Records Management Policy

Prepared by

GDPUD's Records Manager
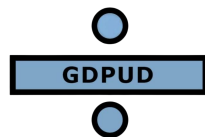
6425 Main Street

Georgetown, CA 95634

Records Management Policy

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1. INTRODUCTION

Effective management of information and records is essential to the successful operation and accountability of the Georgetown Divide Public Utility District ("GDPUD") or ("District"). Establishing a comprehensive records and information management program through adopted policies and procedures is vital to this effort, as it ensures transparency, efficiency, and compliance with local, state, and federal laws and regulatory requirements. This Records Management Policy ("Policy") aims to outline the principles, guidelines, and procedures that govern the creation, maintenance, retention, and disposition of District records to enhance information accessibility, protect sensitive data, support decision-making processes, and preserve institutional knowledge.

Proper management of District records provides the following benefits]:

- Higher quality and faster service to our customers
- Reduces costs associated with records storage and management
- Perform searches for documents and information quickly

2. **PURPOSE**

The purpose of this policy is to:

2.1. Provide guidelines to District personnel regarding the retention of records and the destruction of obsolete and unnecessary records of the Georgetown Divide Public Utility District;

2.2. To establish procedures for the retention, disposition, and preservation of Georgetown Divide Public Utility District records;

2.3. Assign responsibility to all District departments for the identification, classifying, preserving, and systematic disposition of District records, including records held in response to a legal hold; and

2.4. Ensure compliance with local, state, and federal laws and regulations relating to records retention periods and disposition.

3. **DIRECTIVE**

It is the policy of GDPUD to retain and manage all records in accordance with uniform guidelines, practices, and procedures. All District personnel shall manage, protect, and maintain all records in accordance with this Policy and the District's Records Retention Schedule. The Executive Assistant or designee shall be responsible for the administration of this Policy under the direction of the General Manager/or designee and shall assist all District personnel in complying with the provisions of this Policy and the District's Records Retention Schedule, [as adopted by Resolution of the Board of Directors and incorporated herein by reference].

In conjunction with the District's Records Retention Schedule, this Policy shall be used by all personnel throughout the District as the policy for the proper management and retention of District records and documents and shall be applied to all document types, including hard copies, original copies, and scanned or imaged copies archived and managed in an electronic document management system.

No record or document shall be disposed of or destroyed before its required retention period and without approval by the General Manager, legal counsel, and a Board of Directors action. Nor shall any document be retained any longer than its required retention, unless the records are subject to pending litigation or a California Public records Act[1] ("CPRA") request. If pending litigation, the records shall be placed on "legal hold" in accordance with the provisions set forth in this Policy and shall be retained until further notice from the General Counsel. Any records provided in response to a CPRA request shall be released in accordance with the provisions set forth in section [xx] of this policy.

4. **ROLES AND RESPONSIBILITIES**

All Agency Personnel are responsible for following this Policy and established records management program

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[1] Gov. Code, § 7920.000 et. Seq. (formerly Gov. Code, § 6250 et seq.)
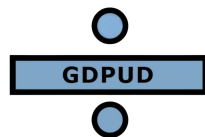
procedures, regardless of work location, and must:

- Capture all District hardcopy and electronic records relating to business activities that are received and/or created throughout the regular course of business
- Apply appropriate security to confidential and sensitive records created and/or received
- Use secure storage and restricted physical access to confidential records
- Maintain the integrity, accuracy, and currency of records under their care and custody

5. **GUIDELINES**

A. ACCESS

Records subject to this Policy should be retained in accessible files, except access shall be restricted for records containing confidential information. Records including proprietary data, trade secrets, attorney-client privileged communications, or other confidential materials as determined by General Counsel. District personnel should take all necessary steps to ensure that such records are not copied or disclosed to third parties. Employee access to personnel files will be granted in accordance with local, state, and federal laws and regulations including applicable GDPUD personnel rules.

B. RECORDS RETENTION SCHEDULE

The Records Retention Schedule, attached as Appendix A to this Policy, assigns retention periods by record function, along with brief descriptions of records within the same series in order to satisfy general business and legal requirements. Since no single time limitation governs all record retention issues, retention periods depend upon the nature of the document or transaction, as well as the applicable local, state, and federal laws.

Only after official approval do records disposition schedules become legal disposition authority. Schedules provide for the selective retention of records of continuing value and the destruction of records of temporary value after the expiration of a specified period of time or upon the occurrence of a specific event

C. RETENTION PERIODS

Retention Periods: retention periods are determined by locating the record description which most closely matches the record in question and evaluating the value of the record for ongoing business operations. Amendments: if a new record series arises at the District that is not included in Records Retention Schedule and/or an amendment needs to be made to a current record series, then a Records Retention Amendment Form, a sample of which is included as Exhibit 'X' to this policy, shall be filled out by the primary office of records and signed by the appropriate management personnel. The form shall be submitted to the Records Manager, and upon approval by General Counsel, the amendment(s) and/or new records series shall be incorporated into the records retention schedule. The District's General Counsel will provide the Board of Directors and General Manager with quarterly updates of any changes to the retention schedule.

D. ELECTRONIC RECORDS

The original documents used as the source to create electronic records must be retained in accordance with the Records Retention Schedule. Any special arrangements with another organization, which entail the retention of electronic records must be approved by the GDPUD General Counsel, and the Records Manager will be responsible for ensuring that the applicable electronic records are retained for the agreed-upon time
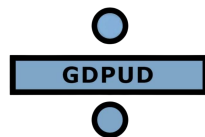
period, and then destroyed.

E.   COPIES OR DUPLICATES

Copies or duplicates retained in an office in which a department, division, section, or unit is not the primary office of record can be disposed of by the non-primary office at their leisure. However, copies shall not be retained in any format, including hard copy, scanned, or imaged copy, longer than the specified retention period.

F.   IDENTIFYING RECORDS

The first stage in the lifecycle of a record aims to create accurate and complete records that offer sufficient documentation to illustrate the Agency's organization, functions, policies, decisions, procedures, and crucial transactions. The records should provide the necessary information to safeguard GDPUD's financial and legal rights as well as the rights of those who are directly affected by the Agency's activities. Identifying the records that support the Agency's work is the foundation of an efficient records management program. GDPUD staff must determine the record status of all its documentary materials, distinguishing records from non-records and personal papers, and managing them according to the Agency's records retention schedule.

   a.   **Active Records:** These are Records that are used on a daily basis and are necessary to conduct the business of the agency and, therefore, are generally maintained in office space.

   b.   **Semi-Active Records:** These records are seldom required to conduct business and can be moved to a holding area or directly to a records center. Contact the Records Manager to coordinate the transfer of semi-active records to storage.

   c.   **Inactive Records:** Inactive Records are no longer required to conduct Agency business and are ready for disposition as identified in the Records Retention Schedule. If the records have not met the required retention period, these records are usually transferred to an off-site storage area. Events in this phase of the lifecycle include closing records, optionally retiring them to off-site storage. GDPUD's Records Retention Schedule provides instructions for each of these events.

      i.   Information materials may be classified as a Records as defined previously indicated, if the materials:

         • Document significant Agency decisions and commitments;

         • Add to a proper understanding of the formulation or execution of Agency actions, operations and responsibilities;

         • Convey information of value on important Agency activities;

         • Facilitate action by Agency staff;

         • Provide key substantive comments on a draft;

         • Are required by the Agency to be created or received; or

         • Protect the financial, legal and other rights of GDPUD and of parties directly affected by the agency's actions.

Records vary widely in physical forms or characteristics. They may be in paper, electronic, audiovisual, microform or other media. The Agency's Records must contain documentation that shows a clear picture of how the Agency conducts its business and makes its decisions. GDPUD staff should consider the following when determining if and how much documentation is necessary:

    ii.   Legal or financial risk,

    iii.   Audit needs,

    iv.   Day-to-day management,

    v.   Public access requirements, and

    vi.   Historical significance.

Certain activities require extensive documentation and may have statutory or regulatory requirements, in addition to GDPUD's specific requirements. These include:

    vii.   Policy and budget development,

    viii.   Enforcement and compliance activities,

    ix.   Research and publication, or

    x.   Decisions of Regional Council and all Committees, Sub-committees and Task Forces.

The Records must be clearly documented, so that the content and context can be understood by someone unfamiliar with the activity, action, decision, or transaction.

d.   **Non-Records:** Non-Records are government-owned documentary materials excluded from the legal definition of Records, either because the materials do not meet the general conditions of record status already described, or because they fall under one of three specific categories:

    i.   Extra copies of documents preserved only for convenience or reference.

    ii.   Stocks of publications.

    iii.   Examples of Non-Records include:

- Copies of correspondence, directives, forms and other documents on which the Agency takes no administrative action;

- Except for routing slips and transmittal sheets used by Contracts and Budgets & Grants staff, routing slips and transmittal sheets that provide no additional information;

- Catalogs, trade journals and other publications received from other government agencies, commercial firms, or private institutions that require no action and are not part of a case on which action is taken; and
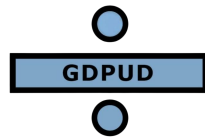
- Physical exhibits, artifacts, and other material objects lacking evidential value.

The following guidelines apply to managing Non-Records:

- When it is difficult to decide whether documents are Records or Non-Records, Agency staff should treat them as Records.

- Non-records should not be interfiled with Records.

- Non-records must be destroyed when they are no longer needed for reference; extra copies may not be retained after the Record copy is destroyed.

Typically, an information resource is a record for a single custodian and other copies are non-records. For example, a memorandum circulated Agency-wide that does not require action is a Record for the individual or organization sending it, but a Non-Record for recipients. However, in some cases, the information resource is a record for several people, possibly under different records retention schedule series.

e. **Personal Records:** These are materials that belong to an individual, and are not used to conduct Agency business. They relate solely to an individual's personal and private affairs, or are used exclusively for that individual's convenience. In contrast to Records and Non-Records, the government does not own personal records. If kept in Agency space, the owner of personal records must clearly designate them and manage them separately from Records and Non-Records. However, labeling documentary materials "personal", "confidential" or "private" is not sufficient to determine the status of documentary materials.

    i.   Categories of personal records include:

- Materials an individual accumulates before joining the agency that he or she does not use later to conduct government business;

- Materials that relate solely to an individual's personal matters, outside business pursuits, professional activities or private associations.

- Work-related materials that the individual does not prepare, receive or use to transact Agency business (e.g., reminders and personal observations about work and other topics). This category is the most difficult to distinguish from Records and Non-Records because of its work-related content.

- Examples of personal records include: Political materials, Insurance or medical records, Volunteer and community service records, Manuscripts and drafts of articles and books not related to Agency business, Diaries and journals not related to Agency business, and Personal calendars and appointment schedules not related to Agency business.

f. **Working Files:** These are files or rough notes, calculations, or drafts used to prepare or analyze other documents. Sometimes, working files are needed to adequately document Agency activities. Staff must give special attention to these files to ensure that they are not needed to supplement formal records. Working files that must be preserved as Records include:
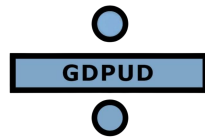
i. Proposals or evaluations of options or alternatives and their implications in the development of policies and decisions;

ii. Documented findings;

iii. Supported recommendations; or

iv. Comments received via a formal Agency comment process, from the public or during a formal review by outside experts.

In many cases, individuals may destroy working files once the content has been incorporated into official, final Records. Working files that are disposable once a document is finalized are those that receive no official action themselves, are not reviewed or approved by others, and are only used to prepare documents for official action such as review or signature. These include budget calculations, Preliminary outlines for a report, and Lists of suggested topics to be included in a memorandum. Relate to preliminary, interim or ancillary activities that are not needed as part of the official record. These include: Drafts of routine memoranda, correspondence and proposed changes, informal comments received on draft publications, and documents used to brief staff on a proposed item. Some records series specifically identify working files as Records, but, generally, each department must make their own determination regarding whether or not to incorporate working files into the record. Copies of Records must not be kept in working files beyond the approved retention of the original.

g. **Electronic Records:** An electronic record is information recorded in digital form that is produced or received in the initiation, conduct or completion of agency business. Examples of Electronic Records are:

i. Desktop applications: documents created using desktop applications.

ii. E-mail: communications or messages transmitted over any electronic mail communications system.

iii. Databases: electronic information systems that automate business functions and contain a collection of data that can be manipulated. The information is dynamic and often used to support more than one group of records.

iv. Web sites: the software used to maintain the sites, the content on the sites, records concerning management of the site, and backend systems that are not covered by other schedules.

v. Instant messages (IM) or texts: the exchange of messages between two or more people in real-time through the use of a specialized software application.

vi. Digital images: digital images taken with a digital camera or scanned from an original document.

h. **Verbal Communication:** These records include communications such as voicemail messages, telephone conversations, and formal and informal meetings. Verbal communication that provides substantive information needed to document agency activities, and that is not otherwise

documented, may be a Record.

i.   **Social Media:** social media records are maintained separately from other records because their physical forms or characteristics require unusual care. Examples of social media records include audiovisual records, which are records in pictorial or aural form, including still and motion pictures, graphic materials, audio and video recordings and multimedia, such as slide-tape productions.

j.   **Geospatial Data Records:** These records include information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth, typically represented by points, lines, polygons and/or complex geographic features. This includes original and interpreted geospatial data, such as those derived through remote sensing including, but not limited to, images and raster data sets, aerial photographs and other forms of geospatial data or data sets in both digitized and non-digitized forms.

k.   **Architectural Records:** These records include drawings and related records depicting the proposed and actual construction of stationary structures, such as buildings, bridges and monuments.

l.   **Engineering Records:** These records include design and construction drawings and related records depicting the planning and construction of such objects as roads, canals, ships, planes, weapons and machines.

m.   **Micrographic Records:** Records containing images greatly reduced in size, and generally stored on microform.

n.   **Special Media Records:** These records include finding aids to provide context for the records and cross-references to and from related textual records.

G.   RECORDS MAINTENANCE AND USE

The main objective of the second stage of the record lifecycle is to preserve the integrity of a record by ensuring the record has not been altered. This includes maintaining the usability of the record by those with a need for the information, facilitate identification and retention of permanent records, and maintain permanent and temporary records in a segregated manner.

File Plan: A file plan is a document that outlines how an organization's records will be organized and managed. It acts as a roadmap for the records created and maintained by an organization, making it easier to dispose of them later on. GDPUD has a standardized records classification scheme that is organized hierarchically according to the functions of the organization. The filing plan is based on subject and helps with filing, access, retrieval, and disposition of records.

Functional categories in a filing plan represent a folder or filing guide, while subcategories become subfolders or paper folders. It is at the subcategory level that records are disposed of. File plans are critical to information management because they organize records according to agency requirements, not individual ones.

Many electronic records are stored in individuals' email folders or local hard drives, making them inaccessible to others who need to review or use the documents. A comprehensive departmental file plan assigns a "location" for every record in an electronic or paper filing system. Understanding the filing plan helps users know where to file their records and helps others know where to find the records they need to complete
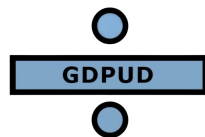
their tasks.

Linking file plan categories and subcategories to appropriate records retention disposition schedules enables users to implement the proper retention and disposal of records. File plans help in filing, accessing, and disposing of records and provide detailed information on how each category or subcategory of record is managed.

Information provided in a file plan often includes the following information about a record category:
- Location: Where the electronic files or hard copies are physically maintained.
- Custodian: The person responsible for filing the record copy of the electronic file or hard-copy document.
- Content: A description of the documents that should be filed in order to ensure a complete, accurate record of the activity.
- Arrangement: How documents are organized within the folders.
- Labels: Instructions on how to identify the electronic or hard-copy folders.
- Disposition: Cut-off /Transfer information from the records disposition schedule.

Regardless of the method used to file records, records must be easily retrievable and categorized by record status (i.e., Record versus Non-Record), and by retention period (i.e., temporary versus permanent).

H. RECORDS DISPOSITION

When a record has reached its required retention period, no department, division, section, or unit shall dispose of any records in any format including, hard copy, scanned or imaged copy, without following the proper records disposal procedures established by the Records Manager and applicable laws. Records that qualify for disposition shall be included in a list submitted to the Records Manager who will then compile and submit to the General Manager and General Counsel for Board of Director approval. This may be part of an annual process to be concluded no later than December of each year.
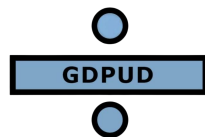
a. Except as specified herein, a Records Destruction Authorization Form, must first be filled out and signed by the appropriate management personnel and the General Counsel. The Records Destruction Authorization Form shall be retained permanently by the Records Manager for record disposition verification and future program audits.

b. Records Management staff will work closely with the records custodians to properly dispose of expired records. A District official or employee has, by virtue of his or her position, no personal rights to District records even though he or she may have created or compiled them. The unauthorized destruction, removal, or use of such records is prohibited. This Records Management policy prohibits the use of removable devices to store or backup records. Removable devices are defined as thumb drives, CD/DVD, external hard drives, and similar such devices.[2]

When destroying imaged records, departments must remove the image itself from the storage media, or physically destroy the storage media.

Suggestions for systematically approaching the disposition process include the following:

- Disposition should be carried out regularly, at least once a year. It should not be deferred until

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[2] Gov. Code, § 012270-12279 (State Records Management Act)

records become a pressing storage problem.

- Duplicate copies of records, including copies maintained on different media (paper, electronic, etc.), may be disposed of.

- State law does not prescribe the physical means of destruction of most records. Records may be destroyed in any way the Records Manager determines is appropriate. Disposition through consignment to a paper recycling plant is often the best choice as it helps conserve natural resources and also yields revenue for the local government. For Records containing confidential information, disposition should be carried out in a way that ensures that the confidentiality of individuals named in the records is protected.

- A record inventory should be kept by the Records Manager of the identity, inclusive dates, and approximate quantity of records that are disposed.

- The Records Manager, or other official who carries out disposition, should describe what has been done to dispose of records during the year.

I. SPECIAL CATEGORIES OF RECORDS

Some records require special handling because of their informational content. These records are categorized and handled as follows.

a. Classified Records: All classified records are required to be included on the agency's records retention schedule. Classified documents are also records. Levels of classification include: Top Secret; Secret; and Confidential. Classification requirements must be followed regarding any aspect of the creation, maintenance, or disposition of classified records for as long as they remain classified. Clearly identifying classified records on the records inventory may assist in complying with the Policy.

b. Sensitive Unclassified Records: In the absence of specific requirements, unclassified sensitive records should be protected by the following:
    - Ensuring that only authorized personnel have access to the records;
    - Providing for protection against information loss. (Back-up of electronic records, for example.);
    - Ensuring that personnel are trained to protect sensitive records; and
    - Providing for electronic records security in computer systems.

c. Historical Records: The primary purpose for keeping Agency records is to meet the needs of the Agency. This may require retention for either a short or a long period of time, but after the Agency's needs are met, a second purpose may be served by certain records. Any records that are of sufficient value for use by scholars and researchers or for purposes of the Agency's institutional knowledge should be preserved as historically valuable records. After the Agency no longer needs its historically valuable records for Agency use, such records will be reviewed for further classification.

J. VITAL RECORDS

Vital records refer to essential records needed for the continuation or reconstitution of an agency and its operating units before and after an emergency.

Vital records are divided into two categories: emergency operating records and legal and financial rights

records. Emergency operating records consist of emergency plans and directives, orders of succession, delegations of authority, staffing assignments, selected program records required to continue the most critical agency and operating unit functions, as well as related policy or procedural records that would be needed to conduct operations during emergency conditions and to resume normal operations after the emergency. Access to these records must be ensured during emergency situations.

Legal and financial rights records, on the other hand, are essential to protect the legal and financial rights of the agency and individuals directly affected by its activities. These records include titles, deeds, leases, contracts, personnel files, and similar records. Other records include payroll, leave, retirement, and insurance; records of significant amounts of money owed to the agency or contractors; and supporting records such as periodic summaries of financial status and valuable research records. These records also require protection. When they consist of a small quantity of records, they are usually packaged, identified clearly, and numbered for easy identification. When replaced, the package of records is often destroyed.

Each department is responsible for identifying, creating, and maintaining its vital records. The GDPUD Records Manager is responsible for assisting department units in identifying records that should be designated as vital and providing advice regarding records management issues.

K. RECORDS MANAGEMENT EMPLOYEE EXIT PROCEDURE

The following provides the Agency's final exit policy for Records. By law, Agency Records may not be removed from the custody of GDPUD nor may they be destroyed without complying with the records disposition schedule. Accordingly, every employee has an obligation to preserve and protect Agency records. Occurrences of unauthorized records destruction or removal of records from Agency custody without appropriate approval must be reported immediately to the GDPUD Records Manager.
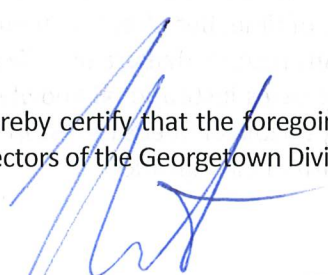
Records Inventory

Prior to their last day at work of an Agency the employee, they shall identify records for which they have custody and discuss disposition with their supervisor. Inactive records shall be transferred to the department records coordinator or the Agency Records Manager and active records shall be reassigned to another employee.

HISTORY

CERTIFICATION

I hereby certify that the foregoing is a full, true, and correct copy of the Records Management Policy by the Board of Directors of the Georgetown Divide Public Utility District on May 2, 2024.

Nicholas Schneider, Clerk, and Ex-Officio
Secretary, Board of Directors
GEORGETOWN DIVIDE PUBLIC UTILITY DISTRICT