

**SALINAS VALLEY BASIN GROUNDWATER
SUSTAINABILITY AGENCY**

**RECORDS MANAGEMENT POLICY
October 14, 2021**

Glossary

As used in this policy, the following terms shall have the following meanings:

“Agency” means the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA)

“Copy of record” means the copy of a record designated as the official copy.

“Destruction of records” means the physical disposal (shredding, etc.) or deletion of the record by a certified destruction source, indicating that it is no longer a record maintained by the Agency, rendering it inaccessible by proof of a document or manifest of destruction.

“Duplicate” means any accurate and unabridged copy of a record or series of records.

“General Manager” means the Agency General Manager

“Local Government” means a local agency as defined in Government Code §6252, which includes a county, whether general or charter; city, whether general law or charter; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code §54952.

“Non-records” means duplicates or other copies of records made solely for convenience or reference; working papers such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents; appointment logs; stocks of blank forms or publications; or library or museum material intended solely for reference or exhibit.

“Official Record” means the record designated as the official record for the Agency:

- a. The Clerk shall maintain all appeals, legislative records, notices, and records requests as the Official Records.
- b. For all other records, the addressee or staff preparing the record shall retain and be responsible for the Official Record.

“Permanent value” as applied to records means there is no termination or end point to the value of maintaining the records, and that they or their appropriate surrogate are

intended to be available indefinitely.

“Record” or “Records” means all papers, maps, plans, photographic films and prints, microfilm or other microformats, electronic data, audio and visual materials, and other documents, regardless of physical form or characteristics, which are produced, received, owned, used, or retained by the Agency in the regular course of transacting official business.

“Reformatting” means to copy the content, structure, and context of records to another medium, whether analog or digital, in such a way that the copy may act as a satisfactory surrogate for the original. This requires meeting accepted national standards for particular processes and media, including indexing and searchability. It also requires assuring that appropriate “reader/printer” capabilities are maintained so that the reformatted material is still accessible.

“Responsible recordkeeping” is a generally accepted term that means creating, receiving, maintaining, and making available records in an efficient and cost-effective manner which conforms with all applicable statutes and regulations, supports business processes, and meets the responsibilities placed on public agencies to safeguard rights and ensure accountability.

“Retention period” means the length of time a record must be retained to fulfill its administrative, fiscal and/or legal function.

“Retention schedule” means a list of all categories of records produced or maintained by a department or agency, and the required and approved actions to be taken with regard to those records, including establishing their retention period.

"Trusted system" means a combination of techniques, policies, and procedures within which there is no plausible scenario in which a document retrieved from or reproduced by that system could differ substantially from the document as originally stored.

Part A. General Section A.1. Title

This policy shall be known as the Salinas Valley Basin Groundwater Sustainability Agency Records Management Policy.

Section A.2. Findings

The Agency’s Board of Directors finds that in order to safeguard rights and ensure accountability, it is in the best interests of the Agency and the public, and essential for the administration of the Agency to create, receive, maintain, and make available accurate and reliable Agency records; and that the most effective way to ensure this is to apply consistent standards of responsible recordkeeping

Section A.3. Authority

This policy is adopted in consideration of the provisions of Government Code §6250 *et seq.* pertaining to the availability and accessibility of public records; in

accordance with the Secretary of State Local Government Records Management Guidelines that were developed in keeping with Government Code Section 12236; and other applicable laws or regulations.

Section A.4. Purpose and intent

It is the purpose and intent of this policy to establish a uniform program of responsible recordkeeping applicable to all Agency records in accordance with applicable law.

Section A.5. Applicability

All records, as defined above, are records of the Agency and are not records of individuals, including staff, employees, consultants, contractors, and appointed officials.

Part B. Agency Records Management Program Responsibilities

Section B.1. Responsibilities – Local Government

The General Manager is charged with the oversight of the development and implementation of procedures for the management of records consistent with this policy. The General Manager shall periodically survey records management practices, and where appropriate recommend improvements in those practices. This shall include assessing use of space, equipment, systems and supplies necessary and appropriate to create, receive, maintain, store, archive and make available records. Non-electronic Agency records should be stored at the Agency's physical office for the remainder of their retention period.

Section B.2. Responsibilities – custody, control of, and access to records

The rights of legal custody and control of Agency records remain with the Agency, which is responsible for granting access to records in accordance with all applicable statutes, regulations, policies, and procedures. Any Agency officer, contractor, consultant, or employee having custody or control of any Agency records shall, at the expiration of their term of office, appointment, or employment, deliver custody and control of all records kept or received by them to their successors or supervisors, or to the Agency if appropriate and as directed.

Section B.3. Responsibilities – Destruction and Storage Services

All Agency storage and external destruction services, must be approved by the General Manager. Any storage location that provides destruction services must follow proper destruction procedures and such procedures must be reviewed and approved by the General Manager. The entity performing the destruction services must have the ability to issue certificates of destruction; certificates of destruction must be in a format approved by the General Manager, and are to be retained by the Agency.

Part C. Standards

Section C.1. Standards – copy of record

Where any Agency record, as defined in this policy, is created or received and maintained in more than one copy, the official copy of record shall be maintained by the Clerk of the Board in accordance with the applicable records retention schedule.

Section C.2. Standards – reformatting

To ensure cost-effective production of copies, whether analog or digital, of Agency records that meet required standards for surrogates, the General Manager shall cause the management and operation of an official Agency reformatting program following generally accepted industry standards. Such standards shall include provisions related to access, indexing, searchability, readability and printer/reader capabilities.

Section C.3. Standards – microfilm

All film used in the microphotography process shall meet or exceed minimum standards of quality approved by the United States Bureau of Standards and the American National Standards Institute, or other generally recognized standard setting organizations as applicable and relevant. A true copy of the microfilm shall be kept in a safe and separate place for security purposes, along with appropriate equipment necessary to read and print the microfilmed material.

Section C.4. Standards – electronic format

For the purpose of storing and recording both permanent and temporary records in electronic media, the Agency shall comply with appropriate standards established by the American National Standards Institute, the Association for Information and Image Management, or other generally recognized standard setting organizations as applicable and relevant. These standards shall include a requirement that a trusted system be utilized.

Part D. Records retention

Section D.1. Records retention schedules

Agency records shall be maintained in accordance with Attachment A, Salinas Valley Basin Groundwater Sustainability Agency Retention Schedule.

Section D.2. Records retention schedules – responsibilities

The Agency Clerk of the Board shall coordinate preparation of records retention schedules and records destruction activities generally, under the direction of the Agency Counsel and the General Manager in matters dealing with records retention.

Section D.3. Records retention schedules – standard – retention periods Records shall be destroyed in accordance with those approved retention periods, as provided for in Section D.5. Records not required for active or likely litigation, and which have been subjected to any and all applicable audits, shall be destroyed at the end of their scheduled retention period, unless the General Manager certifies a specified business need to extend their retention period.

No duplicates or other copies of any record shall be retained longer than the mandatory retention period for the copy of record. When records are destroyed by schedule, staff shall ensure they retain no duplicates or other copies.

Section D.4. Records retention - Privileged, confidential, or sensitive records

Records that are designated as privileged, confidential or sensitive shall be clearly designated as such when stored. This includes, but is not limited to attorney-client privileged, and trade secret records.

Section D.5. Records retention – records destruction

Agency records, as defined in this policy, shall only be destroyed: (1) in accordance with an approved records retention schedule; or (2) after reformatting to required standards set forth in this policy and pursuant to procedures prepared by the General Manager; and with specific permission of the Agency Counsel.

Reformatting means to copy the content, structure, and context of records to another medium in such a way the copy may act as a satisfactory surrogate for the original. In order to conserve space and resources, original records reformatted to required standards may be destroyed before their approved retention period has expired, since, from the time the originals are destroyed, the reformatted copies are deemed to be original records, and subject to the same requirements and restrictions of the retention schedules applicable to the originals.

Records shall be destroyed in accordance with standards and procedures developed by the General Manager. These procedures shall include a form approving the destruction signed by the General Manager and Agency Counsel, or his/her designees. Prior to approving a request for destruction, the Clerk of the Board shall certify that the records have been indexed and reviewed, and that destruction is allowed in compliance with this Policy. Agency Counsel review shall be limited to certifying that applicable procedures have been followed.

All approvals of the destruction of records shall include:

- (1) an index of all records to be destroyed;
- (2) a citation to the specific records retention schedule and the specific item in that schedule providing authority for the destruction;
- (3) the certifications described above; and,
- (4) (if applicable) certification that the records were reformatted to required standards, and the reformatted copies are intended to serve as the copy of record

The completed approval form authorizing destruction shall be retained by the Clerk of the Board.

To establish a proper chain of custody, only certified document destruction services may be utilized by the Agency. Records required for audit purposes shall not be destroyed by authority of an approved schedule until all applicable audits are complete and audit exceptions resolved.

All approvals of the destruction of records shall include certification by the General

Manager that, the records are not required in relation to active or likely litigation or for audit purposes.

Section D.6. Records retention – records subject to litigation holds

Records required in relation to active or likely litigation shall be maintained, and may not be destroyed by authority of an approved schedule, until all applicable litigation matters are finally resolved and the General Manager and Agency Counsel approve disposition.

Section D.7. Records retention – non-records destruction

Pursuant to the Secretary of State Guidelines, and other provisions of the state statutes, non-records, as defined in this policy, may be destroyed at any time. Departments may destroy non-records when they are no longer needed to support business processes, and should be destroyed promptly upon finalization of the related record or decision. For example, drafts of staff reports should be destroyed upon finalization of the report that goes to the approving body.

Section D.8. E-mail Policy

It is the Agency's policy that Agency e-mail and e-mail systems are intended to be a medium of communication. Agency e-mail systems are not intended to be and may not be used for electronic storage or maintenance of Agency records. The e-mail system, to function as intended, anticipates or requires that employees regularly delete communications from the system.

E-mail messages and attachments comparable to hard copy documents that would be retained under this policy should be retained as follows: The document must be categorized in the appropriate record series and converted to the appropriate electronic format or printed in hard copy and retained for the required time period as outlined in the applicable records retention schedule. Regardless of the form in which the record is retained, proper procedures as outlined in this Policy must be followed prior to the destruction of any record.

Routine e-mail messages are comparable to telephonic communications and are non-records. They are not intended to be retained in the ordinary course of Agency business, and the informational content of such communications is neither necessary nor intended to be preserved for future Agency use or reference. Each user will have the responsibility to remove such non-records from folders within the Agency's electronic mail system on a regular basis. This includes items in "received" and "sent" folders as well as any folders set up by individual users. Upon removal from the system, the non-records will be destroyed in the Agency's ordinary course of business. An e-mail is considered destroyed as soon as it has been deleted from a user's mailbox, even though it may be temporarily stored in the trash folder before being purged from the e-mail system.

This policy does not prohibit staff from maintaining temporary working files or folders to allow for quick reference to recent e-mails.

Part E. Forms and Procedures

The General Manager shall approve appropriate forms and procedures to comply effectively and efficiently with the concepts and directions provided for in this Policy, including Forms and instructions for authorizing and documenting the destruction of records.

**SALINAS VALLEY BASIN GROUNDWATER SUSTAINABILITY AGENCY
RECORDS RETENTION SCHEDULE**

	B	C	D	E	F	G	H
	Record Series Title	Record Series Description	Retention Office/ VPN	Archived/ Electronic Trusted System	JUSTIFICATION		Disposition
1							
2	ADMINISTRATION						
3	ADMINISTRATIVE POLICIES AND PROCEDURES	Non legislative policies and procedures	S+2		GC §34090		Shred/Delete
4	BROCHURES, PUBLICATIONS	Brochures, publications, newsletters, bulletins	S+2Y		GC §34090		Shred/Delete
5	CERTIFICATES OF DESTRUCTION	Authorization to Destroy/Certificate of Completion		P	GC §25104		Permanent
6	CLAIMS – CLOSED CLAIMS (HARD COPY CLAIMS)	Claims filed against the Agency– copy routed to Agency Counsel	CY + 5 Y		GC § 2510.5		Shred/Delete
7	CONFLICT OF INTEREST/ECONOMIC INTEREST STATEMENTS (FORM 700)	Board and Commission members, designated positions and consultant 700s	7Y		GC § 81009(e), 81009(f), 81009(g)		Shred/Delete
8	CONTRACTS/AGREEMENTS – GENERAL, (NOT INCLUDING REAL PROPERTY RELATED, CAPITAL IMPROVEMENTS OR AGREEMENTS ADOPTED BY THE BOARD)	Executed agreement or contract to provide goods and services including employment, Original contracts or agreement, all change orders or amendments thereto.	T+7Y after final paymt		48 CFR § 4.805		Shred/Delete
9	CONTRACTS/AGREEMENTS – CAPITAL IMPROVEMENTS (REAL PROPERTY RELATED OR AGREEMENTS)	Executed agreement or contract related to major improvements to buildings or land or purchase of real property. Original contracts or agreement, all change orders or amendments thereto.	Completion of work + 10Y		CCP §337.15(a)		Shred/Delete
10	CORRESPONDENCE	Routine correspondence received by or sent; may include letters, memos and notes.	CY+2Y		GC § 26202		Shred/Delete
11	GRANTS, FEDERAL AND STATE		CLI+5Y		GC § 304090; refer to grant application close-out procedures		Shred/Delete
12	INSURANCE CERTIFICATES		P		GC §34090		Archive
13	INSURANCE POLICIES	Including liability and property insurance	P		GC §34090		Archive
14	PUBLIC RECORDS ACT REQUESTS		CL+2Y		GC § 26202		Shred/Delete
15	REAL PROPERTY LEASES	Building/Space Rental Records	CL+10Y		GC §26202, CCP 337.15(A)		Shred/Delete
16	REAL PROPERTY DOCUMENTS	Conveyances of real property, deeds, promissory notes, easements, restrictive covenants, deeds of trust	P	P	GC § 26205.1 AND § 26205.5		Archive

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	B	C	D	E	F	G	H
	Record Series Title	Record Series Description	Retention Office/ VPN	Archived/ Electronic Trusted System	JUSTIFICATION		Disposition
1							
17	REQUESTS FOR PROPOSALS/QUALIFICATIONS SUCCESSFUL	Proposals that are selected to provide service	AU+5		GC § 26202.1 GC § 26907		Shred/Delete
18	REQUESTS FOR PROPOSAL/QUALIFICATIONS – UNSUCCESSFUL	Proposals that are not selected	CY+2Y		GC §26202.1		Shred/Delete
19	RETENTION SCHEDULES	Records Retention Schedules	S + 2Y		GC §26202		Shred/Delete
20	BOARD OF DIRECTORS AND COMMITTEES, JOINT POWERS AUTHORITY/FORMATION						
21	AGENDA MEETING PACKET	Reports and attachment related to Board and Committee meeting agenda, agreements, written public comment	P	P	GC § 25104		Permanent
22	APPLICATIONS, BOARDS AND COMMITTEES	Selected	T+5		GC §34090; gc§40801		Shred/Delete
23	JOINT POWERS AUTHORITY AGREEMENT	Establishing the Salinas Valley Basin Groundwater Sustainability Agency	P	P			A
24	MINUTE BOOKS	The Official record of actions taken by the Board /Committees	P	P	GC § 25104		Permanent
25	OATHS OF OFFICE	Board of Directors	Term of appointment		GC §26202		Shred/Delete
26	ORDINANCES		P	P	GC§25104		Archive
27	POLICIES/PROCEDURES-BOARD APPROVED	Records that document and support the implementation of a particular policy or program.	P	P	GC §26202		Permanent
28	PUBLIC HEARING LEGAL NOTICES	Notices published in the newspaper	F+2Y	None	GC §26202		Shred/Delete
29	RECORDINGS, AUDIO AND VIDEO; TEMPORARY WRITTEN TRANSCRIPTIONS	Audio and video recordings of meetings; temporary public meeting written transcriptions not approved by legislative body as official meeting record	Min. 2Y; requires GM & legal approval		GC §26206.7		Shred/Delete
30	RESOLUTIONS	Resolutions of Board actions	P	P	GC §25104		Archive
31	FINANCE						

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	B	C	D	E	F	G	H
	Record Series Title	Record Series Description	Retention Office/ VPN	Archived/ Electronic Trusted System	JUSTIFICATION		Disposition
1							
32	AUDITS			P	GC 34090.7		Permanent
33	BANK STATEMENTS		AU+2				Shred/Delete
34	BILLING RECORDS, INVOICES	Customer name, services address, meter reading, usage, payments, applications/cancellations, etc.	AU + 2				
35	BONDS, GENERAL OBLIGATION	Final bond documentation	CL+10		CCP §337.5		
36	BUDGET, ADOPTED	Annual operating budget approved by Board		P	GC § 34090		Permanent
37	BUDGET END OF YEAR REPORTS	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log list, statistics, except a report.	FY+3Y	FY+3Y	GC §6250		
38	BUDGET AUGMENTATION REQUESTS	Budget Change Proposals for the development of the recommended Budget.					
39	CHECKS/WARRANTS		AU+5		Gc § 34090; CCP §337		
40	DEPOSITS	Various refunds, reimbursement, or payments received from Federal, State & local agencies	CY+1Y	5Y			
41	FINANCIAL REPORTS	Monthly, Annual	AU+7		GC §34090.7		Shred/Delete
42	INTERNAL EXCHANGE TRANSACTIONS (IETs)	Internal appropriation fund transfers between various accounting funds.	CY+1Y	5Y			Shred/Delete
43	INVENTORY	Inventory of Agency property, e.g. furniture, file cabinets, computers, etc.	CY+5Y		GC § 24051		Shred/Delete
44	INVESTMENT TRANSACTIONS	Summary of transactions, inventory & earnings report	P	P	GC §34090; CCP §337; GC		Permanent
45	MID-YEAR BUDGET REPORTS	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log list, statistics, except a report.	FY+3Y	FY+3Y	GC §6250		Shred/Delete
46	MILEAGE/STIPEND CLAIMS	Annual mileage reimbursement rates	S +2Y		GC § 26202		Shred/Delete
47	PAYABLES/CLAIMS FOR PAYMENT	Claims and invoices for materials and services. Includes: transfers, other billings, purchase orders, vendor lists, forms and purges,	CY+5Y				Shred/Delete

Y=Years; CY=Current Year; P=Permanent; T=Terminated; AU=Audited; CL+Closed/Completed; S=Supercede;

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	Record Series Title	Record Series Description	Retention Office/ VPN	Archived/ Electronic Trusted System	JUSTIFICATION		Disposition
1							
48	PURCHASE ORDERS	Original documents	AU+4		CCP 337		Shred/Delete
49	W-9+B62 REQUEST FOR TAXPAYER IDENTIFICATION NUMBER AND CERTIFICATION	From completed b vendors	5Y Min.		GC §26907		Shred/Delete
50	PRE DEVELOPMENT						
51	FEASIBILITY STUDIES, APPRAISAL, RIGHT-OF-WAY ACQUISITIONS	Including Consultant agreements, reports and submittals	AU+6		GC §26202		Shred/Delete
52	PRELIMINARY ENGINEERING		AU+6		GC §26202		Shred/Delete
53	ENVIRONMENTAL IMPACT STUDIES AND REPORTS	Includes Initial studies, mitigated negative declarations, draft and final environmental impact reports and final determinations under CA Environ. Quality Act and National Environ. Protection Act	Au+6		GC 26202		Shred/Delete
54	PROPOSITION 218 ELECTIONS						
55	BALLOTS	Property Related fees (Assessment Ballot proceedings)		P	California Constitution Art. XIII		Permanent
56							