

REGIONAL WATER AUTHORITY POLICIES AND PROCEDURES MANUAL

Policy Type : Operations
Policy Title : Records Inspection, Retention, Disposal, and
Storage Policy
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Records Inspection, Retention, Disposal, and Storage Policy

100.00 Purpose of the Policy

This document describes the Regional Water Authority's ("RWA") policy concerning records inspection, retention, destruction, and storage.

200.00 Inspection

It is RWA's goal and intent to fully comply with the California Public Records Act (CPRA) California Government Code section 79200 et seq. RWA directs all employees, officers and agents of RWA to fully comply with the CPRA.

200.10 Purpose and Scope

This section provides criteria for the inspection of records.

200.20 General

Public records of RWA are open to inspection during normal office hours and every person has a right to inspect these records. Employees are directed to ensure the protection of the record and must supervise any inspection to ensure records are not damaged or lost.

200.30 Definitions

All Definitions are the same as the CPRA, which is incorporated into this policy.

200.40 Exemptions

All Exemptions are the same as the CPRA, which is incorporated into this policy.

200.50 Additional Public Records

Notwithstanding the foregoing, the following are public records of RWA:

- A. Every employment contract between RWA and a public official or public employee is a public record.
- B. Documents concerning an open session item of a noticed public meeting that are provided to all or a majority of the Board or a committee.

200.60 Justification for Withholding of Records

RWA will justify withholding a record by demonstrating the record is exempt under the express provisions of Government Code section 79200 et seq. (including the records listed above in section 200.40) or by demonstrating that the public interest served by not making the record available clearly outweighs the public interest served by disclosing the record.

Written notice of intent to withhold records, stating the reasons for withholding the records and an estimated time for when RWA will furnish disclosable documents, will be provided to the person requesting the record in a manner that is compliant with the CPRA.

200.70 Copies of Records

- A. Copies will be provided in compliance with the CPRA and federal copyright laws.
- B. The charge for plain paper standard black and white letter or legal-size photocopies will be \$0.10 per page, which reflects RWA's direct copying costs. Large format documents, maps, color copies and similar specialized documents will be charged at cost, which RWA will determine and advise the requestor of and receive approval from the requestor before copying begins. Payment for all services is required at the time copies are provided, although RWA may require a deposit as provided below in subdivision (c) before beginning copying and/or sending the job to an outside copy service. In cases when RWA sends a job to an outside service, the copy service's actual charges for the job will be passed through to the requestor. A certified copy of each requested record will require an additional payment of \$3.00. No charge will be imposed for research.
- C. The RWA Executive Director may require a person who desires to obtain copies of records to deposit an amount equal to the estimated fees for copying prior to receiving the records. The portion of the deposit not required will be refunded. If the deposit is insufficient, RWA may require the requestor to pay any balance of copying charges due before any records are released.

200.80 Public Counter Records

- A. Except for related writings exempt from public disclosure, RWA Secretary will maintain a duplicate copy of the last approved Board meeting minutes and the agenda and written materials distributed to the Board for discussion or consideration at the next scheduled Board meeting. These records will be maintained at the public counter located in RWA's administrative office. Public records discussed during a public meeting but not previously available will be made available before the commencement of discussion at such meeting or as soon thereafter as practicable. Public counter records also include those documents, if any, described in subdivision (b) of Section 200.50 of this Policy.
- B. No charge will be imposed for the use or review of the records described in this section. RWA will, however, impose a copy charge if a copy of a public counter record is requested.
- C. RWA shall post on its website copies of Board and Executive Committee meeting agendas and minutes, financial data, and other key Authority documents. Requestors are encouraged to view and obtain copies of available documents by visiting RWA's website at: www.rwah2o.org.

200.90 Recording-Keeping

RWA's Finance and Administrative Services Manager will maintain a record of requests for inspection that are denied and the reasons for the denial.

300.00 Retention, Disposal and Storage

300.10 Purpose and Scope

This section provides criteria for the retention, destruction, and storage of records.

300.20 Records Retention Schedule

RWA's Records Retention Schedules are separate documents, and the most recent approved versions are incorporated into this policy.

The Records Retention Schedules shall be reviewed and updated every two years to fully comply with changes in law or business practices.

The Records Retention Schedules include the following documents / files:

- How to Use Retention Schedules
- Retention Legend
- Agency-Wide (used by all Departments)

- Administrative (Executive Director, Board Secretary)
- Finance, Payroll
- Human Resources, Risk Management
- Information Technology
- Regional Water Efficiency Program
- Technical Services
- Government Relations
- Strategic Affairs

300.40 Records Storage

All of the records referenced in this section will be maintained at RWA's Administrative office located at 2295 Gateway Oaks Drive, Suite 100, Sacramento, California 95833, or such other repository that RWA may designate from time to time. All records requests should be directed to RWA's Executive Director at 2295 Gateway Oaks Drive, Suite 100, Sacramento, California 95833.

300.50 Records Disposal

RWA's Executive Director, or his or her designee, may destroy and discard, by any permanent method that protects the confidentiality of any privileged or confidential information contained therein, any Authority record after the expiration of the applicable retention period described in the above Records Retention Schedule

Procedure:

- A. The department head completes and signs a "Request for Destruction of Obsolete Records," listing the date and description of each document to be destroyed. The department head submits the form to the Records Coordinator, who will be the Executive Director.
- B. The Records Coordinator checks the description of the documents listed on the submitted form to confirm that each record listed is:
 - 1) not required to be permanently retained, and
 - 2) has been retained for the legally required period of time.
- C. The Records Coordinator reviews the form, and if appropriate the Records Coordinator oversees the destruction of the documents, indicates the method of destruction on the form, signs the form and then files the completed and approved form.

400.00 SGA Records

Generally, records of the Sacramento Groundwater Authority ("SGA") are not records of RWA. RWA and SGA are separate public agencies that have their own governing body and JPA agreements providing for their purposes, powers, activities

and governance. Except for certain documents related to shared administrative services, RWA and SGA records are used, owned and retained only by the agency for which they were originally prepared. The fact that RWA and SGA records are stored in the same space and administered by the same staff does not transform a record created for and used and maintained by one agency into a record of the other agency. As a result, neither agency has the legal right or the obligation to disclose the records of the other agency without the consent of that agency. In cases when a member of the public submits a request for public records to RWA that might include SGA records within the scope of the request, staff will consult with the Executive Director and legal counsel to determine the appropriate response and scope of production.

SGA follows the same Records Retention Policies as RWA.

500.00 Policy Review

This policy shall be reviewed at least once every two years.