

# Attachment A

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## **METRO WASTEWATER JOINT POWERS AUTHORITY RECORDS RETENTION AND DESTRUCTION POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide guidelines regarding the retention or destruction of records of the Metro Wastewater Joint Powers Authority (the "JPA"); 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.

### **II. AUTHORIZATION**

Staff is hereby authorized to destroy records in accordance with this policy and the records retention and destruction schedule set forth in Attachment "A", which shall comply with the records retention guidelines provided by the California Secretary of State, as may be updated from time to time.

### **III. PROCEDURE**

- A. The Board Secretary shall be responsible for the administration of this policy and shall oversee compliance with the provisions of this policy and with the Records Retention Schedule, set forth in Attachment "A."
- B. The Board Secretary reviews documents to confirm that each document to be destroyed is: (1) not required to be permanently retained, or (2) has been retained for the legally required period of time. The Board Secretary also confirms that any applicable reproduction requirements (i.e., microfilming, etc.) for each document are complete.
- C. The Board Secretary completes and signs a "Request for Destruction of Obsolete Records" form, listing the date and description of each document to be destroyed.
- D. The Board Secretary submits the form to the Chair, who reviews and signs the form and then returns the signed form to the Board Secretary.
- E. After receiving the signed form from the Chair, the Board Secretary 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 Chair.
- F. The Chair will retain all original signed forms requesting destruction of records for a minimum period of two (2) years.

#### IV. GENERAL GUIDELINES

- A. The following general guidelines apply to all JPA records.
1. The Board Members of the JPA, by majority vote, may authorize the destruction of any **duplicate** records, if they are no longer needed. (Gov. Code § 60200.)
  2. Pursuant to the resolution adopted by the Board Members of the JPA, except where a record is expressly required to be preserved according to State law, the JPA may approve the destruction of any original document without retaining a copy of the document as long as the retention and destruction of the document complies with the retention schedule as set forth in this policy (Gov. Code § 60201.)
  3. In addition to the retention period required under this policy, the JPA shall retain original administrative, legal, fiscal and/or historical records with continued value (i.e., records for long-term transactions and/or special projects) until all matters pertaining to such records are completely resolved or the time for appeals has expired. (Gov. Code § 14755, subd. (a); Gov. Code 34090.)
  4. Pursuant to Government Code section 60201, the JPA shall not destroy any of the following records:
    - (a) Records relating to the formation, change of organization, or reorganization of the JPA;
    - (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 JPA;
    - (d) Records relating to any pending claim, litigation, any settlement or 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 (2) years after the request has been denied by the JPA;
    - (f) Records relating to any pending construction that the JPA has not accepted or for which a stop notice claim may be legally presented;
    - (g) Records relating to any nondischarged debt of the JPA;
    - (h) Records relating to the title to real property in which the JPA has an interest;
    - (i) Records relating to any nondischarged contract to which the JPA 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 (2) years old, for the construction or installation of any building, structure or other public work;
- (l) Records less than seven (7) years old that specify the amount of compensation or expense reimbursement paid to JPA employees, officers, or independent contractors

## **V. SPECIFIC GUIDELINES**

### **A. Accounting Records**

1. Accounting Records include, but are not limited to, the following:

(a) Source Documents

- Invoices
- Warrants
- Vouchers
- Requisitions/Purchase Orders (attached to invoices)
- Cash Receipts
- Claims (attached to warrants in place of invoices)
- Bank Statements
- Bank Deposits
- Checks
- Bills
- Various accounting authorizations taken from JPA minutes, resolutions or contracts

(b) Journals

- Cash Receipts
- Accounts Receivable or Payable Register
- Check or Warrant Register
- General Journal
- Payroll Journal

(c) Ledgers

- Expenditure
- Revenue
- Accounts Payable or Receivable Ledger
- Assets/Depreciation
- Warrants payable
- Construction
- General ledger

(d) Trial Balance

(e) Adjusting Entries

(f) Statements (Interim or Certified - Individual or All Fund)

- Balance Sheet
- Analysis of Changes in Available Fund Balance
- Cash Receipts and Disbursements
- Inventory of Fixed Assets (Purchasing)

(g) Journal Entries

(h) Reversing Entries

(i) Payroll and personnel records include but are not limited to the following:

- Accident reports, injury claims and settlements
- Applications, changes or terminations of employees
- Earnings records and summaries
- Fidelity bonds
- Garnishments
- Insurance records of employees
- Job descriptions
- Medical histories
- Retirements
- Time cards

(j) Other

- Inventory Records (Purchasing)
- Capital Asset Records (Purchasing)
- Depreciation Schedule
- Cost Accounting Records

2. General ledgers must be permanently retained. (Sec. of State Local Gov't. Records Mgmt. Guidelines.) .
3. In general, the JPA should retain original source documents that are detailed in a register, journal, ledger or statement **until audited plus five (5) years**. Certain source documents may be retained for a shorter period of time. Refer to the records retention schedule for specific accounting documents.
4. The JPA may destroy rough drafts, notes, working papers (except audit), cards, listings, nonpermanent indices, and papers used for controlling work or transitory files at any time.
5. In addition to any required legal retention period, the JPA shall not authorize the destruction of any record subject to audit until it has been determined that the audit has been performed. (Gov. Code § 14755, subd. (b); Gov. Code § 34090.)

## **B. Long-Term Debt Records**

1. The JPA may destroy the original records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc. after issuance or execution, if it retains imaged copies (i.e., microfilm, microfiche, digital copies, etc.). (Gov. Code § 60203.)
2. The JPA may destroy the original records of the terms and conditions of bonds, warrants and other long-term agreements after final payment, if it retains imaged copies (i.e., microfilm, microfiche, digital copies, etc.).
3. The JPA may destroy paid bonds, warrant certificates and interest coupons after **two (2) years** if detailed payment records are retained for **ten (10) years**.
4. The JPA may not destroy any documents relating to any nondischarged debt. (Gov. Code § 60201, subd. (d)(7).)

## **C. JPA Records**

1. The JPA shall retain original records of the minutes of meetings of the JPA **indefinitely**. (Gov. Code §§ 34090; 60201.)
2. The JPA shall retain original resolutions adopted by the Board **indefinitely**. (Gov. Code § 60201.)

## **D. Statements and Reports Filed Pursuant to the Political Reform Act.**

1. Filing officers shall retain original campaign statements and reports for **seven (7) years**. (Gov. Code § 81009 (c), (e).)
2. Filing officers shall retain copies of statements or reports for **four (4) years**. The officer does not have to keep more than one copy of a statement or report. (Gov. Code § 81009 (f).)

## **E. Contracts**

1. The JPA shall retain original contracts for **four (4) years** after the end of the contracts. (Code of Civ. Proc. § 337.)
2. The JPA shall retain contracts with any person or entity who develops real property or furnishes the design, specifications, surveying, planning, supervision, testing, or observation of construction or improvement to real property for **ten (10) years** after the completion of the construction or improvement. (Code of Civ. Proc. § 337.15.)

## F. Property Records.

The JPA shall retain original property records, such as title documents, **indefinitely**, or until the property is transferred or otherwise no longer owned by the JPA. (Gov. Code §§ 34090, 60201.)

## G. Payroll and Personnel Records.

1. Payroll and personnel records include, but are not limited to, the following:
  - (a) Accident reports, injury claims and settlements
  - (b) Medical histories
  - (c) Injury frequency charts
  - (d) Applications, changes and terminations of employees
  - (e) Insurance records of employees
  - (f) Time cards
  - (g) Job descriptions
  - (h) Performance or rating documents
  - (i) Earning records and summaries

**Records specifying amounts of compensation or expense reimbursement paid to JPA employees, officers, or independent contractors must be retained for seven (7) years after date of payment. (Gov. Code § 60201)**

2. The JPA shall retain personnel files for **three (3) years** after an individual's employment terminates. (29 CFR 1627.3.)
3. The JPA shall retain medical records of employees for **thirty (30) years beyond the length of employment**. Medical records shall include health insurance claims, records of exposure to hazardous substances, first aid records for one-time treatment, observation of minor injuries, records relating to medical leave taken by employees, etc. However, for employees who are employed by the JPA for less than one year, the JPA does not need to retain the employee's medical records if the JPA provides the employee with such records upon termination of employment. (29 CFR 1910.1020; 8 Cal. Code Regs. § 3204.)
4. The JPA may destroy fidelity bonds two (2) years after termination and garnishments three (3) years after termination.
5. The JPA shall retain payroll records containing the name, address, date of birth, sex, job classification, hours worked, and regular and overtime wages for each employee for **three (3) years** beyond the length of employment **and seven (7) years from date of payment**. (29 C.F.R. Part 516.5; Labor Code §§ 1174, 1197.5; Gov. Code § 60201.) Payroll

registers listing labor costs by employee and program must be kept permanently. (Sec. of State Local Gov't. Records Mgmt. Guidelines.)

6. The JPA shall retain basic time and earning cards or sheets on which are entered daily starting and stopping time of individual employees for **six (6) years**. (29 C.F.R. Part 516.6; 8 Cal. Code Regs. §§ 11000-11150; Labor Code § 1174; Sec. of State Local Gov't. Records Mgmt. Guidelines.)
7. The JPA shall retain employment applications and employment referral records and files for **two (2) years** after such records or files are created. (Gov. Code §12946; 29 C.F.R. 1627.3.)
8. The JPA shall retain records regarding the race, sex, and national origin of each applicant and for the job for which such applicant applied for **two (2) years** from the date of the making of the record or the date of the personnel action involved, whichever occurs later. The JPA may either retain the original documents used to identify applicants, or keep statistical summaries of the collected information. (2 Cal. Code Regs. §7287.0.)
9. The JPA shall retain any records pertaining to any payments, loans, promises or agreements by the JPA to any labor organization or representative of a labor organization for **five (5) years**. (29 U.S.C. §436.)

#### **H. Construction and Engineering Records.**

1. The JPA shall retain certain original construction records, such as bids, correspondence, and change orders, for **four (4) years** after project completion, unless the records pertain to a project which includes a guarantee or grant in which event they shall be retained for the **life of the guarantee or grant plus four (4) years**. The JPA shall retain as-built plans for any public facility or works as long as the facility exists.
2. The JPA may destroy unaccepted bids or proposals for public works after **two (2) years**. (Gov. Code § 60201.)
3. The JPA shall retain supporting documents on capital improvement projects, including bidders lists, specifications, reports, plans, work orders, schedules, etc., for **ten (10) years after project completion**. (Code of Civ. Proc. § 337.15.)

#### **I. Exposure/Safety Records and Material Safety Data Sheets (MSDS).**

1. The JPA shall retain employee exposure records and exposure assessment records for at least **thirty (30) years**. Such records should reveal the identity of the toxic substance or harmful physical agent and where and when such substance or agent was used. (8 Cal. Code Regs. § 3204.)



2. The JPA may destroy the material safety data sheet (MSDS) for a hazardous substance after the JPA stops using the hazardous substance provided it keeps a record of the substance (chemical name if known) and when and where it was used for **thirty (30) years** (8 Cal. Code Regs. § 3204(d)(1)(B)(2).)

#### **J. Video Monitoring, Telephone and Radio Communications; Other Video and Audio Recordings**

1. The JPA shall retain recordings of **routine video monitoring** (e.g., building security taping systems) for at least **one (1) year**. After the one year retention period, the JPA may destroy the video recording upon approval by the JPA. (Gov. Code § 34090.6.)
2. Upon authorization of the JPA, recordings of telephone and radio communications maintained by the JPA may be destroyed after **100 days**. (Gov. Code §34090.6.)
3. If the JPA keeps another record, such as written minutes, of an event that is recorded on video tape (e.g., JPA meetings), the JPA must keep the video tape recording of the event for **at least 90 days** after the occurrence of the event. **After 90 days**, the video tape may destroyed or erased, upon approval by the JPA. (Gov. Code § 34090.7.)
4. When an audio tape recording of a meeting (e.g., JPA) is made solely to facilitate the preparation of minutes for that meeting, the tape recording may be destroyed or erased after it is no longer required and after the minutes for that meeting have been approved. (Gov. Code § 34090; 64 Ops.Atty.Gen. 317.)
5. Other audio or video tape recordings which are not related to the conduct of the public's business (e.g., educational or promotional videos) are not considered to be official JPA records and may be destroyed after they are no longer required, upon approval by the JPA. (Gov. Code §§ 6252, subd. (e); 34090.)

#### **VI. ELECTRONIC COMMUNICATION**

Electronic mail generates correspondence and other documentation which are public records in need of protection/retention in accordance with the California Public Records Act (Gov. Code §§ 6250-6276.48). Electronic communication also includes any messages sent through a Blackberry or other electronic device that end up as e-mail to or from any JPA employee (collectively, "e-mail"). The JPA's e-mail system should not be used to store or maintain documents, including, but not limited to, official JPA records.

It is the responsibility of individual employees to determine if e-mail is an JPA record which must be retained in accordance with the JPA's Records Retention and Destruction Policy.

Generally, an e-mail message and any attachments regardless of format may be considered an official JPA record if it: (1) is created or received in connection with official JPA business; (2) documents the formulation and implementation of JPA policies and decisions; or (3) initiates, authorizes or completes a transaction of official JPA business.

Preliminary drafts, notes or interagency or intra-agency memoranda which are not retained by the JPA in the ordinary course of business are generally not considered to be official JPA records subject to disclosure. Employees are encouraged to delete documents which are not otherwise required to be kept by law or whose preservation is not necessary or convenient to the discharge of your duties or the conduct of the JPA's business. Examples of e-mail messages that are not generally considered official JPA records may include: (1) personal messages and announcements not related to official JPA business; (2) messages with attached copies or extracts of documents distributed for convenience or reference (with the original documents being preserved according to the JPA's Records Retention and Destruction Policy); and (3) messages that are essentially cover notes or distribution slips. The JPA's General Counsel can assist you in determining whether an e-mail message is required to be retained and/or is necessary or convenient to the discharge of your duties or the conduct of the JPA's business.

Any e-mail message, including any attachments regardless of format, that can be considered an official JPA record must be preserved in accordance with the retention periods specified in the JPA's Records Retention and Destruction Policy. Generally, the JPA employee who sends an e-mail that qualifies as an official JPA record should be the person responsible for preserving that e-mail, but persons responsible for a particular program or project file shall also be responsible for preserving all e-mail they send or receive related to that program or project. JPA employees may print and file hard copies of e-mail messages that must be preserved. Employees may also save e-mail messages electronically, in electronic folders separate from their regular e-mail inboxes. However, e-mail messages must not be stored in an employee's regular inbox, since the JPA's automatic maintenance system will periodically delete e-mails from all inboxes. Many types of e-mail can also be stored electronically as a Word document. The JPA's Information Technology staff can assist employees with setting up electronic folders or other methods of electronically archiving e-mail messages. However, all e-mail messages that are retained electronically must be easy to retrieve, view and print out, if necessary.

For projects that involve two or more employees, any e-mails pertaining to a specific project should be retained in that project's central file(s). Employees should work with Information Technology staff on the best method for central storage of e-mails on a project to make sure the e-mails remain easily accessible to everyone.

In addition, any e-mail messages that relate to a claim or a potential claim against the JPA, must be preserved. Likewise, any e-mail messages that may relate to a lawsuit filed against the JPA, even if a subpoena or court order for such e-mail messages has not yet been issued, must be preserved. Under newly enacted federal rules regarding electronic discovery, any information stored electronically, including e-mail messages, must be produced for a requesting party. A court can impose severe penalties if e-mail messages relevant to a lawsuit are deliberately destroyed when it is known, or should have reasonably been anticipated, that a claim or lawsuit could be filed against the JPA. There are no penalties if electronic information is "lost" through "the route operation of an electronic information system" (i.e., automatic deletion after a period

of time; automatic overwriting of backup tapes, etc.). (Rule 37(f) of the Federal Rules of Civil Procedure.) However, the JPA has a duty to preserve any relevant data when there is even a hint of possible litigation. Therefore, when JPA employees become aware of a potential claim, an actual claim, or a lawsuit against the JPA, they must preserve any e-mail messages and attachments that have any information relevant to that matter. The JPA's General Counsel can provide you with guidance on these issues.

## **VII. RECORDS RETENTION SCHEDULE**

The "Records Retention Schedule" is attached to this policy as Attachment "A" and is incorporated herein by reference. This policy and the Records Retention Schedule shall comply with the records retention guidelines provided by the California Secretary of State and may be updated from time to time.

**ATTACHMENT "A"**  
**RECORDS RETENTION SCHEDULE**

[Attached]

## RECORDS RETENTION SCHEDULE FOR METRO WASTEWATER JOINT POWERS AUTHORITY

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accident/Illness Reports	Administration	<p>Not a public record; For Employee Medical Records &amp; Employee Exposure Records regarding exposure to toxic substances or harmful physical agents --includes Material Safety Data Sheets (MSDS)</p> <p>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</p>	<p>GC 6254(c)</p> <p>8 CCR 3204(d)(1)(A)(B)</p>	Length of employment plus 30 years
Accidents/Damage to District Property	Administration	Risk management administration	<p>GC 34090</p> <p>CCP 337.15</p>	10 years

### Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	IRC	Internal Revenue Code	R&TC	Revenue & Taxation Code (California)
EC	Elections Code (California)	IRS	Internal Revenue Service	USC	United States Code

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Accounts Payable	Finance	Journals, statements, asset inventories, account postings with supporting documents, vouchers	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Guidelines recommendation	Until audited + 4 years
Accounts Payable	Finance	Invoices, reports, investments, purchase orders	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Guidelines recommendation	Until audited + 4 years
Accounts Receivable	Finance	Checks received, reports, investments, receipt books	CCP 337 26 CFR 31.6001-1(e)(2); Sec. of State Guidelines recommendation	Until audited + 4 years
Affidavits of Publication / Posting	Administration	Legal notices for public hearings, publication of ordinances, etc.	GC 34090	2 years

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CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	IRC	Internal Revenue Code	R&TC	Revenue & Taxation Code (California)
EC	Elections Code (California)	IRS	Internal Revenue Service	USC	United States Code

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Agenda / Agenda Packets	Administration	Agendas and packets should be imaged immediately. A paper copy should be maintained for one year only.	GC 34090 GC 34090.5	2 years
Agenda reports (staff reports)	Administration	Paper copies of agenda packets should be maintained for 1 year as complete packets. Originals should be imaged immediately for permanent retention. The filmed record may serve as the permanent record.	GC 34090 GC 34090.5	2 years
Agreements	Administration	Original contracts and agreements and back-up materials, including leases	CCP 337 CCP 337.2	4 years after termination/ completion
Annexations / Reorganizations	Development	Notices, Resolutions, Certificates of Completion	GC 34090 GC 60201(d)(1)	Permanent
Annual Financial Report	Finance	Independent auditor analysis	GC 34090	Until audited + 2 years
Appraisals	Development	For real property owned by District – Not a public record until real estate transaction is complete	GC 34090 GC 6254(h)	2 years

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CFR	Code of Federal Regulations	IRC	Internal Revenue Code	R&TC	Revenue & Taxation Code (California)
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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Articles of Incorporation	Administration		GC 34090 GC 60201	Permanent
Audit Reports	Finance	Financial services; internal and/or external reports; independent auditor analysis	GC 34090 Sec. of State Local Gov't. Records Retention Guidelines	Permanent [May be revised at a later time by Sec. of State or County officials]
Audit Hearing or Review	Finance	Documentation created and or received in connection with an audit hearing or review	GC 34090	2 years
Backflow Test Reports	Public Works	Reports of testing and maintenance – water supply	17 CCR § 7605	3 years
Bank Account Reconciliations	Finance	Bank statements, , receipts, certificates of deposit, etc.	26 CFR 31.6001-1(e)(2)	4 years (Sec. of State Guidelines – recommended retention: until audited + 5 years)
Benchmark Data	Development	Horizontal, vertical & control	GC 34090	2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Bids, Accepted	Development	Includes plan and specifications; notices/affidavits.	GC 34090 CCP 337, 337.1	4 years
Bids, Unaccepted	Development	Unaccepted bid packages only	GC 34090 GC 60201	2 years
Billing records	Finance	Utility bill stubs – submitted with payment	GC 34090	Current + 2 years
Bonds	Finance	Authorization/public hearing records/prospectus/proposals/certificates/notices (transcripts)/registers/statements.	GC 34090	Permanent
Bonds – Employee	Finance	Personnel fidelity bonds	GC 34090	Current + 2 years
Bonds – Paid/Cancelled	Finance	Paid or cancelled bonds; warrant certificates; interest coupons	GC 34090 GC 53921	2 years
Bonds - Unsold	Finance	Unsold Bonds	GC 34090 GC 43900 et seq.	2 years
Bonds - Final	Finance	Final bond documentation; monthly statement of transactions; supporting documents	GC 34090 CCP 337.5	10 years
Bonds, Development	Finance	Housing; Industrial Development	CCP 337.5	10 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Bonds, Surety	Finance	Documentation created and/or received in connection with the performance of work/services for the District	CCP 337	4 years
Brochures/ Publications	Administration	Retain selected documents only for historic value.	GC 34090	2 years
Budget, Annual	Finance	Adjustments, journal entries, account transfers	GC 34090	Until audited + 2 years
Cal-OSHA	Administration	Personnel-Logs, Supplementary Record, Annual Summary (Federal & State-Cal OSHA)	LC 6410; 8 CCR 14307	5 years
California State Tax Records	Finance	Forms filed annually; quarterly and year-end reports	R&TC 19530 R&TC 19704	6 years
Capital Improvements, Construction	Public Works	Records on planning, design, construction, conversion or modification of local government-owned facilities, structures and systems	GC 34090; H&S 19850; Sec. of State Local Gov't. Records Mgmt. Guidelines	Permanent

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Checks	Finance	Includes originals of payroll, canceled and voided checks	GC 34090 CCP 337  Sec. of State Local Gov't. Records Mgmt. Guidelines	Until audited +5 years
Citizen Feedback	Administration	General correspondence.	GC 34090	2 years
Claims Against the District	Administration	Paid/Denied	GC 34090; GC 25105.5	Until settled + 5 years (May be microfilmed after 3 years)
Collective Bargaining Agreements	Administration		29 CFR 516.5	Current + 3 years
Complaints/Requests	Administration	Various files, not related to specific lawsuits involving the District and not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Comprehensive Annual Financial Reports (CAFR)	Finance	Finance	GC 34090; CCP 337	Until audited + 4 years
Contracts	Administration	Original contracts and agreements and back-up materials.	CCP 337	4 years after termination/ completion

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Correspondence	Administration	General correspondence, including letters and e-mail; Various files, not otherwise specifically covered by the retention schedule.	GC 34090	2 years
Deeds, Real Property	Development	File with recorded documents; originals may not be destroyed.	GC 34090 GC 60201(d)	Permanent
Deferred Compensation Reports	Finance	Finance - pension/retirement funds	29 CFR 516.5 29 CFR 1627.3	3 years
Demographic/ Statistical Data	Administration		GC 34090	Current + 2 years
Deposits, Receipts	Finance	Receipts for deposited checks, coins, currency	GC 34090 CCP 337	Until audited + 4 years
DMV Driver Information Reports	Administration	Personnel--Not a public record.	GC 34090 GC 6254(c)	Until superseded
Easements, Real Property	Development	File with recorded documents; originals may not be destroyed.	GC 34090	Permanent

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## RECORDS RETENTION SCHEDULE FOR METRO WASTEWATER JOINT POWERS AUTHORITY

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Economic Interest Statements - Form 700 (copies) (elected officials)	Administration	Copies of original statements of elected officials forwarded to Fair Political Practices Commission.	GC 81009(f), (g)	4 years (can image after 2 years)
Economic Interest Statements - Form 700 (originals) - non-elected	Administration	Originals of statements of designated employees	GC 81009(e), (g)	7 years (can image after 2 years)
Election - Administrative Documents	Administration	Not ballot cards or absentee voter lists/applications.	GC 34090	2 years
Election – Affidavit Index	Administration	Voter registration index	EC 17001	5 years
Election - Ballots and Related Documents	Administration	STATE & LOCAL ELECTIONS: All ballot cards (voted, spoiled, canceled) arranged by precinct, unused absentee ballots, ballot receipts, absent voter identification envelopes, absentee voter applications. May be destroyed subject to any pending contest.	EC 17302, 17306, 17505	6 months
Election - Ballots and identification envelope – Federal offices	Administration	For elections to Federal office (President, Vice President, US Senator, US Representative)	EC 17301	22 months

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election - Ballots - Prop. 218 (Assessment Districts)	Administration	Ballots - Property related fees (assessment ballot proceeding) [Ballots are disclosable public records during and after tabulation]	GC 53753(e)(2)	2 years
Election - Canvass	Administration	Notifications and Publication of Election Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results; special election results	EC 17304	6 months
Election - Certificates of Election	Administration	Certificates of election; original reports and statements	GC 81009(a)(d)	Termination + 4 years
Election - Election Official's Package of Documents	Administration	Package of 2 tally sheets, copy of index, challenge lists, assisted voters list. Public record - all voters may inspect after commencement of official canvass of voters	EC 17304	6 months
Election - Nomination Documents - successful	Administration	All nomination documents and signatures in lieu of filing petitions	EC 17100	during term and 4 years after

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election - Nomination Documents - unsuccessful	Administration		GC 81009(b)	5 years
Election Petitions - Initiative/Recall/Ref. Charter Amendments	Administration	Not a public record - documents resulting in an election - retention is from election certification.	EC 17200, 17400 GC 6253.5; EC 17400; GC 34458-60	8 months
Election Petitions - No election	Administration	Not a public record. Not resulting in an election. Retention is from final examination.	EC 17200, 17400 GC 6253.5	8 months
Election - Precinct Records	Administration	From date of election: Precinct official material; declaration of intention; precinct board member applications; orders appointing members of precinct boards and designating polling places includes notice of appointment of office and record of service	EC 17503	5 months

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Election - Roster of Voters	Administration	From date of election; initiative; referendum recall; general municipal election; Charter Amendments	EC 17300	5 years
Election - Voter Affidavits	Administration	Affidavits of registration (including cancelled affidavits); voter registration index	EC 17000, 17001	5 years
Election - Voter Registration Signature Copy	Administration	Fire, special or school district	EC 17000	5 years
Employee Bonds	Administration	Personnel fidelity bonds	GC 34090	While employed + 2 years
Employee Files	Administration	Personnel--Not a public record.	GC 12946 GC 6254(c)	While current + 2 years
Employee Information, General	Administration	Name, address, date of birth, occupation	GC 12946 29 CFR 1627.3 LC 1174	3 years
Employee Information, Payment	Administration	Rate of pay and weekly compensation earned	GC 60201	7 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Information - CEIR	Administration	Personnel--California Employer Information Report (for employers of 100 or more employees)	2 CCR 7287(a), 2 CCR 7287(c)(2) GC 12946	2 years
Employee Information - Applicant Identification Records	Administration	Personnel--Data regarding race, sex, national origin of applicants	2 CCR 7287(b), (c)(2)	Current + 2 years
Employee, Medical & Exposure Records (toxic substances or harmful physical agents)	Administration	<p>Medical records are part of personnel file --not a public record.</p> <p>Includes 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.</p> <p>Does <u>not</u> include first-aid records of one-time treatment made on-site by a non-physician or observation of minor scratches, cuts, burns, splinters, etc., which do not involve medical treatment, loss of</p>	<p>GC 6254(c)</p> <p>29 CFR 1910.1020</p> <p>8 CCR 3204 (d)(1)(A)(B)</p>	Length of employment + 30 years

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**RECORDS RETENTION SCHEDULE FOR METRO WASTEWATER JOINT POWERS AUTHORITY**

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
		consciousness, restriction of work or motion, or transfer to another job.  (For employees of less than 1 year, no need to retain medical records regarding exposure to toxic substances/harmful physical agents if they are returned to employee upon termination)		
Employee, Non-safety	Administration	Non-safety employee records may include: Release Authorizations; Certifications; Reassignments; outside employment; commendations, disciplinary actions; terminations; Oaths of Office; evaluations-pre-employee medicals; fingerprints; identification cards (ID's)	29 CFR 1627.3 GC 12946	Length of employment + 3 years

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## RECORDS RETENTION SCHEDULE FOR METRO WASTEWATER JOINT POWERS AUTHORITY

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employee Programs	Administration	Includes EAP and Recognition	GC 34090 GC 12946	Current + 2 years
Employee, Recruitment	Administration	Alternate lists/logs, ethnicity disclosures, examination materials, examination answer sheets, job bulletins	GC 12946 GC 34090 29 CFR 1602.31 29 CFR 1627.3	Current + 2 years
Employee, Reports	Administration	Employee statistics, benefit activity, liability loss	GC 34090	Current + 2 years
Employee, Safety	Administration	Police, fire, emergency employees may include: Release authorizations; certifications; reassignments; outside employment; commendations; disciplinary actions; terminations; Oaths of Office; evaluations-pre-employment medical evaluations	29 CFR 1627.3 29 CFR 1602.31 29 CFR 516.6 et. seq. 45 CFR 1068.6(a) GC 34090 GC 12946	Current + 3 years
Employee Rights - General	Administration		GC 12946 29 CFR 1602.14	Length of employment + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employment Applications - Not Hired	Administration	Applications submitted for existing or anticipated job openings, including any records pertaining to failure or refusal to hire applicant	GC 34090 GC 12946	2 years
Employment Eligibility Verification (I-9 Forms)	Administration	Federal Immigration and Nationality Act; Immigration Reform/Control Act 1986	8 USC 1324a (b)(3) Pub. Law 99-603	3 years after date of hire, or 1 year after date of termination, whichever is later
Employment - Surveys and Studies	Administration	Includes classification, wage rates	GC 12946 GC 34090 29 CFR 516.6	2 years
Employment - Training Records, Non-Safety	Administration	Volunteer program training - class training materials, internships	GC 34090 GC 12946	Length of employment + 2 years
Employment - Personnel (by name)	Administration	Paperwork documenting internal and external training	GC 34090 GC 12946	Length of employment + 2 years
Employment - Public Safety	Administration	Certification/designations	GC 34090 GC 12946	Length of employment + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Employment - Vehicle Mileage Reimbursement Rates	Administration	Annual mileage reimbursement rates	GC 34090	Until superseded
Environmental Quality Air Quality (AQMD)	Development	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative	CCP 338(k); GC 34090	3 years
Environmental Quality Asbestos	Development	Documents, abatement projects, public buildings	GC 34090	Permanent
Environmental Quality California Environmental Quality Act (CEQA)	Development	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations	GC 34090 CEQA Guidelines	Permanent
Environmental Quality Congestion Management	Development	Ride sharing, trip management	GC 34090	Completion + 2 years
Environmental Quality Environmental Review	Development	Correspondence, consultants, issues, conservation	GC 34090	Completion + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Environmental Quality Pest Control	Development	Pesticide applications, inspections and sampling documents	GC 34090	Completion + 2 years
Environmental Quality Soil	Development	Analysis, construction recommendations	GC 34090	Completion + 2 years
Environmental Quality Soil Reports	Development	Final Reports	GC 34090	Permanent
ERISA Records	Administration	Employee Retirement Income Security Act of 1974 - plan reports, certified information filed	29 USC 1027	6 years
ERISA Records	Administration	Employee Retirement Income Security Act of 1974 - records of benefits due	29 USC 1059	Indefinitely
Ethics Training Records (AB 1234; effective 1/1/06)	Administration	Records required to be kept under Gov. Code section 53235.2 (effective 1/1/06). Records must show dates that local officials satisfied the training requirements and the entity that provided the training	GC 53235.2	5 years after receipt of training

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Family and Medical Leave Act (Federal)	Administration	Records of leave taken, District policies relating to leave, notices, communications relating to taking leave	29 CFR 825.500 GC 12946	While employed +3 years (Federal) or 2 years (State)
Federal Tax Records	Finance	May include Forms 1096, 1099, W-4 and W-2	29 USC 436 26 CFR 31.6001.1-4 26 CFR 31.6001-1(e) 29 CFR 516.5-516.6	5 years after file date
Fire Protection District Administration	Public Safety	Administrative documents.	GC 34090	2 years
Fire Safety Administration	Public Safety	General orders, policies & procedures	GC 34090	Until superseded + 2 years
Fixed Assets Inventory	Finance	Reflects purchase date, cost, account number	GC 34090	Until audited + 2 years

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<b>Type of Record</b>	<b>Category</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Minimum Legal Retention Period</b>
Fixed Assets Surplus Property	Finance	Auction; disposal – Listing of property; sealed bid sales of equipment	GC 34090 CCP 337	Until audited + 4 years
Fixed Assets Vehicle Ownership & Title	Finance	Title transfers when vehicle is sold.	VC 9900 et. seq.	Until sold
Forms	Administration	Administrative - blank		Until Superseded
Fund Transfers	Finance	Internal; bank transfers & wires	GC 34090	Until audited + 2 years
General Ledgers	Finance	All annual financial summaries--all agencies	GC 34090 CCP 337 Sec. of State Local Gov't. Records Retention Guidelines	Permanent  [May be revised at a later time by Sec. of State or County officials]
Gifts/Bequests	Finance	Receipts or other documentation	GC 34090	Until completed + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Grants Community Development Block Grant (CDBG); Urban Development; other Federal and State grants	Development	Grants documents and all supporting documents: applications, reports, contracts, project files, proposals, statements, sub-recipient dockets, environmental review, grant documents, inventory, consolidated plan, etc.	GC 34090 24 CFR 570.502 24 CFR 85.42	Until completed + 4 years
Hazardous Materials - Hazardous Waste Disposal	Public Safety	Documents regarding handling and disposal of hazardous waste  [Permanent retention of environmentally sensitive materials is recommended]	CAL OSHA;	While current + 10 years
Hazardous Materials - Permits, Hazardous Materials Storage	Public Safety	[Permanent retention of environmentally sensitive materials is recommended]	GC 34090	While current + 2 years
Hazardous Materials - Exposure Records, etc.	Public Safety	Employee exposure records; name/identity of chemical substance used; when & where chemical substance was used	8 CCR 3204(d) et. seq.	30 years

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<b>Type of Record</b>	<b>Category</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Minimum Legal Retention Period</b>
Hazardous Materials - Underground Storage Tank	Public Safety	Compliance: Documents regarding: storage, location, installation, removal, remediation, maintenance and repair	GC 34090	Permanent
Improvements (lighting, underground utility) – supporting documents	Public Works	Supporting documents – bonds, taxes, construction	GC 34090  Sec. of State Local Gov't. Records Mgmt. Guidelines	Permanent
Information Services, Internet/World Wide Web	Administration	Management policies and supporting documentation	GC 34090	Until superseded + 2 years
Information Systems, Inventory	Administration	Hardware/software inventory logs; systems manuals	GC 34090	Until superseded + 2 years
Information Systems, Network Information Systems (LAN/WAN)	Administration	Configuration maps and plans	GC 34090	2 years

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Information Systems, Program Files and Directories	Administration		GC 34090	2 years
Information Systems, Tapes	Administration	System generation	GC 34090	2 years
Insurance	Finance	Personnel related	GC 34090	Current + 2 years
Insurance, Joint Powers Agreement	Finance	Accreditation, MOU, agreements and agendas	GC 34090	Current + 2 years
Insurance Certificates	Finance	Liability, performance bonds, employee bonds, property: Insurance certificates filed separately from contracts, includes insurance filed by licensees.	GC 34090	Current + 2 years
Insurance, Liability/Property	Finance	May include liability, property, Certificates of Participation, deferred, use of facilities	GC 34090	Current + 2 years

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<b>Type of Record</b>	<b>Category</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Minimum Legal Retention Period</b>
Insurance, Risk Management Reports	Finance	Federal OSHA Forms; Loss Analysis Report; Safety Reports; Actuarial Studies	29 CFR 1904.44 GC 34090	5 years (Federal) 2 years (State)
Investment Reports, Transactions	Finance	Summary of transactions, inventory and earnings report	GC 34090 CCP 337  Sec. of State Local Gov't. Records Retention Guidelines	Permanent
Invoices	Finance	Copies sent for fees owed, billing, related documents	GC 34090	Until audited + 2 years
Legal Notices/Affidavits of Publication	Administration		GC 34090	2 years
Legal Opinions	Administration	Confidential – not for public disclosure (attorney-client privilege)	GC 34090	Until superseded + 2 years
Litigation	Administration	Case files	GC 34090	Until settled or adjudicated + 2 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Local Appointments List ("Maddy List")	Administration	List of all regular and ongoing boards, commissions, and committees appointed by the legislative body – pursuant to the Maddy Local Appointive List Act	GC 54970 et seq. GC 60201 et seq.	Until superseded (new list prepared each year by Dec. 31 <sup>st</sup> )
Maintenance Manuals	Administration	Equipment service/maintenance	GC 34090	Current + 2 years
Maintenance/Repair Records	Administration	Equipment	GC 34090	2 years
Marketing, Promotional	Administration	Brochures, announcements, etc.	GC 34090	2 years
Meter Operations	Public Works	Reader reports; orders; tests; maintenance reports	GC 34090	2 years
Meter Reading	Public Works	Reports and rebate reports	GC 34090	Current + 2 years
Minutes	Administration	Minutes of District Board meetings. Documents are to be imaged immediately. Paper records are to be maintained permanently by the Board.	GC 34090, 60201	Permanent

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Newsletter, District	Administration	May wish to retain permanently for historic reference.	GC 34090	2 years
Notices – Public Meetings	Administration	Special Meetings	GC 34090	2 years
Oaths of Office	Administration	Elected and public officials – Board Members	GC 34090 29 USC 1113	Current plus 6 years
OSHA	Administration	OSHA Log 200, Supplementary Record, Annual Summary (Federal & State-Cal-OSHA)	LC 6410; 8 CCR 14307 29 CFR 1904.2 - 1904.6	5 years
OSHA (Accident/Illness Reports)	Administration	Personnel - Employee Exposure Records & Employee Medical Records Not a public record	LC 6410; 8 CCR 14307; 8 CCR. 3204; GC 6254(c)	Duration of employment plus 30 years
Paramedic Services	Public Safety	Documents other than original contracts.	GC 34090	2 years
Payroll - Federal/State Reports	Finance	Annual W-2's, W-4's, Form 1099s, etc.; quarterly and year-end reports	GC 60201	7 years

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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Payroll Deduction/ Authorizations	Finance	Finance	29 CFR 516.6(c) GC 60201	While Current + 7 years
Payroll, registers	Finance	Finance	29 CFR 516.5(a) LC 1174(d) GC 60201	7 years
Payroll, registers	Finance	Labor costs by employee and program	Sec. of State Local Gov't Records Mgmt. Guidelines	Permanent
Payroll records, terminated employees	Finance	Finance files	29 CFR 516.5 GC 60201	7 years from date of last entry
Payroll, time cards/sheets	Finance	Employee	29 C.F.R. Part 516.6; 8 Cal. Code Regs. §§ 11000-11150; Labor Code § 1174; Sec. of State Local Gov't. Records Mgmt. Guidelines	6 years
Payroll - Wage Rates / Job Classifications	Finance	Employee records	GC 60201	While current + 7 years

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**RECORDS RETENTION SCHEDULE FOR METRO WASTEWATER JOINT POWERS AUTHORITY**

Destruction of any record must be authorized by the legislative body. (Gov. Code §§ 60200 - 60204.)

<b>Type of Record</b>	<b>Category</b>	<b>Description or Example of Record</b>	<b>Legal Authority</b>	<b>Minimum Legal Retention Period</b>
PERS - Employee Benefits	Administration	Retirement Plan	29 USC 1027	6 years
Personnel Records	Administration	Other records (not payroll) containing name, address, date of birth, occupation, etc., including records relating to promotion, demotion, transfer, lay-off, termination	29 CFR 1627.3	3 years
Personnel Rules and Regulations	Administration	Including employee handbook	GC 34090	Current + 2 years
Petitions	Administration	Submitted to legislative bodies	GC 34090	Current + 2 years
Policies, Administrative	Administration	All policies and procedures, directives rendered by the District not assigned a resolution number	GC 34090	Current + 2 years
Policies, District Board	Administration	Original policies adopted by the District Board	GC 34090	Current + 2 years
Political Support/Opposition, Requests & Responses	Administration	Related to legislation.	GC 34090	2 years

Legal Authority Abbreviations

CCP	Code of Civil Procedure (California)	GC	Government Code (California)	LC	Labor Code (California)
CCR	California Code of Regulations	H&S	Health & Safety Code	PC	Penal Code (California)
CFR	Code of Federal Regulations	IRC	Internal Revenue Code	R&TC	Revenue & Taxation Code (California)
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Type of Record	Category	Description or Example of Record	Legal Authority	Minimum Legal Retention Period
Press Releases	Administration	Related to District actions/activities.	GC 34090	2 years
Procedure Manuals	Administration	Administrative.	GC 34090	Current + 2 years
Property, Abandonment	Development	Buildings, condemnation, demolition	GC 34090	Permanent
Property Acquisition/ Disposition	Development	District owned. Supporting documents regarding sale, purchase, exchange, lease or rental of property by District	CCP 337.15	10 years
Public Records Request	Administration	Requests from the public to inspect or copy public documents	GC 34090	2 years
Purchasing RFQ's, RFP's	Finance	Requests for Qualifications; Requests for Proposals regarding goods and services	GC 34090	Current + 2 years
Purchasing, Requisitions, Purchase Orders	Finance	Original Documents	GC 34090 CCP 337	Until audited + 4 years

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Recordings - audiotaped	Administration	Taped recordings of Board meetings - for preparation of Board meeting minutes	GC 34090 64 Ops.Atty.Gen 317	Until no longer required for preparation of minutes (after minutes are approved)
Recordings - routine video monitoring, telephone, and radio communications	Administration	Routine daily taping/recording of telephone communications & radio communications; routine video monitoring including in-car video systems, jail observation/monitoring systems, building security systems	GC 53160	Videos - 1 year; Phone & Radio communications - 100 days (destruction must have been approved by legislative body)
Recordings, videotaped – meetings of legislative bodies	Administration	Tapes of public meetings made by or at the direction of the District (e.g., Board meetings)	GC 54953.5	30 days
Recordings, videotaped	Administration	Other than videotapes of public meetings; Considered duplicate records if another record of the same event is kept (i.e., written minutes)	GC 53161	90 days after event is recorded
Records Management Disposition Certification	Administration	Documentation of final disposition of records	GC 34090	Permanent

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Records Retention Schedules	Administration		GC 34090	Current + 2 years
Recruitments and Selection	Administration	Records relating to hiring, promotion, selection for training	29 CFR 1627.3	3 years
Resolutions	Administration	Vital records - originals may never be destroyed. Image immediately.	GC 34090	Permanent
Returned Checks	Finance	Finance-NSF (not District checks)	GC 34090	2 years after audit
Salary Surveys	Finance	Surveys of other agencies	GC 34090	2 years
State Controller	Finance	Annual reports.	GC 34090	2 years
State Tax Records	Finance	Filed annually; quarterly	Refer to Federal Tax Records	5 years after file date
Stop Payments	Finance	Finance - bank statements	GC 34090	2 years
Taxes, Special	Finance	Special tax levied by a local agency on a per parcel basis	CCP 338(m)	Until audited + 3 years

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Underground Utility – supporting documents	Public Works	Supporting documents for improvements, lighting – bonds, taxes, construction	GC 34090 Sec. of State Local Gov't. Records Mgmt. Guidelines	Permanent
Unemployment Insurance Records	Finance		IRC 3301-3311	4 years
Utility Services - Applications	Public Works	Applications for utility connections, disconnects, registers, service	GC 34090	Completion + 2 years
Utility Services - Billing Records	Public Works	Customer name, service address, meter reading, usage, payments, applications/cancellations	GC 34090	Until audited + 2 years
Utility Services - Journals, Utility Billing	Public Works	Billing including monthly activity	GC 34090	Until audited + 2 years
Utility Services - Meter Reading; Reports	Public Works		GC 34090	Current + 2 years

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Utility Services - Utility Rebates, Reports	Public Works		GC 34090	Current + 2 years
Vouchers - Payments	Finance	Account postings with supporting documents	GC 34090 CCP 337	Until audited + 4 years
Warrant Register/Check Register	Finance	Record of checks issued; approved by legislative body (copy is normally retained as part of agenda packet information)	GC 34090	Until audited + 2 years
Workers Compensation Files	Finance	Work-injury claims (including denied claims); claim files, reports, etc.	8 CCR 10102 8 CCR 15400.2	Until settled + 5 years

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