

RESOLUTION NO. 2023-12-1

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CUCAMONGA VALLEY WATER DISTRICT REVISING ADMINISTRATIVE POLICY NO. 2.3 WHICH INCLUDES A RECORDS RETENTION SCHEDULE

WHEREAS, Sections 60200 through 60203 of the *California Government Code* set forth the authority and process for establishing a records retention policy whereby records of the Cucamonga Valley Water District (the "District") that have served their purposes and are no longer required may be destroyed; and .

WHEREAS, the Board of Directors is authorized by the provisions of *California Government Code* Sections 60200 et seq., to establish a records retention schedule applicable to District records; and

WHEREAS, taking into account recent changes in the law and legal requirements pertaining to the retention and destruction of records, the Board desires to adopt this Resolution in order for Policy 2.3, and the Records Retention Schedule, to supersede and otherwise replace the existing records retention schedule of the District; and

WHEREAS, an appropriate records retention schedule assists the District by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal or legal value; and

WHEREAS, the updated Records Policy and its accompanying updated Records Retention Schedule comply with the California Secretary of State Local Government Records Management Guidelines, as referenced in Government Code section 60201; and

WHEREAS, the destruction and disposition of the District's records pursuant to this Resolution, the Records Policy and the Records Retention Schedule will not adversely affect any interest of the District or the public.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Directors of the Cucamonga Valley Water District as follows:

Section 1: Authorization for Destruction of Records. Administrative Policy No. 2.3 and the Records Retention Schedule, are hereby adopted as the approved schedule and procedure for the District in compliance with *California Government Code* Sections 60200 et seq. The District's records shall be retained and destroyed in accordance with the time periods and process set forth in Policy 2.3 and the Records Retention Schedule.

Section 2: Destruction of Records after Scanning. Any record not expressly required by law to be filed and preserved in original form may be destroyed at any time after it is electronically stored in conformance with the requirements of *California Government Code* Section 60203, Administrative Policy No. 2.3 and the Records Retention Schedule.

RESOLUTION NO. 2023-12-1

Section 3: Destruction of Duplicates. Pursuant to *California Government Code*

Section 60200, any duplicate records, paper or document, the original or a permanent photographic copy of which is in the files of the District, may be destroyed after confirmation that such original or permanent photographic copy remains on file in the District.

Section 4: Retention of Records Not Mentioned. All records, papers and documents not mentioned in Administrative Policy No. 2.3 or the Records Retention Schedule may be scanned as archival records or destroyed so long as such disposal is consistent with the recommendations of the Local Government Records Management Guidelines as set forth by the Secretary of State (June, 2004) as the same may be amended from time to time.

Section 5: Conflicting Policies or Resolutions. As of the effective date of this Resolution, this Resolution, and the updated Administrative Policy No. 2.3 and the updated Records Retention Schedule shall supersede, and otherwise replace, any and all previous policies, resolutions, rules and regulations regarding the retention, destruction and disposition of District records.

Section 6: Effective Date. The President of the Board of Directors shall sign this Resolution and the Secretary of the Board of Directors shall attest thereto, and this Resolution shall be in full force and effect immediately upon adoption.

Section 7: Severability. If any section, subsection, clause or phrase in this Resolution is for any reason held invalid, the validity of the remainder of this Resolution shall not be affected thereby. The Board hereby declares that it would have passed this Resolution and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

Section 6: Effective Date. This Resolution shall take effect immediately upon adoption.

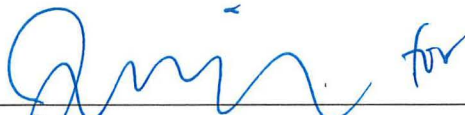
ADOPTED and SIGNED this 12 day of December, 2023.

BY:



Randall James Reed
President of the Board of Directors

ATTEST:



John Bosler
Secretary of the Board of Directors

POLICY NO. 2.3
Records Retention

DISTRICT CODE
Chapter 2.16
Sections 2.16.010-2.16-010

APPROVAL DATE
XX/XX/XXX
EFFECTIVE DATE
XX/XX/XXXX

PURPOSE:

To establish a policy and provide guidelines for managing records of the Cucamonga Valley Water District, and establish procedures for destroying or disposing those records which no longer have administrative, fiscal, or legal value. This policy applies to all records of the district, written, electronic, audio or visual.

POLICY

SECTION 1: DEFINITIONS

SECTION 2: SCOPE

SECTION 3: LEGAL AUTHORITY

SECTION 4: IMPLEMENTATION

SECTION 5: RECORDS DESTRUCTION

SECTION 6: POLICY REVIEW

DEFINITION

Government Code 7920.530 defines a public record as any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency regardless of physical form of characteristics.

SCOPE

The Records Retention Schedule (attached and included as part of this policy) is an outline of records maintained by each department. It also cites the minimum legal retention period and the supporting legal authority(ies). In some areas, administrative comments are included.

LEGAL AUTHORITY

The Records Retention Schedule is in compliance with Government Code 60201.

IMPLEMENTATION:

Each department shall be responsible for managing their department records. Each department must submit their approved Records Destruction Sheet to the Executive Services Administrator/District Clerk prior to disposing of records. It is recommended that once documents are approved for destruction that they be shredded.

While every effort was made to provide a comprehensive list of each department's documents in the attached Schedule, there may be cases where clarification is needed on a type of document or legal retention period. In such cases, legal counsel should be consulted.

RECORDS DESTRUCTION

Legal Counsel has advised that after the Board of Directors takes the appropriate action to amend this policy and procedure, it will not be necessary to go back to the Board of Directors for approval for each round of records destruction. Government Code Section 60201(b) gives the Board of Directors authorization to destroy or dispose of any category of records, providing it: (a) adopts a Resolution finding that the destruction/disposition of this category of records will not adversely affect any interest of the District or public (previously approved Resolution 2007-7-2 and Resolution 2017-9-1); and (b) maintains a list of the types of records destroyed or disposed of that reasonably identifies the information contained in the records category (the Records Retention Schedule serves as such a list).

POLICY REVIEW

The policy shall be reviewed on a biennial basis and the Board must approve modifications, if any.

POLICY REVISION DATES

07/24/2007 (Resolution No. 2007-7-2
09/26/2017 (Resolution No. 2017-9-1)
XX/XX/XXXX (Resolution No.)