 122.41
	NPDES Permits		Until Superseded+3 Years	40 CFR 122.21, 122.41
	Sanitary Sewer Overflows (SSOs)	SSO Records	Calendar Year End+5 Years	SWRCB Order 2006-03
	Sanitary Surveys		Calendar Year End+10 Years	40 CFR 141.33(c)
	Sewage Sludge Hauling	Records of sewage sludge hauled from or to District facilities	Calendar Year End+5 Years	WC 13263.2(b); 40 CFR 122.41(j)(2);
Water Conservation	Grants /Subventions for Water Conservation Programs	Grants and all supporting documents, including applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, etc.	10 Years or 3 years from expenditure report or final payment of grantee or subgrantee (whichever is later)	GC 60201 24 CFR 570.502 24 CFR 85.42
	Rebate programs	Documentation of rebates issued for toilet retrofits, shower head replacement, turf replacement, etc.	After Audit+4 Years	GC 60201
	Water Conservation Enforcement: Letters, Violations, etc.	Letters, notices of violation, and supporting records such as photos. Should be scanned to the Customer's account	Calendar Year End+2 Years	GC 60201

Attachment A

Type/Category	Record	Description or Example of Record	Retention Period	Legal Authority
Water Systems	Annual Consumer Confidence Reports	Annual drinking water report	Permanent	GC 60201; 40 CFR 141.33(a)
	Backflow Test Reports (Drinking Water)	Reports of testing and maintenance – water supply	Calendar Year End+3 Years	17 CCR 7605; GC 60201
	CCTV Inspections	Video Documentation of Inspections with Field Notes	1 Year, unless subject to pending litigation	GC 53160 GC 60201
	Complaints – Drinking Water	Comments, correspondence, complaints regarding drinking water (odor, taste, color, etc.), and documents regarding response/resolution	Calendar Year End+5 Years	GC 60201; 40 CFR 122.41(j)(2); 40 CFR 141.33(b); 22 CCR 64470(a)
	Groundwater Management / Pumping and Precipitation Data	Studies and documentation of groundwater levels, including pumping and precipitation data	Permanent	GC 60201
	Lab Records, Drinking Water - <i>Chemical</i>	Including Lab Reports, Worksheets, Sampling, Chains of Custody, Red Log Books	Calendar Year End+10 Years	40 CFR 141.33(a); 22 CCR 64470
	Lab Records, Drinking Water - <i>Bacteriological & Organics</i>	Including Lab Reports, Worksheets, Sampling, Chains of Custody, Red Log Books	Calendar Year End+5 Years	40 CFR 141.33(a); 22 CCR 64470
	Lab Records, Drinking Water - <i>Lead & Copper</i>	Including Lab Reports, Worksheets, Sampling, Chains of Custody, Red Log Books	Calendar Year End+12 Years	22 CCR 64400.20, 64690.80
	Meter Operations	Reader reports; service orders; tests; maintenance reports	2 Years	GC 60201
	Water Consumption Reports	Historical consumption data in Excel	Permanent	GC 60201
	Well Records	Records and data of well production and water quality, including lab reports, worksheets, sampling, chain of custody, red log books	Permanent	GC 60201

Attachment B
Nipomo Community Services District
Records Retention Schedule – By Retention Period

Time Frame	Record	Type/Category	Retention Period	Legal Authority
None	Information Systems, Backup Tapes	Administrative	(none)	GC 60201
30 Days	Recordings of Board of Directors Meetings – audio	Board of Directors	30 Days, Provided Minutes have been Adopted	GC 54953.5(b), GC 60201; 64 Ops. Atty. Gen 317
90 Days	Recordings, video – meetings of legislative bodies	Board of Directors	90 days, if minutes of meeting adopted	GC 53160 GC 53161
1 Year	CCTV Inspections	Wastewater Water Systems	1 Year	GC 53161 GC 60201
	Recordings, video – meetings of legislative bodies	Board of Directors	1 Year, if no minutes of meeting adopted	GC 53160 GC 53161
	Security Recordings, Videotapes (Public Areas – Parking Lots, etc.)	Administrative	1 Years	GC 53160
2 Years	Bids, Unaccepted	Engineering	2 Years	GC 60201(d)(11)
	Meter Operations - Reader reports; service orders; tests; maintenance reports	Water Systems	2 Years	GC 60201
	Public Records Requests	Official Records	2 Years from date of response to request	GC 60201(d)(5)
	Requests for Destruction of Obsolete Records	Official Records	2 Years	GC 60201
7 Years	Deferred Compensation Reports / 457 Reports	Finance	7 Years	GC 60201(d)(12)
	FPPC Forms 801 / 802 (Gift to Agency Report / Tickets Provided to Agency Report)	Official Records	7 Years	2 CCR 18944.1 GC 81009(e)
After Audit+ +2 Years +4 Years	Audit Hearing or Review documentation	Finance	After Audit+2 Years	GC 60201
	Accounts Receivable	Finance	After Audit+4 Years	GC 60201; CCP 337
	Bids, Accepted; Notices & Affidavits	Engineering	After Audit+4 Years	GC 60201 CCP 337
	Billing Records	Finance	After Audit+4 Years	GC 60201
	California State Tax Records	Finance	After Audit+4 Years	R&TC 19530 R&TC 19704 GC 60201
	Deposits, Receipts / Cash Receipts / Cash Journals	Receipts for deposited	After Audit+4 Years	GC 60201; CCP 337

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Time Frame	Record	Type/Category	Retention Period	Legal Authority
+5 Years		checks, coins, currency		
	Federal Tax Records	Finance	After Audit+4 Years	26 CFR 1.6001-1e; IRS Reg 31.6001-1(e)(2); GC 60201
	Fixed Assets Surplus Property	Finance	After Audit+4 Years	GC 60201 CCP 337
	Fund Transfers	Finance	After Audit+4 Years	GC 60201 CCP 337
	Gifts/Bequests	Finance	After Audit+4 Years	GC 60201
	Investment Reports, Transactions	Finance	After Audit+4 Years	GC 60201 CCP 337
	Purchasing Requisitions, Purchase Orders	Finance	After Audit+4 Years	GC 60201 CCP 337
	Rebate programs	Water Conservation	After Audit+4 Years	GC 60201
	State Controller Reports	Finance	After Audit+4 Years	GC 60201
	+7 Years	Appraisals, Real Property - Not public record (i.e. exempt from disclosure) until real estate transaction is complete	Legal	After Audit+5 Years
Bank Account Reconciliations		Finance	After Audit+5 Years	GC 60201 26 CFR 16001-1
Service Orders – Customer Service		Administrative	After Audit+5 Years	GC 60201
Purchasing RFQ's, RFP's		Finance	After Audit+5 Years	CCP 337 GC 60201
Stop Payments		Finance	After Audit+5 Years	GC 60201
Accounts Payable		Finance	After Audit+7 Years	GC 60201(d)(12) CCP 337
Checks		Finance	After Audit+7 Years	GC 60201(d)(12)
Journal Entries / Journal Vouchers		Finance	After Audit+7 Years	GC 60201(d)(12)
Payroll Records		Finance, Human Resources	After Audit+7 Years	GC 60201(d)(12)
Warrant Register/Check Registers/Receipt Registers		Finance	After Audit+7 Years	GC 60201(d)(12)
Unemployment Claim Files	Human Resources	After Audit+7 Years	GC 60201(d)(12)	
Calendar Year+				

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Time Frame	Record	Type/Category	Retention Period	Legal Authority
+2 Years	Ballots – Assessments - ballots and protest letters for new or increased assessments	Official Records	Calendar Year+2 Years	GC 53753(e)(2) CA Constitution Art. XIII
	Brochures, Publications, Newsletters, Photographs and News Clippings, Press Releases	Administrative	Calendar Year+2 Years	GC 60201
	Correspondence – General	Administrative	Calendar Year+2 Years	GC 60201
	Email – not otherwise covered by retention schedule	Administrative	Calendar Year+2 Years	GC 60201
	Fire Flow Letters – re water pressure to fire hydrants	Engineering	Calendar Year+2 Years	GC 60201
	Fixed Assets Inventory	Reflects purchase date, cost, account number	Calendar Year+2 Years	GC 60201
+3 Years	Water Conservation Enforcement: Letters, Violations, etc.	Water Conservation	Calendar Year+2 Years	GC 60201
	Backflow Test Reports (Drinking Water)	Water System	Calendar Year End+3 Years	17 CCR 7605; GC 60201
	Confined Space Entry Permits, Originals	Operations & Maintenance	Calendar Year End+3 Years	40 CFR 122.41(j)(2)
	Lab Records - Wastewater (Including Lab Reports, Worksheets, Sampling, Chains of Custody, Red Log Books, regarding wastewater & all discharges from treatment plants, NPDES Discharge Monitoring records)	Wastewater	Calendar Year End+3 Years	40 CFR 122.21, 122.41
	Potential Claims	Legal	Calendar Year End+3 Years	GC 60201
	Underground Service Alert-USA Tickets	Operations & Maintenance	Calendar Year End+3 Years	GC 4216.2(d) & 4216.3(d)
	Used Oil Disposal	Operations & Maintenance	Calendar Year End+3 Years	22 CCR 66266.130(c)(5); H&S 25250.18(b), 25250.19(a)(3)
	Affidavits of Publication / Posting	Official Records	Calendar Year End+4 Years	GC 60201 CCP 343
	Collections / Collection Repair Job Orders (Wastewater)	Wastewater	Calendar Year End+4 Years	GC 60201
	Economic Interest Statements – Form 700 – Copies of statements of elected officials	Official Records	Calendar Year End+4 Years (can image after 2 Years)	GC 81009(f), (g)
+5 Years	Cal-OSHA Records	Human Resources	Calendar Year End+5 Years	8 CCR 14300.33(a); 29 CFR 1904.33; 29

Attachment B

Time Frame	Record	Type/Category	Retention Period	Legal Authority
				CFR 1904.44; GC 60201; LC 6429c
	Complaints – Drinking Water	Water System	Calendar Year End+5 Years	GC 60201; 40 CFR 122.41(j)(2); 40 CFR 141.33(b); 22 CCR 64470(a)
	Correspondence with Department of Public Health	Administrative	Calendar Year End+5 Years	GC 60201
	Department of Health Services, Public Health, Water Resources Reports	Operations & Maintenance	Calendar Year End+5 Years	GC 60201
	Drug Tests	Human Resources	Calendar Year+5 Years	29 CFR 1627.3(b)(v); 49 CFR 382.401; GC 12946, 60201,
	Ethics Training	Administrative	Calendar Year End+5 Years	GC 53235.2(b)
	Insurance, Risk Management Reports (Federal OSHA Forms; Loss Analysis Report; Safety Reports: Actuarial Studies)	Human Resources	Calendar Year End+5 Years	29 CFR 1904.44 8 CCR 14300.33 29 CFR1904.33,
	Lab Records, Drinking Water - <i>Bacteriological & Organics</i>	Water System	Calendar Year End+5 Years	40 CFR 141.33(a); 22 CCR 64470
+7 Years	Leaks / Leak Reports	Operations & Maintenance	Calendar Year End+5 Years	40 CFR 122.41(j)(2); 40 CFR 141.33(b); 22 CCR 64470
+10 Years	Safety Meetings, agendas, Safety training material, sign-in sheets-copies (originals maintained by the Safety Officer)	Operations & Maintenance	Calendar Year End+5 Years	GC 60201; 8 CCR 3203
	Sanitary Sewer Overflows (SSOs)	Wastewater	Calendar Year End+5 Years	SWRCB Order 2006-03
+12 Years	Sewage Sludge Hauling	Wastewater	Calendar Year End+5 Years	WC 13263.2(b); 40 CFR 122.41(j)(2)
	Economic Interest Statements – Form 700 – Original statements of non-elected filers	Official Records	Calendar Year End+7 Years (can image after 2 Years)	GC 81009(e), (g)
	Lab Records, Drinking Water - <i>Chemical</i>	Water System	Calendar Year End+10 Years	40 CFR 141.33(a); 22 CCR 64470

Attachment B

Time Frame	Record	Type/Category	Retention Period	Legal Authority
	PERS & Deferred Compensation (457) Plans-Employee Benefits	Human Resources	Calendar Year+10 Years	29 USC 1027
	Sanitary Surveys	Wastewater	Calendar Year End+10 Years	40 CFR 141.33(c)
	Lab Records, Drinking Water - <i>Lead & Copper</i>	Water System	Calendar Year End+12 Years	22 CCR 64400.20, 64690.80
<u>Close/Completion+</u>				
+3 Years	Employment Applications / Recruitment Files – Not Hired	Human Resources	Close/Completion+3 Years	GC 60201; GC 12946; 29 CFR 1602, 1627.3; 2 CCR 7287.0(c)(2); 8 CCR 11040(7(c))
+5 Years	Claims Against the District	Legal	Close/Completion+5 Years	GC 60201; CCP 337
+10 Years	Grants / Community Development Block Grant (CDBG); Urban Development; other Federal and State grants and Loans	Engineering	Close/Completion+5 Years (but refer to grant for close-out procedures)	GC 60201 24 CFR 570.502 24 CFR 85.42
	Accidents / Damage to District Property	Legal	Close/Completion+10 Years	GC 60201; CCP 337.15
	Litigation / Lawsuits	Legal	Close/Completion+10 Years	GC 60201
<u>Length of Employment+</u>				
+2 Years	Benefit Policies	Human Resources	Length of Employment+2 Years	29 CFR 1627.3(b)(2); GC 12946; GC 60201
+3 Years	I-9 Forms	Human Resources	Length of Empl.+3 Years	Immigration Reform/Control Act 1986 Pub. L 99-603, Section 101(b)(3)(B)
+4 Years	Employee Bonds / Public Official Bonds	Human Resources	Length of Empl.+4 Years	GC 60201; PC 801.5, 803(c)
+7 Years	DMV Records	Human Resources	Length of Employment+7 Years	GC 60201; GC 12946; 8 USC 1324(a)
+10 Years	Employee Files – Official Personnel File	Human Resources	Length of Empl.+10 Years	GC 12946 29 CFR 1602.31 & 1627.3(b); GC 60201;

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Time Frame	Record	Type/Category	Retention Period	Legal Authority
+30 Years				29 USC 1113
	Accident/Illness Reports / SDI (State Disability Insurance), re exposure to toxic substances or harmful physical agents, including Material Safety Data Sheets - not public records	Human Resources	Length of Empl.+30 Years	8 CCR 3204(d)(1)(A); 8 CCR 10102; 8 CCR 15400.2; GC 12946; GC 60201 CCP 337 et seq.
	Employee Files – Medical File, not public records	Human Resources	Length of Empl.+30 Years	29 CFR 1910.1020; 8 CCR 3204 (d)(1)(A)(B); GC 60201
<u>Until Superseded+</u>				
--	O & M Manuals, Maintenance Manuals, Policies & Procedures	Operation and Maintenance	Until Superseded	GC 60201
--	Pressure Vessel Certifications or Permits	Air Compressors, CNG Tank, Propane, etc.	Until Superseded	GC 60201
+2 Years	Employee Handbook	Human Resources	Until Superseded+2	GC 60201
	Legal Opinions – Confidential, not public records	Legal	Until Superseded+2 Years	GC 60201
+3 Years	Policies – Adopted by Board	Original policies adopted by the District Board	Until Superseded+2 Years	GC 60201
+5 Years	Policies, Procedure Manuals – not adopted by resolution	Administrative	Until Superseded+2 Years	GC 60201
	NPDES Permits	Wastewater	Until Superseded+3 Years	40 CFR 122.21, 122.41
	Safety Manual	Human Resources	Until Superseded+5 Years	GC 60201
<u>Other</u>	Election Petitions – Initiative/Recall/Referenda	Official Records	8 Months from election results	EC 17200, 17400; GC 6253.5
	Fixed Assets – Vehicles, Title	Finance	Until sold	VC 9900 et seq.
	Grants /Subventions for Water Conservation Programs	Water Conservation	10 Years or 3 years from expenditure report or final payment of grantee or subgrantee	GC 60201 24 CFR 570.502 24 CFR 85.42

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Time Frame	Record	Type/Category	Retention Period	Legal Authority
			(whichever is later)	
	Vehicle & Equipment History Files	Operations & Maintenance	After Disposition+1 Years	GC 60201
	Workers Compensation Files	Human Resources	After Settlement+30 Years	8 CCR 10102 8 CCR 15400.2, 8 CCR 3204(d)(1); GC 12946; CCP 337
<u>Permanent</u>	Agreements / Contracts –	Official Records	Permanent	CCP 337 GC 60201
	Annual Budget	Finance	Permanent	GC 60201
	Annual Consumer Confidence Reports	Water System	Permanent	GC 60201; 40 CFR 141.33(a)
	Annual Financial Reports	Finance	Permanent	GC 60201
	Annexations, Reorganizations, Boundary Changes	Official Records	Permanent	GC 60201, (d)(1)
	Articles of Incorporation	Official Records	Permanent	GC 60201(d)(1)
	Assessments, Liens, Tax Rolls	Finance	Permanent	GC 60201
	Audit Reports	Finance	Permanent	GC 60201
	California Environmental Quality Act (CEQA) / National Environmental Policy Act (NEPA)	Official Records	Permanent	GC 60201 14 CCR 15095(c)
	Campaign Statements	Official Records	Permanent	GC 81009(b)(g)
	Capital Improvements, Construction / Job Files – PERMANENT FILE	Engineering	Permanent	GC 60201
	Certificates of Election	Official Records	Permanent	GC 60201; GC 81009(a), (d)
	Encroachment Permits	Engineering	Permanent	GC 60201
	Financial Reports	Finance	Permanent	GC 60201
	General Ledgers	Finance	Permanent	GC 60201 CCP 337
	Groundwater Management / Pumping and Precipitation Data	Water System	Permanent	GC 60201
	Hazardous Materials Records	Operations & Maintenance	Permanent	GC 60201
	Historical Records	Official Records	Permanent	GC 60201
	Insurance Certificates	Administrative	Permanent	CCP 337, CG 60201
	Intent to Serve and Will Serve Files / Tract Files / Private Development Applications	Engineering	Permanent	GC 60201

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Time Frame	Record	Type/Category	Retention Period	Legal Authority
	Master Plans & Reports	Official Records	Permanent	GC 60201
	Minutes – Board of Directors Meetings	Board of Directors	Permanent	GC 60201(d)(3)
	Offers of Dedication / Conveyance Agreements	Official Records	Permanent	GC 60201
	Permits from Regulatory Agencies	Engineering	Permanent	GC 60201
	Pipeline Installations	Engineering	Permanent	GC 60201 CCP 337.15
	Property Records	Official Records	Permanent	GC 60201(d)(8)
	Record Drawings / Plans / Maps / “As Builts”	Engineering	Permanent	GC 60201
	Records Retention Schedules	Board of Directors	Permanent	GC 60201; CCP 343
	Resolutions	Board of Directors	Permanent	GC 60201
	Rules & Regulations, for water and wastewater service	Official Records	Permanent	GC 60201
	Staff Reports	Board of Directors	Permanent	GC 60201
	Strategic Plans	Board of Directors	Permanent	GC 60201
	Studies & Reports	Engineering Studies & Reports, including Feasibility Studies	Permanent	GC 60201
	Water Consumption Reports	Historical consumption data in Excel	Permanent	GC 60201
	Water Rights – Litigation and historic records	Legal	Permanent	GC 60201
	Well Records	Records and data of well production and water quality, including lab reports, worksheets, sampling, chain of custody, red log books	Permanent	GC 60201

NIPOMO COMMUNITY SERVICES DISTRICT

Request to Destroy Obsolete Records

To: General Manager

From: Records Coordinator

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

DATE OF RECORD	DESCRIPTION OF RECORD

APPROVED:

General Manager

Date

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

- Shredding Burning Other (specify)

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

Records Coordinator

Date