

Attachment AC
Records Management and Retention Policy

RESOLUTION NO. 05-11-09

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. This Board approves the **Records Management and Retention Policy** substantially in the form set forth in **Attachment A** hereto and made a part thereof.

Section 2. Resolution No. 2995 is superseded in its entirety.

Adopted: November 17, 2005

INTRODUCED BY DIRECTOR KEAT				
SECONDED BY DIRECTOR DAVIS				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
PATTERSON	X			
SHIROMA	X			
POSNER	X			
SLATON	X			
KEAT	X			
CARR	X			
DAVIS	X			

SACRAMENTO MUNICIPAL UTILITY DISTRICT
RECORDS MANAGEMENT AND RETENTION POLICY

PURPOSE

To establish a uniform policy to ensure that all required District records are created, identified, retrievable, protected, retained and destroyed in a timely and efficient fashion. This policy will be implemented through an electronic enterprise document management (“EDM”) system that is intended to contain all of the District records.

Consistent record keeping practices are critical to reduce the risk of legal liability, regulatory noncompliance, natural disaster, criminal activity or the theft of critical resources.

This policy provides direction to staff for the development of procedures that, when followed regularly and consistently in the normal course of business, improve the processes of managing records and information.

RECORDS DEFINITION

A record consists of written, audio, or pictorial information describing, defining, specifying, reporting, or certifying activities, requirements, procedures or results. It is the final product (with necessary supporting materials) that is either mandated by statute or regulation, protects the District’s interests, documents the formulation of policies, decision, or directives, documents the District’s major business activities or has value for historical, legal or evidential reasons. A record can be in any tangible format including, but not limited to, paper, electronic image or data, email, photograph, drawing, or microform.

FINDINGS

The District’s Board finds that non-records are not to be retained and should be promptly destroyed once of no further use to the District.

This District’s Board finds that (i) the District records in the District’s custody are voluminous;(ii) physical and virtual space available for the storage of such records is limited and can only be provided at increased expense; and (iii) many such records are no longer used or required by the officers and employees of the District in the proper discharge of their duties.

The District's Board finds that destruction or disposition of records that have fulfilled their purpose and have been maintained for the legally mandated retention period will not adversely affect any interest of the District or of the public.

REFERENCES

Records retention shall comply with the requirements of:

Strategic Directives 3 (Access to Credit Markets) and 12 (Ethics)
California Public Records Act (Government Code, Section 6250, et seq.)
Government Code, Section 12236
Government Code, Section 60201
Title 18 Code of Federal Regulations, Part 125 "Preservation of Records of Public Utilities and Licensees" (FERC)
And other applicable laws and regulations.

RESPONSIBILITIES AND DELEGATIONS

General Counsel shall have overall responsibility for the development, implementation, maintenance, and enforcement of the District Records Management Program, which includes compliance with legal requirements, development of procedures for the management of records and establishment of a Records Retention Schedule.

The District shall ensure that records in its custody for active use are secured, maintained, and retained in accordance with this policy and all legal requirements.

The District's Internal Auditor shall conduct audits from time to time to assure compliance with this policy and shall report his or her audit findings to the Board.

OWNERSHIP STATEMENT

All District records are owned by the District regardless of their physical location, even when they are in the possession of individuals. Officers and employees, whose regular or occasional performance of administrative duties puts them in possession of files, records, or documents pertaining to such duties, such files, records, or documents, including but not limited to correspondence, reports, writings, and other papers, records, maps, tapes, photographic files and prints, magnetic and punched cards, discs and drums, are the property of the District, and, as such may not be permanently removed from the District nor destroyed except in accordance with the Records Retention Schedule and this Records Management and Retention Policy.

MAINTENANCE AND RETENTION OF RECORDS

1. Records in active use by the District will be maintained in the District's EDM system and in accordance with this policy.
2. Records to be maintained shall be identified on the Records Retention Schedule. All records generated from the time this policy goes into effect and as the EDM system becomes available shall be maintained in the EDM system in compliance with the Records Retention schedule. The applicable retention periods shall be reviewed no less than every five years or as otherwise required by law or by judicial or regulatory order.
3. At a minimum, the retention schedule shall contain the following information:

Record Name/Description

Retention Period

Reason for Retention Period (specific statute, regulation or business reason mandating retention)

Location of Record

4. The EDM system shall maintain an index sufficient to allow records to be readily identified and retrieved.
5. The District shall provide reasonable protection for records subject to this policy and 18 CFR 125, and should conduct a periodic assessment to ensure ongoing compliance with the requirements of this policy.

DESTRUCTION

The EDM system will be designed to automatically and permanently destroy records at the expiration of their retention period; unless, (i) there exists a reasonably foreseeable belief of future litigation, under those circumstances the relevant records will be preserved until such time as released for destruction by the General Counsel or his or her delegate; or (ii) there is a bonafide business reason to retain the record beyond its specified retention period.