




RECORDS MANAGEMENT PROCEDURE MANUAL

DECEMBER 2023



Adopted

December 14, 2023
Resolution No. OC SAN 23-XX

	Orange County Sanitation District	Procedure Number: 00
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>12/14/2023</u> 03/22/2023
		Supersedes: <u>03/22/2023</u> 03/23/2022
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POLICY CONTACT:

Clerk of the Board (Custodian of Records)


REGULATORY REFERENCES:

Resolution No. OC SAN 23-~~XX~~08


California Government Code §34090 (How Long Records are Held-Records Retention)

California Government Code §7920.000 (California Public Records Act)

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SUBJECT: RECORDS MANAGEMENT PROGRAM POLICY	Approved by: OC San Board of Directors	

1.0 POLICY STATEMENT

1.1 The Board of Directors shall not less than annually adopt a Resolution updating the Records Management Procedure Manual as presented by the Custodian of Records (Clerk of the Board). The Orange County Sanitation District (OC San) is committed to effective records management including, but not limited to:

- A. Meeting legal requirements for records retention;
- B. Identifying and protecting all records;
- C. Managing record holds;
- D. Protecting privacy;
- E. Optimizing the use of space;
- F. Minimizing the cost of records retention;
- G. Providing open access to public records; and
- H. Disposing of outdated records properly.


2.0 PURPOSE

2.1 The purpose of the Records Management Program Policy is to establish a Records Management Program (the Program) that will develop a systematic method for managing ~~the~~ OC San's records. The Program ensures that all OC San records are created, received, maintained, and dispositioned in a cost-effective manner, in accordance with operating requirements for OC San business, and applicable statutes and regulations. Failure to follow the Program may result in excessive costs, litigation, loss of productivity, etc.

3.0 PROGRAM RESPONSIBILITY

3.1 Under the authority of OC San's Board of Directors, the General Manager and the Executive Management Team oversee the Program. The Clerk of the Board is responsible for oversight, implementation, administration, and operation of the Program.

3.2 The Administration Manager, Clerk of the Board and/or designee, and General Counsel will meet as needed to review Records Retention Schedule (RRS) change requests and approve changes, which are then presented to the Board of Directors.

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3.3 Departments/Divisions that maintain OC San records are responsible for understanding appropriate records management procedures and practices. Each Department/Division Manager, or a designee, must:

- A. Ensure compliance with the approved RRS;
- B. Be familiar with the Program;
- C. Develop the Department's/Division's procedures and practices consistent with this Policy;
- D. Educate staff within the Department/Division about sound records management practices;
- E. Coordinate the disposition of records as provided in OC San's RRS; and
- F. Restrict access to confidential records and information appropriately.


4.0 APPLICABILITY

4.1 This Policy applies to all OC San and contract staff who create, receive, or maintain OC San records. OC San requires the maintenance of records in a consistent and logical manner so that OC San:

- A. Meets legal standards for public examination, protection, storage, and retrieval;
- B. Protects the privacy of customers, ratepayers, and staff;
- C. Optimizes the use of space;
- D. Minimizes the cost of record retention; and
- E. Disposes of outdated records in accordance with the applicable statutes indicated in ~~the~~ OC San's RRS.

4.2 Record policies apply to all records, whether they are maintained in hard (paper) copy, electronically, or in some other fashion. Each Department/Division shall appoint a Records Coordinator~~(s)~~ who serves as a liaison to Records Management to assist in the development, implementation, maintenance, and adherence to a records management plan appropriate for the particular records it maintains, in cooperation with the Clerk of the Board and/or designee.


4.3 The Department/Division Records Coordinator facilitates program compliance within their respective Department/Division in applying the Program ~~p~~Policy.

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- 4.4 OC San is subject to a range of statutes and rules regarding records retention and disclosure. All OC San employees are responsible for complying with the requirements of the Program ~~p~~Policy and OC San 's RRS.

5.0 HISTORY OF PROGRAM

- 5.1 OC San, through an outside consultant, conducted the initial records inventory from February through August of 2000. The inventory consisted of a physical inventory of records stored in active office work areas and various storage areas within the Plant No. 1 and Plant No. 2 facilities. The purpose of the inventory was to describe, identify, locate, and quantify OC San records. To supplement the data gathered during the physical inventory, the consultant conducted interviews with staff members from each Department/Division who were most familiar with records creation and maintenance.
- 5.2 Based on the physical inventory of records and the data gathered during the interviews, the initial RRS was developed. Files were identified by their record titles and classified into record series based on having similar business functions (purposes) and retention requirements.
- 5.3 Extensive legal research was performed to ensure that all legal requirements were met in assigning the records retention periods to each record series. Other attributes were also assigned to each record series to ensure that vital, historical, and confidential records are properly protected and processed for retention.


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SUBJECT: PROGRAM GUIDELINES		Approved by: OC San Board of Directors

1.0 INTRODUCTION

- 1.1 The Orange County Sanitation District's-wide (OC San) Records Management Program (the Program) is intended to effectively identify, manage, store, and destroy records that have been created and received by OC San.
- 1.2 Records received and created by OC San in fulfillment of its responsibility to the public and in compliance with government regulations are identified in the Records Retention Schedule (RRS), and accurate retention periods are assigned.
- 1.3 OC San records that are no longer needed to be in the immediate office of each Department/Division for convenient access, are processed for storage, retrieval, or disposition in accordance with the guidelines established by the Program.
- 1.4 Records that have met the retention requirements identified in the RRS are processed for destruction in accordance with this Program.
- 1.5 Historical and vital records are identified and processed in accordance with the guidelines established by the Program.
- 1.6 Records management activities are completed in a cost-effective manner.
- 1.7 The Program promotes an increase in productivity by decreasing the volume of obsolete records stored, thus reducing the amount of time necessary for document retrieval.
- 1.8 The Program contributes to industry best practices by ensuring accountability, efficiency, and compliance in a cost-effective manner.

2.0 PURPOSE

- 2.1 Identify OC San records to facilitate access to information required to conduct OC San business and to provide appropriate access by the public.
- 2.2 Maintain OC San records for the duration of the approved retention period.

 OC SAN <small>ORANGE COUNTY SANITATION DISTRICT</small>	Orange County Sanitation District RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Procedure Number: 2.0
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- 2.3 Provide access to OC San records for operational, legal, or public access requirements.
- 2.4 Digitize records.
- 2.5 Protect OC San records.
- 2.6 Ensure compliance with legal statutes and governmental regulations regarding recordkeeping and public access requirements.
- 2.7 Destroy OC San records in accordance with the approved RRS or process those deemed historical records for long-term retention.

3.0 SCOPE

- 3.1 Create, receive, maintain, and dispose of OC San Records.
- 3.2 Maintain approved RRS.
- 3.3 Ensure use of appropriate technology in facilitating records and information storage and retrieval.
- 3.4 Provide systematic control of all OC San records through processing, distribution, maintenance, retrieval, and disposition.

4.0 RECORDS

- 4.1 OC San records must be managed throughout their “life cycle”.
- 4.2 The life cycle of a record is the time period from the creation or receipt of a record to its final disposition.
- 4.3 Final disposition can be either destruction or perpetual retention.
- 4.4 Life cycle of a record is inclusive of five (5) stages:
 - Stage 1 – Creation or receipt of records
 - Stage 2 – Use or distribution
 - Stage 3 – Storage or maintenance

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- Stage 4 – Retention or disposition
- Stage 5 – Archival preservation


4.5 Some records do not require managing throughout their life cycle. Such records are termed “transitory records”. The value of transitory records is limited to a very short time, i.e., a day, a week, or no more than three months. These records do not require digitization.

4.6 Transitory records do not carry the requirement to retain the documentation of any transaction. Transitory records include:

- Extra copies of publications, pamphlets, and blank forms. These are considered “supplies” rather than records.
- Reference materials not produced by OC San.
- Working copies of documents used solely until the finished record is declared or declined.
- Notices of meetings, events, office or holiday gatherings, or employee meetings which do not relate directly to the functional responsibility of the organization.
- Informational copies of widely distributed OC San materials.
- Preliminary drafts of documents such as letters, memoranda, reports, and worksheets which do not represent significant steps in the preparation of OC San records, and **which do not record decisions**. Once the completed record is included in the filing system (in the appropriate medium), the working materials (drafts) are considered transitory records.
- Catalogs, trade journals, and other published materials received from other organizations, commercial firms, vendors, or private institutions which require no action and are not needed for documentary purposes. These materials are usually considered “reference materials” and should be controlled as such, but **are not OC San records**.
- Incorrect versions of documents, forms, or reports that had to be regenerated in order to correct errors in typing, data entry, spelling, grammar, or format.

5.0 RECORDS RETENTION SCHEDULE (RRS)

5.1 The RRS is a list of OC San records organized by record series to which are assigned retention periods and other attributes.

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5.2 The retention periods identified in the RRS have been established after extensive legal research of all government regulations applicable to OC San.

5.3 The RRS has been reviewed and has received concurrence of the various OC San Departments/Divisions, Clerk of the Board and/or designee, ~~Assistant Clerk of the Board~~, Administration Manager, Executive Management, Legal Counsel, and the Administration Committee, as well as the approval of the OC San Board of Directors for implementation.

5.4 The RRS has been developed to ensure that each Department/Division maintains its records for the duration of the period legally required by applicable legal statutes and government regulations, and until all the operational business functions are met.

6.0 HISTORICAL RECORDS

6.1 Historical records are identified and preserved.

6.2 The Program ensures that records with permanent historical value are identified, documented, and preserved for the life of OC San.

6.3 The Clerk of the Board and/or designee/~~Assistant Clerk of the Board~~, prior to processing records for destruction, shall identify records having historical significance.

6.4 Historical records are retrieved, prepared, and processed for preservation.


7.0 VITAL RECORDS

7.1 Vital records are those documents identified by each Department/Division as necessary to enable OC San to continue vital operations in the event of a disaster or major interruption to business.

7.2 Vital records enable OC San to reconstruct its legal obligations and rights.

7.3 Vital records enable OC San to reconstruct its financial position.

7.4 Vital records enable OC San to satisfy its obligations to its employees.

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7.5 Vital records enable OC San to protect employee and public health and safety.

7.6 Vital records enable OC San to reconstruct its assets and ownership.


8.0 CONFIDENTIAL RECORDS

8.1 Records containing proprietary or sensitive information to which access must be restricted are considered confidential.

8.2 Confidential information must be protected and preserved to avoid unauthorized disclosure that could be harmful to a person, to OC San, or to an OC San business process.

8.3 Confidential records shall be managed, controlled, and disposed of separately from records containing non-confidential information.

8.4 Confidentiality of information shall be protected until it is destroyed or until OC San has changed the status of the confidentiality of information.

 RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Orange County Sanitation District	Procedure Number: 3.0
	SUBJECT: STAFF RESPONSIBILITIES	Effective Date: 03/23/2022 <u>12/14/2023</u>
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1.0 INTRODUCTION


1.1 The Records Management Program (the Program) is a decentralized administrative program. As such, Program activities are carried out by the Orange County Sanitation District (OC San) Clerk of the Board (Custodian of Records) and/or designee, ~~Assistant Clerk of the Board~~, and by OC San staff in each Department/Division. OC San's ~~Assistant~~ Clerk of the Board and/or designee is responsible for coordinating and overseeing the Program and Program procedures, and Department/Division staff are responsible for complying with the Program requirements for records in their respective areas. In the procedures that follow, the individual responsible for running the daily operations of the Program is identified as the ~~Assistant~~ Clerk of the Board and/or designee.

2.0 PURPOSE


The purpose of this procedure is to describe the roles and responsibilities of the Clerk of the Board and/or designee, ~~either Assistant Clerk of the Board~~, and OC San Department/Division staff.

3.0 STAFFING AND RESPONSIBILITIES


Responsibility	Action
CLERK OF THE BOARD	Custodian of Records of OC San
<u>CLERK OF THE BOARD AND/OR EITHER ASSISTANT CLERK OF THE BOARD</u> <u>DESIGNEE</u>	<p><u>If designee, u</u>nder the direction of the Clerk of the Board:</p> <ul style="list-style-type: none"> Oversee OC San's public requests for records/information. Maintain Public Records Act (PRA) Log and PRA information in the relevant software. Oversee the Program and act as a liaison between Department/Division Records Coordinators and General Counsel.

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Responsibility	Action
	<ul style="list-style-type: none"> • Act as an advisor on all records and information management issues and related projects. • Maintain the Records Retention Schedule (RRS) and related Rrecord Sseries documentation. • Develop and conduct training sessions on appropriate Program activities, including any Records Management software. • Maintain <u>and update</u> the Records Management Procedure Manual and update as needed. • Coordinate record destruction suspension (“holds”) and destruction resumption (“releases”) with legal counsel, auditors, and the Office of Record to ensure that records are available as required. • Manage the records retention, offsite transfer, and destruction activities of the Program. • Conduct periodic audits of the Program to ensure compliance. • In collaboration with IT and <u>the</u> Office of Record, coordinate vital record protection and ensure that the Program supports the Integrated Emergency Response Plan.

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Responsibility	Action
DEPARTMENT/DIVISION RECORDS COORDINATORS A list of Department/Division Records Coordinators can be found via the link.	<ul style="list-style-type: none"> Review Department/Division records and the RRS periodically to ensure compliance with the Program. Forward any requests for changes to the RRS to the Assistant Clerk of the Board <u>and/or designee</u>. Ensure that records are maintained and protected in compliance with the Program. Coordinate preparation of records for transfer to offsite storage. Coordinate managing pertinent records after receipt of a Records Hold or Records Release. Coordinate records disposition activities, including the preparation of a Disposition Form.


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SUBJECT:	RECORDS RETENTION	Approved by: OC San Board of Directors

1.0 INTRODUCTION

1.1 Records retention activities of the Records Management Program (~~RMP~~the Program) control the maintenance and storage of Orange County Sanitation District (OC San) records. Following the retention procedures ensures compliance with pertinent statutory, regulatory, operating, and administrative recordkeeping requirements. In addition, it ensures that records needed to conduct OC San business are protected and accessible. The Records Retention Schedule (RRS) is the foundation of the ~~ProgramRMP~~Program and defines the period required to maintain OC San records. The RRS is included as Exhibit B to this Procedure.

1.2 Records Management Terms:


Term	Definition
Active	Records that are required for current day-to-day business and are subject to frequent use; generally located near the user (if hardcopy); can easily be accessible on a network server (if electronic); generally referred to more than once per month.
Administrative Value	A record that assists in the operation of the business, and ensures administrative consistency and continuity, serving a particular purpose for that office at that particular time. In appraisal, the usefulness of records for the conduct of current or future administrative business needs.
Appraisal	The process of determining the value and thus the disposition of records based on their current administrative, fiscal, and legal value; their evidential and informational value; their arrangement and condition; their intrinsic value; and their relationship to other records.
Archival Records (also called Historical Records)	Records identified as having archival value or potential archival value and designated as Historical on the OC San RRS, Records Retention Schedule.
Audit	Review for acceptance of records relating to operations, policies and procedures, financial documentation, and historical documents by regulating agencies.
Closed / Completed	A file or record on which action has been completed and to which an audit or further action is not likely to occur.
Copy (also called Duplicate)	A reproduction of the contents of an original document which is not the official file copy of the agency. Copies are usually identified by their function, i.e., action copy, reading file copy, tickler file copy, etc. In most instances, copies will have a shorter retention than the official file copy (see Official Copy) of a Record Type.

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Current	When specified as the "minimum retention period" means that superseded, rescinded, expired, or no longer useful records may be removed from the files and may be destroyed.
Disposition	The predetermined action taken with regard to records including form of retention (hard copy or image), period of time retained (archive or destroy), where to store (on-site or off-site), and method of destruction (recycle, burn, or shred).
Duplicate	A document that is a copy of the original or official version of a record. A duplicate may be a paper version or an electronic version of the official record.
Evidential Value	In appraisal, the value of a record that documents the activities of an organization or agency.
File Integrity	Accuracy and completeness of the file or records.
Fiscal Value	Documents and accounts for receipt of or expenditure of public funds such as budget, ledgers of accounts receivable and payable, payrolls, and vouchers. Documents availability of funds for operational purposes. In appraisal, records required until a financial audit is completed, or financial obligations are fulfilled.
Historical Value	In appraisal, the value attributed to a record which preserves documentation on significant historical events including the agency's operations, origin, policies, authorities, functions, and organizations, as well as significant administrative decisions.
Legal Value	In appraisal, value attributed to records which document business ownership, agreements, and transactions.
Life	The retention period assigned to a record that has continuing value to the organization throughout its existence.
Minimum Retention Period	The least amount of time a record must be kept determined by assessment of administrative, legal, fiscal, and historical values.
Office of Record	The Department/Division that created or is responsible for retaining the official copy until it is dispositioned.
Official Copy	The original or official copy of a record maintained by the Office of Record.
Record	Any documentary material, regardless of physical form or characteristic, made or received by an organization in pursuance of law or in connection with the transaction of business and used by

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	that organization as evidence of activities or because of informational value.
Records Retrieval	Locating records and delivering them for use.
Retention Period	The period of time that records must be kept according to legal or organizational requirements.
Retention Schedule	A list describing the Record Type, the length of time records are retained (may include active and inactive storage detail), the Office of Record, and the final disposition.
Supersede	The replacement of an existing document.
Termination	Designates the end of a specific term, e.g., appointed, <u>or</u> elected official's terms; employment; training, course, program; use or ownership.
Transitory Records	Documents retained for a short time having no long-term administrative, fiscal, legal, or archival value. These records are kept for a very short time and are not necessary to document the completion of a business transaction.
Vital Records	Those records containing information necessary to continue the operation of government, affirm the powers and duties of government, and to protect the rights and interest of persons.

1.3 Retention Length Codes:

The RRS provides information to guide the organization in maintenance of business records. Some retention periods are assigned a number representing the length of time (stated in years) for which the records must be maintained and accessible (retrievable). Others are based on the occurrence of an event or a transaction, or a combination of both. The following table describes the meaning of each event as it pertains to records retention and disposition.

Event Code	Event	Definition
CL	Closed or Completed	Maintain records until the transaction or the terms of the activity, the project, assignment, contract, etc. is closed or completed. Then destroy in accordance with procedures.
CU	Current Year (Calendar or Fiscal, As Appropriate)	Maintain records for the transaction, activity, project, assignment, contract, etc. for the current year. Then destroy in accordance with procedures. Current year may be defined as calendar year or fiscal year, whichever is most appropriate for the specific record(s).
EX	Expired	Maintain records until the term, period, permit, or license is expired. Then destroy in accordance with procedures.


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LO LF	Life of Organization or Facility	Maintain records for the "life" of the organization, facility, project, physical plant or building, a building system or sub-system, asset, piece of equipment, or component. These records are not eligible for destruction.
NN	When No Longer Needed	Maintain records until they are no longer needed for any business purposes. Then destroy in accordance with procedures.
OB	Obsolete	Maintain records until they are representative of equipment, information, materials, data, etc. is that is no longer in use and/or relevant. Then destroy in accordance with procedures.
S	Superseded	Maintain records until record is superseded or made obsolete by a newer version or edition. Then destroy in accordance with procedures.
T	Terminated	Maintain records until activity is concluded or employee is terminated, retires, or otherwise leaves the employ of the organization. Then destroy in accordance with procedures.

1.4 Special Storage Consideration Codes:

Some retention periods are assigned a "characteristic" to identify any special handling required for documents classified in that records series. The following table describes the meaning of each "characteristic" as it pertains to records retention and disposition.

Code	Characteristics	Definition
V	Vital	Vital Records are required to be available in the event of an emergency or major interruption to normal business operations to continue to provide safe treatment of wastewater during the event. Vital Records may protect OC San's rights and interests; and ensure that it can continue to effectively protect the environment, the public, and meet its obligation to its employees. Identifying records as "vital records" ensures that they are handled in a manner that protects them and makes them readily accessible during the time period that the information is vital. This characteristic does not affect the length of the retention period.
H	Historical	Historical Records potentially have historical significance. Records may document the formation of OC San, annexations, consolidation, major projects, and strategic direction. Historical Records may have intrinsic value due to their age, author, or special nature. Identifying records as "historical records" ensures that they are handled in a manner that protects them and preserves them for long-term storage and research purposes. This characteristic may affect the length of the retention period as historical records are usually maintained for the life of OC San.

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C	Confidential	Confidential Records contain confidential, sensitive, or proprietary information that would be harmful to an employee or would harm OC San's business if accessed by unauthorized individuals. Confidential Records may be confidential throughout their useful life, or only during a portion of their useful life. Identifying records as "confidential records" ensures that they are handled in a manner that protects them from unauthorized access. This characteristic does not affect the length of the retention period.
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2.0 RECORDS CLASSIFICATION

- 2.1 Records are classified into Records Series to facilitate assignment of retention times, legal citations, and the overall maintenance of OC San records. Exhibit C to this Procedure is a list of Records Series and the associated definitions of each.
- 2.2 Classifications contain like records grouped together based on similar business function, usage, and retention time.
- 2.3 A Records Series is comprised of similar or related record titles that have a similar business function (purpose), are normally used and filed as a unit, and are retained for a similar time period.


3.0 RECORDS RETENTION SCHEDULE (RRS) MAINTENANCE

- 3.1 The ~~Records Retention Schedule RRS~~ is a list of OC San records organized by Department/Division and Record Type/Records Series to which are assigned retention periods and other attributes.
- 3.32 —Following the retention standards of the schedule ensures that OC San maintains appropriate records of OC San transactions and meets its legal obligations cost effectively by storing records as long as is operationally and legally required. The RRS shall be reviewed, evaluated, and updated periodically by the Clerk of the Board ~~and/or designee, Assistant Clerk of the Board~~, OC San Management, and General Counsel.
- 3.34 The retention periods assigned to each record series shall be maintained and updated, as needed, to meet changing business, legal, and regulatory requirements.

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Responsibility	Action
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<p>Assistant Clerk of the Board <u>and/or Designee</u></p>	<ul style="list-style-type: none"> Coordinate the periodic update of the RRS and Records Series With Definitions. Provide training on RRS use and maintenance.
<p>Department/Division Records Coordinator</p>	<ul style="list-style-type: none"> Periodically (but not less than annually) review the RRS associated with records in the Department/Division. Match the RRS against records stored in the office, shop, field, and other storage locations. Mark for deletion any records that are no longer maintained by the Department/Division. Note any new records that are not represented. Include a description of the record, the business function, the operating record retention requirements, and special records characteristics (vital, historical, or confidential). <p>Contact the Assistant Clerk of the Board for direction as to how to proceed. A Records Retention Schedule Change Request Form (Exhibit A) may be requested to identify any updates or changes requested.</p>
<p>Assistant Clerk of the Board <u>and/or Designee</u></p>	<ul style="list-style-type: none"> Review the <u>RRS change</u> request and determine in which Records Series the record titles logically belong. Create a new Record Series if the record title does not logically belong to an existing series. In cooperation with the requesting Department/Division, develop a definition for the Records Series.

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- Assign to the new Record Series the applicable characteristics (if any): vital, historical, or confidential, as indicated by the Department/Division Records Coordinator.
- Determine legal retention requirements by reviewing pertinent legal citations.
- Provide direction to the Department/Division Records Coordinators for proper management of historical, vital, and confidential records.

4.0 RECORDS RETENTION SCHEDULE CHANGES

- 4.1 The Department/Division Records Coordinator may request a change to the RRS at any time.
- 4.2 Examples of changes that may initiate a change to the RRS include:
 - Change in the assigned Office of Record due to reorganization.
 - Change in the characteristics associated with the records: vital, historical, or confidential.
 - Change in the retention event associated with the records, for example: closed, complete, expired, or superseded.
 - Change in the legal and administrative requirements.
 - New record types that are generated or used in performing business functions.
 - Change in the definition of the Records Series that applies to Department/Division records.
 - Contact the Assistant Clerk of the Board for any changes to the RRS. A Records Retention Schedule Change Request Form (~~Exhibit A~~) may be requested. The ~~Assistant~~ Clerk of the Board

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and/or designee will secure ~~all-of-all~~ the required approvals to initiate the requested modification.


- The ~~Assistant~~ Clerk of the Board and/or designee will communicate with the Department/Division Records Coordinator as to the outcome of the request, update the RRS, and distribute the updated RRS to all applicable parties (persons and web sites).

5.0 RECORDS PURGE

- 5.1 Eliminate records from active files and facilitate their timely destruction after all legal and business requirements have been met.
- 5.2 Only records that are useful in current business activities are retained, enabling timely retrieval of frequently used records.
- 5.3 Records with research or historical value are preserved in a controlled environment.
- 5.4 Records stored offsite are reviewed semi-annually and a list of retention expired records prepared by the ~~Assistant~~ Clerk of the Board and/or designee for each Department/Division.

6.0 INACTIVE RECORDS TRANSFER AND STORAGE

- 6.1 Inactive records are those records that have not met their required retention periods, but are no longer current or frequently referenced.
- 6.2 Inactive files management standards are established by OC San to ensure that OC San records remain accessible and protected throughout the duration of their required retention periods.
- 6.3 Active files are periodically reviewed to identify those records that are inactive.
- 6.4 Inactive records that are identified during the review are purged from active file areas and processed for offsite storage.

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6.5 Systematic control of inactive records consists of:


- Properly packing the records in records storage boxes obtained from the warehouse and properly labeling the boxes.
- Preparing an index of the contents of the box using a Disposition Form.
- Contacting the ~~Assistant~~-Clerk of the Board and/or designee for a barcode.
- Follow the guidelines below when packing the records:
 - Each box shall only contain official inactive records. **Non-records and duplicate records should not be transferred to offsite storage.** They are destroyed in the active office area as appropriate.
 - **Do not pack different Records Series in the same box. Records Series packed together should have the same destruction date.**
 - Schedule the pick-up and transfer of the box(s) to offsite storage by contacting the ~~Assistant~~-Clerk of the Board and/or designee.

7.0 PURGING TRANSITORY RECORDS

7.1 Transitory records can be purged from file storage equipment and destroyed as soon as their usefulness in the performance of business functions are met.

7.2 **Do not send transitory records to offsite storage.**

8.0 RETRIEVING BOXES FROM OFFSITE STORAGE

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- 8.1 Inactive records may be retrieved from the offsite storage center at any time by contacting the ~~Assistant~~ Clerk of the Board and/or designee.
- 8.2 Records may be retrieved only by staff from the Department/Division designated as "owner" of the records.
- 8.3 In the event that staff from a Department/Division other than the owner requires access to the records, the retrieval request shall be approved by the ~~Assistant~~ Clerk of the Board and/or designee and the Department/Division that owns the records.
- 8.4 Boxes retrieved from the offsite storage center shall be returned to the center with the same records and in the same order as when they were received. Records should not be removed, nor should additional records be added. Should records need to be added/removed, or the box content altered in any way, contact the Clerk of the Board and/or designee as to how best to proceed.
- ~~8.5 Records should not be removed, nor should additional records be added. Should records need to be added/removed, contact the Assistant Clerk of the Board.~~
- ~~8.6.5~~ 8.5 ~~If the box contents must be altered, contact the Assistant Clerk of the Board for direction as to how best to proceed.~~

Procedure 4.0

Records Retention Schedule Change Request Form

Exhibit A



Records Retention Schedule (RRS) Change Request Form

Date: _____ Division Number: _____

Retention Number (If Applicable): _____

Record Series/Record Type, Including Description (If Applicable):

Change Requested:

- Add Change Delete Combine
 Review Other (Describe): _____

Description of Change Requested:

Examples:

- Add: Need to Add a Record Series/Record Type for the retention of a certain type of record.
Add a record to the Record Series/Record Type description.
Add Media Type.
- Change: Need to Change the Retention Length of a certain Record Series/Record Type.
Change Special Storage Consideration information.
- Delete: Delete a certain Retention Number; Delete a record in Record Series/Record Type description.
- Combine: Need to combine certain entries or information on the RRS.
- Review: Review the Retention Citations/Comments on a particular RRS entry.

Requester's Name & Signature:

Name (Print)	Signature	Date
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Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
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Records Management Name & Signature:

Name (Print)	Signature	Date
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For completion by Records Management	
Date Action Taken:	
Action Taken (Describe):	
Date Revised RRS Distributed & Posted to SharePoint:	


Procedure 4.0
Records Retention Schedule
Exhibit B

Procedure 4.0

Record Series With Definitions

Exhibit C

PLACEHOLDER

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1.0 INTRODUCTION


- 1.1 Records disposition is a specific set of actions taken with regard to inactive records as determined through records appraisal.
- 1.2 Records disposition includes determining whether OC San records are eligible for destruction (records have been determined to be retention expired) or for longer-term preservation (records have been determined to be Historical Records or Inactive Records).

2.0 PURPOSE

- 2.1 The purpose of this procedure is to describe the procedures for dispositioning OC San Retention Expired Records, Inactive Records, and Historical Records in an organized and efficient manner.
- 2.2 This procedure ensures that appropriate review and approval are completed prior to destruction or longer-term storage of OC San records.
- 2.3 This procedure ensures that records that have an expired retention, but that are subject to a Records Hold of any sort (legal, audit, or other), are maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold.
- 2.4 This procedure applies to all OC San records regardless of whether or not the records contain sensitive information (confidential). Should a unique process for disposition be required for any record, please contact the Clerk of the Board and/or designee/Assistant Clerk of the Board and a process will be established that is mutually acceptable for all business purposes.

3.0 PROCEDURES

- 3.1 Records are periodically reviewed in order to identify those records that have met the required retention periods established in the Records Retention Schedule (RRS).
- 3.2 The review activity usually groups records into the following frequently used disposition groups:


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- 3.2.1 Retention Expired Records: Records that have met the required retention are considered obsolete and are processed for destruction.
- 3.2.2 Inactive Records: Records that have not met their retention periods, but are no longer required to be in the immediate office area, are considered inactive and are processed for offsite storage.
- 3.2.3 Historical Records: Records that have met their business function retention requirements, but have historical or intrinsic value, are considered Historical Records, and are digitized and processed for long-term storage.
- 3.2.4 Active Records: Records that are required for current day-to-day business and are subject to frequent use; generally located near the user (if hardcopy); can easily be accessible on a networked server (if electronic); generally referred to more than once per month. May also be stored offsite.


4.0 PROCESSING OFFICIAL DISTRICT RECORDS FOR DESTRUCTION

- 4.1 Destruction of the official version of OC San records requires the approval of the following, as applicable:
 - Submitter
 - Department/Division Records Coordinator
 - Department/Division Supervisor
 - Department/Division Manager
 - Department/Division Director
 - ~~Assistant~~ Clerk of the Board (or designee)
 - Legal Counsel
- 4.2 Procedures to process ~~destruction retention of~~ expired records ~~for destruction~~ are included in the following chart:


Responsibility	Action
Assistant Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> • Annually, at the start of the calendar year, issue a call to all Records Coordinators requesting a review and purge of their Active, Inactive, and Historical Records.

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Responsibility	Action
Division Records Coordinators (may also be a Submitter separate from the Records Coordinator)	<ul style="list-style-type: none"> Review existing records currently maintained in the office area or stored offsite. Review can be done annually at the start of the calendar year based on the call from the Assistant Clerk of the Board <u>and/or designee</u> (step above), or as business needs warrant. Review should be conducted using the appropriate RRS, using all components of any given Record Type (Record Type description, Retention Length, etc.). Calculate destruction dates using the Records Management Disposition Form (Exhibit A). Cross-reference records with any active Records Holds. The Clerk of the Board <u>and/or designee</u>Assistant Clerk of the Board should be contacted for any questions pertaining to Records Holds. Purge the files in accordance with the process outlined below and in Procedure 4.0. Do not purge any documents subject to a Records Hold. If there are records identified that have met the required retention periods, and that are not subject to a Records Hold, complete a Records Management Disposition Form (Exhibit A). The Assistant Clerk of the Board <u>and/or designee</u> will prepare the Request for Authorization to Destroy Records (Exhibit B) and route the documents for digital signatures/approval. The Submitter and Records Coordinator are first and second, respectively, in the approval routing sequence.
Assistant Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Review the submitted Disposition Form and validate all information on the Disposition Form, including confirming the records are eligible for destruction (checking historical value, Records Holds, etc.). If the records identified are not eligible for destruction, advise the Records Coordinator and Submitter and handle according to the type of record. Prepare the Request for Authorization to Destroy Records, ensuring the appropriate RRS is included in the information that

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Responsibility	Action
Department/Division Supervisor	<p>is routed, and route for signature/approval. Digitally sign the forms approving destruction (in the approval routing sequence after <u>Legal Counsel</u>Department/Division Director).</p> <ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Assistant Clerk of the Board <u>and/or designee</u>. The Assistant Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Manager	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Assistant Clerk of the Board <u>and/or designee</u>. The Assistant Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Director	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Assistant Clerk of the Board <u>and/or designee</u>. The Assistant Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Legal Counsel	<ul style="list-style-type: none"> Review the submitted forms and determine whether to approve or disapprove the request for destruction of records. If you do not approve, please contact the Assistant Clerk of the Board <u>and/or designee</u>. The Assistant Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues. Authorize approval to destroy records by digitally signing/approving the forms.


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Responsibility	Action
Assistant -Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Upon complete approval, the Assistant-Clerk of the Board <u>and/or designee</u> will send a copy of the approved forms to the Division Records Coordinator.
Division Records Coordinator & Assistant Clerk of the Board	<ul style="list-style-type: none"> Upon approval of the destruction request, the Records Coordinator and Assistant-Clerk of the Board <u>and/or designee</u> will proceed with destruction procedures. If request for destruction is not approved for any reason, records will be maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold.
Assistant -Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Coordinate destruction of records. If the records are digital, notify IT of the necessary destruction or handle in other appropriate manner. Whoever destroys electronic files will be required to complete a Certificate of Digital Record Destruction (Exhibit C). The Assistant-Clerk of the Board <u>and/or designee</u> will coordinate the completion of this document. If the records are confidential, arrange for destruction that will protect the confidentiality of the information. After destruction, ensure that a Certificate of Destruction is properly completed and signed. Maintain the Certificate of Destruction in the appropriate files. Update the Master Records Inventory and GRM database as applicable.

5.0 PROCESSING DUPLICATE RECORDS FOR DESTRUCTION

5.1 Duplicate records are documents that are copies of the original or official version of a record. A duplicate may be a paper version or an electronic version of the official record. Retention periods of original or official versions of a record do not apply to duplicate files. Duplicate records may be destroyed at any time, upon confirmation that the record is a duplicate.


5.2 Duplicate records should not be transferred or stored offsite.

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- 5.3 Duplicate records are destroyed in the office or work area. To destroy a duplicate record, please contact the ~~Assistant~~-Clerk of the Board and/or designee for determination and confirmation that records are, in fact, duplicate records.
- 5.4 Formal destruction authorization may be required to destroy duplicate records.
- 5.5 If the duplicate records contain confidential information, they should be shredded to protect the confidentiality of the information. If the records are not confidential, they may be recycled or discarded.

6.0 PROCESSING VIDEO SURVEILLANCE FILES FOR DESTRUCTION

- 6.1 As allowed for in Government Code Section 53160, recordings of routine video monitoring are automatically overwritten after one year, on a daily basis on any given calendar date plus one year. Further, in the event that recordings are evidence in any claim filed or any pending litigation or hold, the recordings are preserved until pending litigation is resolved.
- 6.2 The OC San Board of Directors Resolution adopting the Records Management Program Procedures & Records Retention Schedule authorizes OC San to destroy recordings of routine video monitoring after any given calendar date plus one year.
- 6.3 The Information Technology (IT) Division has developed a daily task to perform the overwriting of OC San’s video recordings. The IT Division is responsible for the management of this activity.
- 6.4 Should OC San keep another record, such as written minutes or an audio recording, of the event that is recorded in the video medium, the video recording may be destroyed or erased no less than 90 days after occurrence of the event recorded.
- 6.5 By signing the written consent (Exhibit D), OC San’s legal counsel approves of the foregoing destruction practices of video surveillance files and no further consent by legal counsel is required. Legal Counsel shall update this written consent should these practices be substantively modified at any time.

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7.0 PROCESSING LASERFICHE FILES FOR DESTRUCTION


7.1 The destruction of files from Laserfiche follows a similar process to Section 4.0 above, Processing Official District Records for Destruction.

7.2 Destruction of the official version of OC San records from Laserfiche requires the approval of the following, as applicable:


- Submitter
- Department/Division Records Coordinator
- Department/Division Supervisor
- Department/Division Manager
- Department/Division Director
- Assistant Clerk of the Board (or designee)
- Legal Counsel

7.3 Procedures to process destruction of expired records in Laserfiche are included in the following chart:


Responsibility	Action
Division Records Coordinators (may also be a Submitter separate from the Records Coordinator)	<ul style="list-style-type: none"> • Either in response to the automated workflow notification email from Laserfiche or during independent review of existing records maintained in Laserfiche, records are identified for destruction. Automated workflow notification emails from Laserfiche are generated by the retention workflow that is developed in Laserfiche using the RRS. • Hard copy records that might correlate to the identified records for destruction will be processed for destruction concurrent with the process below. The process outlined in Section 4.0 above applies. • Review should be conducted using the appropriate RRS, using all components of any given Record Type (Record Type description, Retention Length, etc.). Calculate destruction dates using the Records Management Disposition Form (Exhibit A). Cross-reference records with any active

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Responsibility	Action
<p>Assistant Clerk of the Board and/or designee</p> <p>Department/Division Supervisor</p>	<p>Records Holds. The Clerk of the Board <u>and/or</u> <u>designee</u> Assistant Clerk of the Board should be contacted for any questions pertaining to Records Holds.</p> <ul style="list-style-type: none"> • Purge the files in accordance with the process outlined below and in Procedure 4.0. Do not purge any documents subject to a Records Hold. • If there are records identified that have met the required retention periods, <u>that</u> and are not subject to a Records Hold, complete a Records Management Disposition Form (Exhibit A). The Assistant Clerk of the Board or designee will prepare the Request for Authorization to Destroy Records (Exhibit B) and route the documents for digital signatures/approval. • The Submitter and Records Coordinator are first and second, respectively, in the approval routing sequence. • Review the submitted Disposition Form and validate all information on the Disposition Form, including confirming the records are eligible for destruction (checking historical value, Records Holds, etc.). • If the records identified are not eligible for destruction, advise the Records Coordinator and Submitter and handle according to the type of record. • Prepare the Request for Authorization to Destroy Records, ensuring the appropriate RRS is included in the information that is routed, and route for signature/approval. Digitally sign the forms approving destruction (in the approval routing sequence after <u>Legal Counsel</u>Department/Division Director). • Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. • If you do not approve, please contact the Assistant Clerk of the Board <u>and/or</u> <u>designee</u>. The Assistant Clerk of the Board

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Responsibility	Action
Department/Division Manager	<p><u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.</p> <ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Assistant-Clerk of the Board <u>and/or designee</u>. The Assistant-Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Department/Division Director	<ul style="list-style-type: none"> Review the submitted forms and authorize approval to destroy records by digitally signing/approving the forms. If you do not approve, please contact the Assistant-Clerk of the Board <u>and/or designee</u>. The Assistant-Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues.
Legal Counsel	<ul style="list-style-type: none"> Review the submitted forms and determine whether to approve or disapprove the request for destruction of records. If you do not approve, please contact the Assistant-Clerk of the Board <u>and/or designee</u>. The Assistant-Clerk of the Board <u>and/or designee</u> will coordinate with the Submitter and Records Coordinator, as appropriate, to resolve any issues. Authorize approval to destroy records by digitally signing/approving the forms.
Assistant-Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Upon complete approval, the Assistant-Clerk of the Board <u>and/or designee</u> will send a copy of the approved forms to the Division Records Coordinator.
Division Records Coordinator & Assistant-Clerk of the Board <u>and/or designee</u>	<ul style="list-style-type: none"> Upon approval of the destruction request, the Records Coordinator and Assistant Clerk of the Board <u>and/or designee</u> will proceed with destruction procedures.

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<p><u>Assistant Clerk of the Board and/or designee</u></p>	<ul style="list-style-type: none"> • If request for destruction is not approved for any reason, records will be maintained until resolution of the matter or conclusion of the reason necessitating the Records Hold. • Coordinate destruction of records. As these records are digital and in Laserfiche, only specific users with delete permissions in Laserfiche can delete the records from the active repository. If the records are confidential, arrange for destruction that will protect the confidentiality of the information. The authorized user will delete the records from the active Laserfiche repository. • Records will remain in the authorized user's Laserfiche Recycle Bin for 90 days upon deletion from the active repository. The automatic purge of records in this location will occur after 90 days. • If the user restores a record from the recycle bin to the active repository that has been identified on the disposition form and authorized for destruction, the user is to notify Records Management as soon as possible. • Using the Laserfiche Global Recycle Bin, the <u>Assistant Clerk of the Board and/or designee</u> will review the user's Laserfiche Recycle Bin to ensure its contents match the records approved for destruction. • The authorized user who destroys electronic files in Laserfiche will be required to complete a Certificate of Digital Record Destruction (Exhibit C). The <u>Assistant Clerk of the Board and/or designee</u> will coordinate the completion of this document. • The <u>Assistant Clerk of the Board and/or designee</u> will review the Global Recycle Bin at 91 days to ensure the records are no longer in the Global Recycle Bin.

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Responsibility	Action
	<ul style="list-style-type: none"> • Once purged from the Laserfiche Recycle Bin, the Laserfiche service account will delete the files from OC San's Laserfiche server. • The Assureon File Sync process will notice the deleted files and will verify authenticity of the deletion via two methods: Verify that the records were deleted by the Laserfiche application (lf.exe), and verify that the records were deleted by the Laserfiche service account. • Assureon will mark the records as expired in the restorVault Trusted System cloud and will permanently delete the records after a holding period of seven (7) days. • The Assistant Clerk of the Board <u>and/or designee</u> will maintain the Certificate of Destruction in the appropriate files and update the Master Records Inventory with destruction information.

Procedure 5.0

Records Management Disposition Form

Exhibit A

Procedure 5.0

Request for Authorization to Destroy Records Form

Exhibit B

Procedure 5.0

Certificate of Digital Record Destruction

Exhibit C



Certificate of Digital Record Destruction

THIS IS TO CERTIFY THAT THE DIGITAL RECORDS IDENTIFIED IN THE ATTACHED DOCUMENTATION*
HAVE BEEN COMPLETELY DESTROYED BY THE UNDERSIGNED IN ACCORDANCE WITH THE
RECORDS MANAGEMENT PROGRAM ADOPTED BY THE BOARD OF DIRECTORS OF THE ORANGE
COUNTY SANITATION DISTRICT

DIVISION NUMBER: _____

**RECORDS DESTROYED FROM THE FOLLOWING LOCATIONS
(LIST BELOW, FOR EXAMPLE: SHAREPOINT, H DRIVE):**

SIGNATURE: _____

PRINT NAME: _____

DATE OF DESTRUCTION: _____

**Disposition form and authorized destruction approval form must be attached*

Procedure 5.0

Legal Counsel Written Consent Authorizing the Destruction of Video Surveillance Files

Exhibit D




Legal Counsel Written Consent Authorizing the Destruction of Video Surveillance Files

This written consent serves as authorization by Orange County Sanitation District's legal counsel to perform destruction of video surveillance recordings as detailed in OC San Records Management Program Procedure 5.0 and adopted by the OC San Board of Directors by Resolution, and attached hereto.

Bradley R. Hogin
General Counsel

Date

	Orange County Sanitation District	Procedure Number: 6.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>12/14/2023</u> 03/23/2022
		Supersedes: <u>03/22/2023</u> 09/23/2020
SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

1.0 INTRODUCTION


- 1.1 Vital records are those documents that contain information that enables the Orange County Sanitation District (OC San) to continue vital and critical operations in the event of a major interruption to business.
- 1.2 Such interruptions could be natural disasters (for example, earthquake, pandemic, sudden and severe energy shortage, or flood) or man-made disasters (for example, accidental fire, cyberterrorism, arson, or civil unrest) which result in the loss of the normal means of access to vital records.
- 1.3 In most organizations, vital records comprise between two and five percent of the total record volume. Vital records are identified with a “V” on the OC San Records Retention Schedule (RRS).

2.0 PURPOSE

- 2.1 The purpose of vital records management is to ensure that vital records are identified, protected, and accessible during or shortly following a disaster or major interruption to business.

3.0 SCOPE


- 3.1 Vital records are either irreplaceable or very difficult to replace.
- 3.2 Absence of vital records, or the inability to locate or translate vital records (in the case of machine-readable or digital records), means that OC San may not be able to provide critical services to the public and its employees during a disaster or shortly thereafter.
- 3.3 Vital records are maintained and protected in the format (paper, digital, BOLDplanning, etc.) that is most appropriate for efficient retrieval.
- 3.4 Vital records include records that enable OC San to:
 - 3.4.1 Provide required OC San safety and health services during and immediately following a disaster or other major interruption to business.

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SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

- 3.4.2 Meet the obligations to OC San employees and retirees.
- 3.4.3 Reconstruct legal obligations and rights.
- 3.4.4 Establish the financial position of OC San.
- 3.4.5 Reconstruct OC San’s assets and ownership.

4.0 PROCEDURES

Responsibility	Action
Clerk of the Board/Assistant Clerk of the Board or designee	Develop procedures for protecting vital records, either digitization and/or storing them onsite in fire-resistive equipment or by sending copies offsite. Identify viable onsite or remote storage sites for records protection. Coordinate vital records protection procedures with OC San’s Integrated Emergency Response Plan. Develop procedures for retrieving vital records within the identified time requirements following a disaster. Coordinate, identify, and develop agreements with vendors to provide records retrieval or recovery services required following a disaster. Work with the IT and Risk Managers to ensure that the management of vital records meets OC San’s needs.
Risk & IT Managers	Review the vital records procedures to ensure that OC San’s interests are protected and to ensure minimum exposure to risk in the event of a disaster.
Department/Division Records Coordinator	Identify vital records based on an evaluation of <u>Department/De</u> ivision business functions.

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SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

Comply with procedures that protect vital records.

Determine the frequency with which vital records must be stored both onsite and offsite.

Routinely copy and forward vital records to onsite or offsite protective storage facilities.

5.0 VITAL RECORDS CATEGORIES

- 5.1 The following is a list of records that are usually considered vital. If the Record Series/Record Type is indicated in the RRS, the Record Series/Record Type is identified as vital in the RRS.

Financial


Accounts Receivable
Fixed Asset Records
General Ledger
Loan Payments
Bank Statements
Stock Certificates
Payroll Tax Returns

Negotiable Instruments

OC San Benefit Contracts
Bonds
Employee Benefits Plans and Programs
Notes
Payroll

Ownership

Capital Investments
Titles

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SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

OC San Administration

- Board Meeting Minutes
- Continuity of Operations Plan (COOP)
- Delegation of Authority
- Formation Files & Annexation Files
- Grant Deeds
- Ordinances
- Property & Other Lease Agreements
- Resolutions
- Significant Agreements
- Significant Capital Improvements/Construction Contracts and Other

Insurance

- Certificates of Insurance

Engineering


- Drawings
- Specification Conformed

Information Technology

- System and Software Documentation (Licenses, Source Code, Manuals (if created by OC San))

6.0 VITAL RECORDS FORMAT

- 6.1 Select the format for protecting and maintaining vital records that ensures accessibility and usability during a disaster or emergency response:
 - 6.1.1 Source document (original or designated official version, regardless of format).
 - 6.1.2 Distributed copy (copy of record that is routinely distributed).
 - 6.1.3 Reproduced copy (hard copy of record that is copied for OC San needs).
 - 6.1.4 Scan (scanned version of vital records).
 - 6.1.5 Magnetic Tape (digital version of vital record).


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SUBJECT: VITAL RECORDS		Approved by: OC San Board of Directors

6.2 Select Vital Records Protection Methods

- 6.2.1 Select the method most appropriate method to protect the vital record.
- 6.2.2 Verify existing dispersal of record, and ensure that vital records are available in multiple, geographically separate locations as part of normal business activities.
- 6.2.3 Improve dispersal by initiating distribution of copies of vital records to a secure location at the time of document creation.
- 6.2.4 Duplicate records by reproducing copies of vital records in a medium appropriate to efficient storage and use and send to a secure location.
- 6.2.5 Move electronic vital records to Electronic Content Management System (Laserfiche).
- 6.2.6 Move hard copy vital records from active use areas once digitized and when no longer needed for active reference and send to a secure location.
- 6.2.7 Store vital records onsite in a secure location, such as the vault, that meets National Fire Protection Association (NFPA) standards for fire-resistance.

6.3 Select Vital Records Update Frequency

- 6.3.1 Determine how often it is necessary to update vital records to ensure that the information is current.

	Orange County Sanitation District	Procedure Number: 7.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>12/14/2023</u> 03/23/2022
		Supersedes: <u>03/22/2023</u> 09/23/2020
SUBJECT: HISTORICAL RECORDS		Approved by: OC San Board of Directors

1.0 INTRODUCTION

- 1.1 It is the policy of the Orange County Sanitation District (OC San) to identify and preserve records that have historical significance for OC San.

2.0 PURPOSE


- 2.1 The purpose of this procedure is to ensure that all OC San records are reviewed for historical value prior to destruction through the application of well-accepted appraisal criteria.
- 2.2 Historical Records are processed according to standard archival practices to ensure their preservation.

3.0 RESPONSIBILITY

- 3.1 The identification and review of Historical Records is administered under the authority of OC San's Records Management Program.
- 3.2 Both the Office of Record and OC San's Clerk of the Board and/or designee have a direct role in the implementation of identifying Historical Records.

4.0 OBJECTIVES

- 4.1 The objectives are:
- 4.1.1 Identify OC San records of historical value.
 - 4.1.2 Process OC San records of historical value in a manner that will ensure that they are properly preserved.
 - 4.1.3 To facilitate access to Historical Records by OC San and outside parties, OC San's Historical Records are identified as such on the Records Retention Schedule (RRS).
 - 4.1.4 Promote the use of OC San's historical records in such areas as agency planning, management, development, public relations, and litigation support.

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SUBJECT: HISTORICAL RECORDS	Approved by: OC San Board of Directors	

5.0 SCOPE

5.1 The scope includes the identification of records designated as historical on the RRS, the application of standard appraisal criteria at the end of the official retention period, and the processing and arrangement of historical records.

5.1.1 Processing and arrangement for paper records includes:


5.1.1.1 Removal of hardware (staples, brads, and other fasteners).

5.1.1.2 Placing documents in acid free folders and boxes that meet the standards for archival preservation.

5.1.1.3 Preparation of inventories and finding guides to the Historical Records.

6.0 PROCEDURE

6.1 The procedure applies to all OC San and contract staff who create, receive, or maintain OC San records.

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	RECORDS MANAGEMENT PROCEDURE MANUAL	Effective Date: <u>12/14/2023</u> 03/23/2022
		Supersedes: <u>03/22/2023</u> 09/23/2020
SUBJECT:	RECORDS MANAGEMENT PROGRAM AUDIT AND COMPLIANCE REVIEW	Approved by: OC San Board of Directors

1.0 INTRODUCTION


- 1.1 The Records Management Program Compliance Audit reviews and monitors compliance with the Orange County Sanitation District's (OC San) Records Management Program (the Program).
- 1.2 Periodically, Records Management conducts a compliance audit with several Departments/Divisions.
- 1.3 All Departments/Divisions should complete the audit process every two years.

2.0 PURPOSE

- 2.1 The purpose of the ~~Records Management~~ Program Compliance Audit is to ensure that all OC San records are created, received, maintained, and disposed of in accordance with the Board of Directors approved Records Management Policy and Procedure.

3.0 PROGRAM PROCEDURES

Responsibility	Action
Assistant Clerk of the Board <u>and/or designee</u>	<p>Review how Department/Division records are kept, where they are located, in what format (hardcopy or electronic), and security (who has access).</p> <p>Compare records eligible to be destroyed with those actually destroyed by the Department/Division. Note any record series destroyed prematurely or that have been retained beyond the approved destruction date.</p> <p>Review the OC San Records Management Program, particularly the Records Retention Schedule and records disposition, with staff.</p> <p>Run a summary report of findings with recommended corrective action, if necessary, such as additional training or</p>

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SUBJECT:	RECORDS MANAGEMENT PROGRAM AUDIT AND COMPLIANCE REVIEW	Approved by: OC San Board of Directors


revisions to existing documentation. Submit the report to the Division Manager and Department Head.

**Department/Division
Records
Coordinator**

Assist the ~~Assistant~~ Clerk of the Board and/or designee in conducting the records compliance review in the designated Departments/Divisions.

Respond to the summary audit report findings by identifying which corrective actions are planned or have been completed.

Inform Records Management of changes within the Department/Division and business practices that potentially may have an effect on the ~~Records Management~~ Program.

	Orange County Sanitation District	Procedure Number: 9.0
	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: <u>12/14/2023</u> 03/23/2022
		Supersedes: <u>03/22/2023</u> 09/23/2020
SUBJECT: RECORDS HOLD AND RELEASE	Approved by: OC San Board of Directors	

1.0 INTRODUCTION


1.1 At any time during the life of a record, Record Series, or types of records, there may be circumstances that require the “holding” or suspension of destruction of certain Record Series or types of records from being disposed of due to reasons specified by Legal Counsel, auditors, or Department/Division management.

1.2 Destruction suspension is a hold placed on the scheduled destruction of records that may be relevant to foreseeable or pending litigation, governmental investigation, audit, special organizational requirements, or other business needs not contemplated when the records were originally scheduled for disposal.

1.2.1 Examples of holds are:

- A. RIM Hold – Used when there is cause for Records Management to research records for inconsistent, missing, or incorrect information.
- B. Legal/Regulatory Hold – Used for financial audits or tax purposes and anticipated or pending litigation.
- C. Department/Division Hold – Request to hold records from a Department/Division with justification.
- D. Historical Hold – Preservation of records with justification requested.
- E. Retention Schedule Change Hold – Used when a change, addition, or deletion is required until the time the Records Retention Schedule (RRS) can be changed.
- F. Public Records Request – Preservation of records may be needed in relation to Orange County Sanitation District’s (OC San) response to any particular Public Records Request.

1.3 Depending upon the circumstances, a Records Hold may require the retention of all documents of a certain kind, whether they are hard copy records, electronic records, or non-records, as defined in Procedure 4.0.

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SUBJECT: RECORDS HOLD AND RELEASE		Approved by: OC San Board of Directors

1.4 Once a Records Hold has been placed on particular records or Record Series, the records will not be disposed of until a Records Hold Release has been issued by a Records Hold Requester and all parties have been informed as detailed below.

2.0 PURPOSE

2.1 The purpose of this procedure is to describe the procedures for suspending destruction or placing a Hold on the destruction of records that may be relevant to foreseeable or pending litigation, governmental investigations, audits, or other special OC San requirements; and for releasing the Hold when it is no longer necessary.

2.2 This procedure requires that the Clerk of the Board and/or designee, ~~Assistant Clerk of the Board~~, and Department/Division Records Coordinators be notified when holds on the destruction of certain records are necessary, in addition to other parties as detailed below.

2.3 This procedure ensures that records subject to holds for any purpose are maintained until resolution or conclusion of the matter.


3.0 SCOPE

3.1 This Procedure documents the process of suspending destruction or placing a Hold on the destruction of records, and the related release of the Hold.

3.2 This Procedure applies to **any record, non-record, or transitory record, in any format, at any time** during the life of the record or transitory record.

4.0 PROCEDURES FOR REQUESTING RECORDS DESTRUCTION HOLD


Responsibility	Action
Legal Counsel Department/Division Management	<ul style="list-style-type: none"> Upon becoming aware of the need for the suspension of destruction of certain OC San records that may be relevant to <u>foreseeable</u> or <u>pending</u> litigation, governmental investigations, audits, other special OC San requirements, or other business reasons, notify the Clerk of the Board <u>and/or designee</u>. A form may be required for implementing

 RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Orange County Sanitation District	Procedure Number: 9.0
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SUBJECT: RECORDS HOLD AND RELEASE		Approved by: OC San Board of Directors

Responsibility

Action

	the Hold (Records Hold & Records Hold Request Form, Exhibit A).
Clerk of the Board <u>and/or</u> <u>designee/Assistant</u> <u>Clerk of the Board</u>	<ul style="list-style-type: none"> Review all documentation submitted by Records Hold Requester (Legal Counsel or Department/Division Management). If necessary, contact Records Hold Requester to clarify scope of requested Hold. In collaboration with Legal Counsel, approve/authorize the Records Hold. Upload all information to GovQA Records Hold functionality to reflect the Hold and the Estimated Date of Release. Route Legal Hold to Legal Counsel, the EMT, IT, Manager, and Records Coordinators in <u>all</u> affected Departments/Divisions along with any specific instructions.
Department/Division Records Coordinators	<ul style="list-style-type: none"> Review and file all Records Hold information forwarded by Records Management. Prior to purging files or requesting destruction of records, cross-reference records identified to be purged or destroyed against Records Hold Requests on file. Identify documents subject to a Records Hold. Do not purge or request destruction of any documents subject to a Records Hold.
ECMS Administrator (IT)	<ul style="list-style-type: none"> The <u>Electronic Content Management System (ECMS) (Laserfiche)</u> Administrator (IT) will place a Legal Hold on relevant records in the ECMS.

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SUBJECT: RECORDS HOLD AND RELEASE		Approved by: OC San Board of Directors

5.0 PROCEDURES FOR REQUESTING RECORDS HOLD RELEASE

Responsibility

Action

Clerk of the Board
and/or
designee/Assistant
Clerk of the Board

- Periodically review Records Hold & Records Hold Release information in the GovQA portal and identify Estimated Dates of Release for previously placed Records Holds.
- If the Estimated Date of Release on a Records Hold has passed, contact the Records Hold Requester to inquire whether release of the Hold is appropriate. If the Records Hold Requester indicates that release of the Hold is appropriate, the Form (Records Hold & Records Hold Release Request Form), as previously submitted for implementation of the Records Hold, will be routed to the Records Hold Requester and completion requested. In collaboration with Legal Counsel, approve/authorize the Records Hold Release. Upon completion and submission of the Form, upload Form to GovQA and update the entry as appropriate and notify the Record Coordinators in all affected Departments/Divisions and provide any specific instructions. Legal Counsel, the EMT, Manager, and IT shall also be notified.
- If the Records Hold Requester indicates that release of the Hold is not yet appropriate, obtain and note the new Estimated Date of Release. Update all affected parties as indicated in the Holds process of this Procedure above.

Department/Division
Records Coordinators

- Review Records Hold Release information forwarded by the ~~Assistant~~ Clerk of the Board and/or designee.
- Identify documents within scope of the Records Hold Release and remove any notation of prior Hold. Any transitory records or records falling within the scope of the Records Hold Release may be purged or destroyed, following the appropriate process.

ECMS Administrator
(IT)

- The ECMS Administrator (IT) will release the Hold in the ECMS.

Procedure 9.0

Records Hold & Records Hold Release Request Form

Exhibit A



Records Hold & Records Hold Release Request Form

This form is for the purpose of both a Records Hold request and related Records Hold Release request.

Records Hold Request:

When specific types of records have been identified as needing to be held and disposal suspended, complete the Records Hold Request section of this form and send to Records Management. Records Management will return the completed form to the Requester for use, when appropriate, for the Release request.

Division Number: _____ Retention Number: _____

Record Series/Record Type to Hold, Including Description:

Record Dates: _____

Reason for Hold (Select All That Apply):

- RIM Hold Litigation Audit Tax Purposes
 Department/Division Hold Historical RRS Change Public Records Request
 Other (Describe): _____

Estimated Date of Records Hold Release: _____

Requester's Name & Signature:

Name (Print)	Signature	Date
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Hold Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
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Records Management Name & Signature:

Name (Print)	Signature	Date
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For completion by Records Management

Date Hold Entered in GovQA: _____

Name of Records Coordinator & Date Informed of Hold: _____

Name of Manager & Date Informed of Hold: _____

Name of IT Staff & Date Informed of Hold: _____



Records Hold & Records Hold Release Request Form

This form is for the purpose of both a Records Hold request and related Records Hold Release request.

Records Hold Release Request:

This section should be completed and submitted when the records identified above (Records Hold Request section) no longer need to be held. Send the completed form to Records Management. Records Management will return the completed form to the Requester.

Reason for Release (Select All That Apply):

- RIM Release Litigation Concluded Audit Completed Tax Purposes Met
 Department/Division Release Historical Needs Met
 RRS Chang Completed Public Records Request Completed
 Other (Describe): _____

Date of Records Hold Release: _____

Requester's Name & Signature:

Name (Print)	Signature	Date
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Hold Authorization:

Legal Counsel Name & Signature:

Name (Print)	Signature	Date
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Records Management Name & Signature:

Name (Print)	Signature	Date
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For completion by Records Management

Date Release Entered in GovQA: _____

Name of Records Coordinator & Date Informed of Release: _____

Name of Manager & Date Informed of Release: _____

Name of IT Staff & Date Informed of Release: _____

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SUBJECT: PUBLIC RECORDS ACT - RELEASE OF RECORDS TO THE PUBLIC	Approved by: OC San Board of Directors	

1.0 STATEMENT OF POLICY AND LAW


The California Public Records Act (Government Code §~~7920.0006250~~ et seq.) (the “CPRA”, “PRA”, or “Act”) declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person. In furtherance of that policy, the Act mandates, with specified exceptions, that public records are open to inspection at all times during the office hours of state and local agencies. The Act, however, recognizes a number of specific statutory exemptions to the general rule of public disclosure. The Act also authorizes local agencies to adopt procedures for making records available and for recovering the direct costs of duplicating those records.

The spirit of the Act, and the policy of the Orange County Sanitation District (OC San), is to permit access to all disclosable public records in the possession of OC San, unless doing so would constitute an unwarranted invasion of personal privacy or the request calls for the production of records that are exempt from disclosure under the Act. Other records may be kept confidential on a case-by-case basis only after an OC San determination that the public interest served by non-disclosure clearly outweighs the public interest served by disclosure. An example of that type of record would be preliminary drafts of agreements prepared to facilitate discussion and/or negotiations if disclosure prior to final agreement would have an adverse effect on the negotiation process. However, such analysis will usually involve the assistance of General Counsel.

In addition, California courts have also recognized that certain records need not be disclosed if disclosure would reveal the public agency’s decision-making process in such a way as to discourage candid discussion within the agency, which would thereby undermine the agency’s ability to perform its functions.

2.0 PROCEDURE

2.1 The Clerk of the Board/Custodian of Records and ~~/or designee Assistant Clerk of the Board~~ (PRA Team) receive and process all Public Records Requests (Request) in accordance with Government Code §~~7920.0006250~~ et seq., California Public Records Act, and OC San Board approved ~~Policy~~ Resolution. The PRA Team interprets each Request in accordance with Government Code §~~7922.6006253.1~~ and attempts to assist members of the public to identify the record that contains the information requested.

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SUBJECT:	PUBLIC RECORDS ACT - RELEASE OF RECORDS TO THE PUBLIC	Approved by: OC San Board of Directors

- 2.2 OC San uses the GovQA Public Records Request Management Software (GovQA) to receive, correspond, route, track, and respond to Requests.
- 2.3 To ensure consistency with the process of Requests, if a Department/Division receives a request from the public or other party to provide public records, the Department/Division should direct the requestor to the [OC San Public Records Portal](#) link on the ocsan.gov website so that the request may be routed and tracked in the GovQA portal for response. The PRA team should be notified and will be able to assist.


3. PROCESS

- 3.1 Requests are received by OC San and placed in GovQA by either the requestor or in a few cases the PRA Team; and OC San ~~S~~staff users/approvers enter the portal to respond or upload documents to fulfill the request.
- 3.2 When a request is initially received, the PRA Team immediately responds to the requestor, via established, automated GovQA workflows, with an email receipt ~~effor the~~ request that provides a legal explanation of the PRA process. The PRA Team determines if the request is complete or requires clarification (e.g., too broad; apparent typographical errors; etc.). If necessary, the PRA Team contacts the requestor for clarification.

If the PRA Team and Department Head believe that employee rights or significant interests of OC San could be compromised by the requested disclosure, the PRA Team and Department Head shall discuss the request with General Counsel prior to making such disclosure.

3.3 TIMELINESS.

Although OC San policy encourages a quicker response, the ~~Act~~CPRA requires that the person requesting copies of OC San records be notified within ten (10) calendar days of OC San's determination as to whether the request, in whole or in part, calls for the production of disclosable, non-privileged records that are in the possession of OC San. Occasionally, where assistance of General Counsel is appropriate, for example, the full

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	RECORDS MANAGEMENT POLICY & PROCEDURE MANUAL	Effective Date: 03/23/2022 <u>12/14/2023</u>
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SUBJECT: PUBLIC RECORDS ACT - RELEASE OF RECORDS TO THE PUBLIC	Approved by: OC San Board of Directors	

ten (10) calendar days may be required in order to make the requisite determination. Under the Act, OC San may also be entitled to an additional fourteen (14) calendar days in which to make its initial determination under the following four (4) circumstances:


- 3.3.1 There is a need to search for and collect the requested documents from other offices, or offsite storage, separate from the office processing the request;
- 3.3.2 There is a need to search for, collect, and examine a voluminous amount of separate and distinct records which are demanded in a single request; or
- 3.3.3 There is a need to consult with another Agency or Department having a substantial interest in the determination of the request. This includes requests for Certified Payroll from an OC San Contractor or Sub-Contractor.
- 3.3.4 In the case of electronic records, there is a need to compile data, write programming language or a computer program, or to construct a computer report to extract data.

If the additional fourteen (14) calendar days are needed, either General Counsel or the PRA Team must notify the requestor, in writing, of the reason(s) for the fourteen (14) day extension and the date on which the determination is expected.

If the final determination is to deny a request to inspect or copy OC San records, General Counsel or the PRA Team shall notify the requestor, in writing, of the reasons for the denial.

3.4 PARTIAL DISCLOSURE.

If portions of the requested record(s) are determined to be exempt from disclosure and those portions can be reasonably segregated from the rest of the record(s) by deletion, redaction, or other means, the non-exempt portion shall be provided to the requestor.

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3.5 COST OF COPIES.

Under the Act, OC San is entitled to be reimbursed by the requestor for the direct costs of duplication. OC San has, however, made a policy determination to not charge the requestor for the first ten (10) pages. If a PRA request calls for the production of records in excess of ten (10) pages, then the requestor shall be required to pay twenty-five cents per page for each additional page, which shall be reimbursement of OC San's direct costs for duplication. The reimbursement rate shall not include recovery of costs for staff time spent searching for, retrieving, reviewing, evaluating, and/or handling of responsive records. At the sole discretion of OC San, OC San may require the requestor to submit, in advance, a check based on the estimated direct duplication costs.

Electronic records, which can easily be transmitted to the requestor via GovQA, are encouraged and will not be subject to the twenty-five cents per page copying charge.


At the sole discretion of OC San, and depending on the estimated number of responsive records, the requestor or OC San may retain the professional reprographic services of a bonded copy service. The requestor shall be required to pay for or reimburse OC San for the direct costs of duplication associated with the use of a bonded copying service. In the event OC San approves of the use of a bonded copying service, the requestor may select and retain a bonded copying service; however, such selection shall be subject to OC San's approval.

3.6 COST OF VIDEOTAPES, AUDIOTAPES, COMPACT DISCS, OR THUMB DRIVES.

The charge to the requestor for copies of videotapes, audiotapes, compact discs, DVD recordings, or thumb drives shall be at OC San's actual cost of reproduction and cost of device (videotape, audiotape, etc.).

3.7 MEDIA CONTACTS.

Employees are encouraged to refer all media contacts and media inquiries to the Administration Manager. All information requests requiring

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production of records shall be processed in accordance with the terms of this Procedure and, upon completion of the preparation of the copies, shall be delivered to the requesting media representative by the Administration Manager. Department Heads shall report any and all media contacts to the Administration Manager as soon as possible. The Administration Manager shall coordinate any action required by such contact with the Clerk of the Board and keep the appropriate Department Head, General Manager, and General Counsel informed.

3.8 FORMS.

GovQA generated forms and letters shall be used by OC San staff for purposes of complying with this administrative procedure.

3.9 ACCESS TO FILES.

No member of the public and no OC San employee, other than an employee of the Department/Division processing records, shall enter GovQA or any file cabinets, record storage areas, or containers that hold OC San records, except when authorized by the PRA Team or Department Head.


When a requestor is reviewing physical files, a member of OC San staff must be present during the entire file review. This may be the Clerk of the Board, or designee, or staff member of the Department/Division that owns the records. The requestor may not remove any records during the file review.

3.10 REMOVAL OF RECORDS.

The unauthorized removal of any record of OC San is a violation of California Government Code §6201, and is punishable by imprisonment, ~~or~~ fine, or both.

3.11 LITIGATION DOCUMENTS.

The charge for all copies of any OC San document or record produced pursuant to a subpoena or request for production of documents issued by a Court or an authorized administrative or regulatory agency or tribunal,

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shall be twenty-five (\$0.25) cents per page to reimburse OC San for its costs of research, retrieval, examination, handling, copying, and certification of the documents.

In the event, due to size or volume of the responsive records, special reproduction services are required, the person making the request shall pay the actual charges incurred for either OC San’s in-house copy service or an outside copy service.

For large records requests, OC San shall require an advance deposit based on the estimated direct copying costs. Said deposit shall be paid by the requestor prior to OC San commencing any work to obtain and copy the requested records.


Litigation document requests shall be handled by General Counsel and the Clerk of the Board, or designee.

4.0 ROUTINE REQUESTS

4.1 If the PRA Team determines the nature of the request to be routine (e.g., Environmental Site Assessments, stale check data requests, contract documents, etc.), the PRA Team will then determine which Department/Division should receive the request and route it accordingly via GovQA. The following types of requests route directly to the staff liaison that has been pre-designated by Department/Division management:

A. Contracts and Purchasing. If a request is made to either Division, the entire Division, including the Supervisor and Manager, are notified. The request is fulfilled,, and the Supervisor or Manager approves prior to release. This prevents delays in turn-around due to absenteeism. Routine requests include RFP/RFQ bidder information, cumulative purchase order lists, and contract compliance.

B. Environmental Services. Requests for Environmental Site Assessment data are routed to the Department Director, Environmental Services Managers, and designated administrative staff members in the Resource Protection Division~~Environmental Services Department.~~and

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~~is only escalated to a Supervisor or Manager when there is an underlying issue with the property or a permittee.~~


- C. Finance Department. Routine requests for stale check data and Sewer Service Fees/Rebate information automatically route to a designated staff member as determined by the ~~Assistant General Manager/Director of Finance, and Administrative Services.~~
- D. Planning/Engineering. Requests for sewer connection/lateral maps and requests for Certified Payroll route to a designated staff member as determined by the ~~Director of Engineering, Assistant General Manager that oversees the Engineering Department.~~
- E. Human Resources. Requests are sent to a designated staff member as determined by the Human Resources Manager.

5.0 NON-ROUTINE REQUESTS


- 5.1 Non-routine requests consist of a variety of things. Examples of these are: all email/correspondence for a certain staff member, which requires IT assistance for e-Discovery; requests from law offices; or any request that the Clerk of the Board and/or designee believes or determines is related to anticipated or current litigation.
- 5.2 Non-routine requests are sent to affected, appropriate staff and/or General Counsel before beginning the process. Each Department/Division will assist with the process for research and retrieval and approval of what is released to the public.

6.0 COMPLETION

- 6.1 Once a request has been completed by the affected Department/Division, the request routes back to the PRA Team for final review before release. The review consists of checks for accuracy, confidentiality, or personal information, and redaction prior to release.

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6.2 The Clerk of the Board will provide a weekly summary containing the number of Requests PRA's received and processed with assigned Department detail to the Administration Manager and/or General Manager.

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SUBJECT:	ELECTRONIC COMMUNICATIONS POLICY	Approved by: OC San Board of Directors

1.0 INTRODUCTION

1.1 The Electronic Communications Policy of the Records Management Program (the Program) controls the maintenance and storage of Orange County Sanitation District (OC San) electronic mail records, text messages, instant messages, voicemail, and social media. Following the retention procedures ensures compliance with pertinent statutory, regulatory, operating, and administrative recordkeeping requirements. In addition, it ensures that records needed to conduct OC San business are protected and accessible. The Records Retention Schedule (RRS) is the foundation of the Program and defines the periods required to maintain OC San records, including all electronic communications.


2.0 PURPOSE

2.1 POLICY OBJECTIVES:

- 2.1.1 Provide clear and concise direction regarding use and retention of OC San’s electronic communications systems, including electronic mail (email), text messaging, instant messages, and voicemail.
- 2.1.2 Comply with all applicable State and Federal laws and OC San Personnel Policy 5.10 related to the use of email and all other forms of electronic communication.
- 2.1.3 Address the California Supreme Court's 2017 decision in *City of San Jose v. Superior Court of Santa Clara County*, holding that a Public Agency employee's communications related to the conduct of public business are subject to the California Public Records Act, even if they were sent or received using a personal account or personal device.

3.0 SCOPE/BACKGROUND

3.1 This policy applies to all persons (including employees, appointed officials, interns, and contractors) who are permitted to use OC San’s computing or network resources, particularly the email functions of the system

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("Authorized Users"). "Email" means any electronic communication to or from any Authorized Users using the Email System, including all information, data, and attachments to the electronic communication. **"Email System"** means the system of devices (including hardware, software, and other equipment) owned and controlled by OC San or the Authorized User for the purpose of facilitating the electronic transmission. **"Electronic Communications"** includes any and all electronic transmission, and every other means of recording upon any tangible thing in any form of communication or representation, including letters, words, pictures, sounds, symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Without limiting the nature of the foregoing, electronic communications include email, texts, instant messages, voicemails, and include communications on or within applications (apps) such as Facebook Messenger, Twitter, Microsoft Teams, etc.

4.0 POLICY

4.1 ROLES AND RESPONSIBILITIES


4.1.1 The Board Services and Information Technology (IT) Divisions are responsible for administering this policy and procedure.

4.1.2 The OC San Clerk of the Board and/or ~~the Assistant Clerk of the Board or Designee (Clerk)~~, with the advice of General Counsel, will monitor compliance and make the final determination of official records of OC San.

4.1.3 All Authorized Users are responsible for compliance with this policy and procedure.

4.2 DEFINITION OF "OFFICIAL OC SAN RECORD"

Under this Policy, the definition of **"Official OC San Record"** is the same as the definition provided in the California Public Records Act (Cal. Gov. Code §~~7920.0006250~~ et seq.) (Public Records Act) for "public records" and "writing":

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"... 'Public records' include 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 or characteristics..."

"... 'Writing' means any handwriting, typewriting, printing, photostating, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored."

4.3 ELECTRONIC COMMUNICATION RELATED TO OC SAN BUSINESS IS AN OFFICIAL OC SAN RECORD.

4.3.1 Email and other forms of electronic communication, such as voicemail, texts, instant messaging, and social media posts, generate correspondence and other types of records that can be recognized as Official OC San Records and may be subject to disclosure under the Public Records Act. In addition, any Official OC San Record created through email and other forms of electronic communication must be protected and retained in accordance with records retention laws.

4.3.2 Messages transmitted using OC San's Email System or OC San-owned equipment with capabilities for text messaging and/or voicemail, should be messages which involve OC San business activities and contain information essential to accomplishment of business-related tasks, or can otherwise be recognized as Official OC San Records. Any incidental (personal) email, text, instant message, or voice messages are not considered public records, but may still be discoverable. All electronic communications are the property of OC San.

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4.4 OC SAN EMAIL SYSTEM IS NOT FOR STORAGE

OC San reserves the right to retrieve and make proper and lawful use of any and all electronic communications transmitted through OC San's Email System and any OC San-owned and subsidized equipment. Although the use of electronic communications is considered official OC San business, OC San's communications systems, including email, text messaging, instant messaging, and voicemail, are intended as a medium of communication only. Therefore, the Email System and any OC San-owned or subsidized equipment such as cell phones should not be used for the electronic storage or maintenance of documentation, including, but not limited to, Official OC San Records. Regarding email, the system administrator performs regular electronic back-up of OC San's Email System; however, the back-up is not a copy of all OC San email activity that occurred during any given period.


5.0 GUIDELINES FOR PROPER EMAIL USAGE

5.1 Authorized Users are responsible for managing their mailboxes, including organizing and deleting any non-OC San related messages that do not constitute Official OC San Records. Authorized Users are responsible for determining if emails contain substantive information regarding OC San business or may later be important or useful for carrying out OC San business, and thus could be considered as Official OC San Records.

6.0 USE OF OC SAN ELECTRONIC COMMUNICATIONS VIA PERSONAL ACCOUNTS

6.1 OC San accounts shall be used to conduct OC San business. Authorized Users should not use personal accounts for the creation, transmission, or storage of electronic communications regarding OC San business.

6.2 All Authorized Users shall, within 90 days following the adoption of this updated policy, search all private, non-governmental electronic messaging accounts to which they have user access and locate any electronic communications that might constitute an Official OC San Record. All such communications shall be forwarded to the Authorized User's OC San-

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provided account. To the extent the Authorized User believes that any part of such communications contains personal matter not related to the conduct of the public's business, the Authorized User shall provide a declaration, as set forth in Exhibit A.


6.3 If an Authorized User receives an electronic message regarding OC San business on his/her non-OC San electronic messaging account, or circumstances require such person to conduct OC San business on a non-OC San account, the Authorized User shall either: (a) copy ("**cc**") any communication from an Authorized User's personal electronic messaging account to his/her OC San electronic messaging account; or (b) forward the associated electronic communication to his/her OC San account no later than 10 days after the original creation or transmission of the electronic communication.

6.4 Authorized Users shall endeavor to ask persons sending electronic communications regarding OC San business to a personal account to instead utilize the Authorized User's business account and, likewise, shall endeavor to ask a person sending an electronic communication regarding non-OC San business to use the Authorized User's personal or non-OC San electronic messaging account.

7.0 ELECTRONIC COMMUNICATIONS AND PRIVACY

7.1 NO EXPECTATION OF PRIVACY:

7.1.1 OC San Personnel Policy 5.10 states that OC San Electronic Communication devices are the exclusive property of OC San. Authorized Users have no right or expectation of privacy or confidentiality in any message created, sent, received, deleted, or stored using the OC San Email System or any OC San-owned or subsidized communication devices. All messages and any attachments on OC San's computer network, Email System, OC San-owned system or device, or OC San subsidized communication device are subject to OC San review and disclosure of electronic communications regarding OC San business.

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7.1.2 Electronic communications regarding OC San business that are created, sent, received, or stored on an electronic messaging account may be subject to the Public Records Act, even if created, sent, received, or stored on a personal account or personal device. Most communications that include Authorized Users are not confidential communications; however, certain communications such as investigations, personnel records, or attorney-client communications may be confidential or contain confidential information. Questions about whether communications are confidential, and how they are to be preserved, should be discussed with the Clerk of the Board and/or designee.


7.2 USE CAUTION WITH CONFIDENTIAL INFORMATION

All Authorized Users must exercise a greater degree of caution in sending confidential information on OC San's electronic communications systems than they take with other media because of the risk that such information may be copied and/or retransmitted. All email correspondence containing confidential information should be tagged as such and stored in a clearly labeled confidential folder to protect and preserve the privacy and confidentiality of the record. When in doubt, do not use email, text messaging, instant messaging, or voicemail as a means of confidential communication.

8.0 PUBLIC RECORDS REQUESTS, RETENTION, AND DESTRUCTION

Electronic communications are a business tool which shall be used in accordance with generally accepted business practices and all Federal and State laws, including the California Public Records Act, to provide an efficient and effective means of intra-agency and interagency communication. Under most circumstances, communications sent electronically are public records, subject to disclosure under the California Public Records Act and subject to records retention laws applicable to a variety of government agencies.

8.1 PRESERVING ELECTRONIC MESSAGES - PUBLIC RECORDS ACT REQUESTS, SUBPOENAS, CLAIMS, AND POTENTIAL CLAIMS AGAINST OC SAN.


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OC San receives requests for inspection or production of documents pursuant to the Public Records Act, as well as subpoenas or court orders for documents. In the event such a request or demand includes electronic messages, Authorized Users who have control over or access to any such messages, once they become aware of the request or demand, shall use their best efforts, by reasonable means available, to temporarily preserve any such message until it is determined whether the message is subject to preservation, public inspection, or disclosure. Authorized Users shall contact the Clerk of the Board and/or designee regarding any such messages that are within their control.

8.2 CALIFORNIA PUBLIC RECORDS ACT.

8.2.1 In the event a Public Records Act request is received by OC San seeking electronic communications of Authorized Users, the Clerk of the Board, or designee, shall promptly transmit the request to the applicable Authorized User whose electronic communications are sought. The Clerk of the Board, or designee, shall communicate the scope of the information requested to the applicable Authorized User, and an estimate of the time within which the Clerk of the Board, or designee, intends to provide any responsive electronic communications to the requesting party.

8.2.2 It shall be the duty of each Authorized User receiving such a request from the Clerk of the Board, or designee, to promptly conduct a good faith and diligent search of all Business and Personal electronic messaging accounts and devices for responsive electronic communications. The Authorized User shall then promptly transmit any responsive electronic communications to the Clerk of the Board, or designee. Such transmission shall be provided in sufficient time to enable the Clerk of the Board, or designee, to adequately review and provide the disclosable electronic communications to the requesting party. If the Authorized User is unable to transmit the responsive communications, the IT Division has the ability to extract the pertinent communications and ensure the appropriate metadata is preserved.

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8.2.3 Based on the nature of the Public Records Act request, the Clerk of the Board, or designee, may also request an eDiscovery of all electronic email records and instant messages through the IT Division.

8.2.4 In the event an Authorized User does not possess responsive electronic communications from OC San's owned or subsidized electronic messaging account, the Authorized User shall so notify the Clerk of the Board, or designee, by way of a written declaration (Exhibit A).


8.3 AUTOMATIC DELETION OF EMAIL

OC San's email system automatically deletes OC San emails, including any text messages that become emails, which are more than **24 months** old from "Inbox" and "Sent" email folders of each OC San email user. Email in "Deleted" folders will be automatically removed after **ninety (90)** days.

8.4 EMAIL FOLDER MANAGEMENT

8.4.1 Authorized Users are responsible for the daily management of their email boxes and associated folders. To ensure maximum efficiency in the operation of the Email System, Authorized Users are directed to delete email messages that are NOT Official OC San Records from their inboxes on a weekly basis. These transitory email records, based on the content of the information which only have a retention value of a few days or weeks, can be deleted from the Email Inbox upon review and determination when the purpose of the information has been fulfilled - which can be any time up to 90 days. **All email records moved to Deleted will be automatically purged by IT after 90 days.** Examples of such messages are personal emails, solicitations, email advertisements/announcements, or newsletters.

8.4.2 If email messages that are not Official OC San Records are necessary for transitory work, preliminary drafts, or preparation of work product or personal notes, Authorized Users should either


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move the record to a dedicated email (working) folder, print the email and maintain the paper copy, or create a PDF version of the email (save as PDF) and store the file in an electronic folder on OC San's network drive (OneDrive, SharePoint, or SharePoint Online) to be deleted when no longer needed.

8.4.3 Attachments to email messages should be retained or disposed of according to the content of the attachment itself, not according to the email transmitting the attachment. Many email attachments are duplicates of existing documents or are draft versions of documents that might not be retained by OC San after the final version of the document is complete. If you need help in determining whether an attachment to an email message must be retained, please contact the Clerk of the Board and/or designee.

8.5 DETERMINATION OF RECORD.


In accordance with OC San's RRS, Records Retention Procedure, it is the responsibility of Authorized Users to determine if an electronic communication is an Official OC San Record which must be retained in accordance with OC San's RRS Records Retention Schedule (RRS). Electronic communication messages (including any attachments) that are deemed to be Official OC San Records shall be preserved. Authorized Users shall consider the content of an electronic communication when determining if it is an Official OC San Record. The Clerk of the Board and/or designee can assist in making such a determination. In addition, following is a general guideline for determining whether an electronic communication is an Official OC San Record:

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Electronic Communications that are generally considered as Public Records (Official OC San Record)	Electronic Communications that are generally NOT considered as Public Records / in general not an Official OC San Record
(Retention time is 2 years or more)	(Retention time is no more than 90 days)
Electronic Communication that is created or received in connection with official OC San business.	Personal messages and announcements not related to official OC San business.
Electronic Communication that shows how an OC San policy was created or how a decision was made by OC San staff and/or the OC San Board of Directors.	Duplicate documents (copies or excerpts) distributed for convenience or reference.
Electronic Communication that begins, authorizes, or completes an item or a transaction of official OC San business.	Transmittal messages that merely assist the flow of work.
Electronic Communication that documents significant official decisions or commitments reached verbally (person-to-person, by phone, or in conference) and not otherwise documented in OC San files.	Electronic Communications containing preliminary drafts, notes, or interagency or intra-agency memos that are not retained in the ordinary course of business. Government Code §6254(a). Records that are normally retained do not qualify for this exemption.

8.6 ELECTRONIC COMMUNICATIONS UPON TERMINATION.

Upon an Authorized User's retirement or termination, IT will forward the user's electronic communications to the immediate Supervisor for review. In accordance with the policy herein, it is the Supervisor's duty to review and determine which email/text messages, voicemails, etc. should be preserved, retained, or disposed of according to the content of the email and following OC San's approved RRS.

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Once determined, the Supervisor should either transfer the records to a dedicated email (working) folder in their email inbox, print the communication and maintain the paper copy, or create a PDF version of the email (save as PDF) and store the file in an electronic folder on OC San’s network drive (OneDrive, SharePoint, or SharePoint Online) to be retained or to be deleted when no longer needed. Once completed, IT will dispose of the entire mailbox after 90 days unless otherwise requested by the Supervisor.

Procedure 11.0

Declaration Regarding Search of Personal Electronic Messaging Accounts

Exhibit A

In the matter of:

California Public Records Act Request
Pursuant to Government Code §6250 et
seq.

Re:

Insert name of record request

Request #: _____

Declaration of:

Print or type name of user

**DECLARATION REGARDING SEARCH OF
PERSONAL ELECTRONIC MESSAGING
ACCOUNTS**

STATE OF CALIFORNIA
COUNTY OF ORANGE
ORANGE COUNTY SANITATION DISTRICT

I, _____ declare:
Print name

1. I received notice of a California Public Records Act ("CPRA") request regarding a search of my personal electronic messaging account(s).
2. I understand that the CPRA request seeks:

Insert text of CPRA request.

3. I am the Owner or Authorized User of the following personal electronic messaging account and have the authority to certify the records:

Insert description of personal electronic messaging account(s).

4. I have made a good faith, diligent, thorough, and complete search of the above mentioned personal electronic messaging account(s) for all electronic communications potentially responsive to the above mentioned CPRA request.
5. Any responsive electronic communications discovered, and referenced below, were prepared or used by me in the ordinary course of business at or near the time of the act, condition, or event.
6. Any responsive electronic communications discovered, and referenced below, are true copies of all records described in the above mentioned CPRA request.

Check the applicable box:

- I certify that I do not possess responsive electronic communications.
- I certify that I cannot reasonably recover responsive electronic communications without technical assistance.

Explain efforts to retrieve responsive electronic communications and why you were unable to recover responsive electronic communications. Add technical assistance required.

- I certify that I discovered potentially responsive electronic communications from my personal electronic messaging account, but I am withholding that information because the information is "personal" business. This is for the following reasons:

Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

- I certify that I discovered potentially responsive electronic communications from my personal electronic messaging account. I am providing all responsive information. However, some information is non-responsive, and I am withholding that information because the information is personal business. This is for the following reasons:


Describe with sufficient facts why the contested information is personal business and not subject to the CPRA. Attach additional pages, if necessary.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that I have personal knowledge of the facts set forth above.

Executed this ___ day of _____ 20___, in _____, California.

By: _____

Print Name: _____

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This Procedure applies only to Invitation for Bids (IFBs) with an award amount of \$10,000,000 or more, to the two lowest responsive, responsible bidders.

1.0 PRE-BID

- 1.1 If Escrow of Bid Documents (Escrow) is required (per Bid Requirements Form), the Contracts Administrator (CA) will notify Records Management (Clerk of the Board and ~~/or designee Assistant Clerk of the Board~~) of the need for Escrow and will establish a time and date for Bidder(s) to submit their Bid Documents for escrow as specified in the Special Provisions, "Escrow of Bid Documents."
 - a. This date and time of submission will be within the date and time set forth in the Contract's Special Provisions.
 - b. The date must also be coordinated with Records Management's schedule.
- 1.2 CA submits a Meeting Planner to reserve a room in the Administration Building for receipt of the Escrow of Bid Documents Meeting (Meeting).
- 1.3 CA schedules the Meeting with Records Management, via Outlook Calendar, on the date and time scheduled for the Meeting.
- 1.4 Upon receipt of the Outlook meeting request, Records Management schedules the date for Offsite Storage (GRM) to transfer the Escrow Bid Documents to offsite storage.

2.0 BID OPENING

- 2.1 At Bid Opening, OC San announces the two (2) lowest Bidders who will be required to submit their Bid Documents for Escrow within the date and time set forth in the Special Provisions.
- 2.2 At the Bid Opening, Bidders shall be reminded that:
 - 2.2.1 Failure to timely submit Bid Documents for Escrow may result in a Bidder being deemed non-responsive.


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3.0 POST BID OPENING

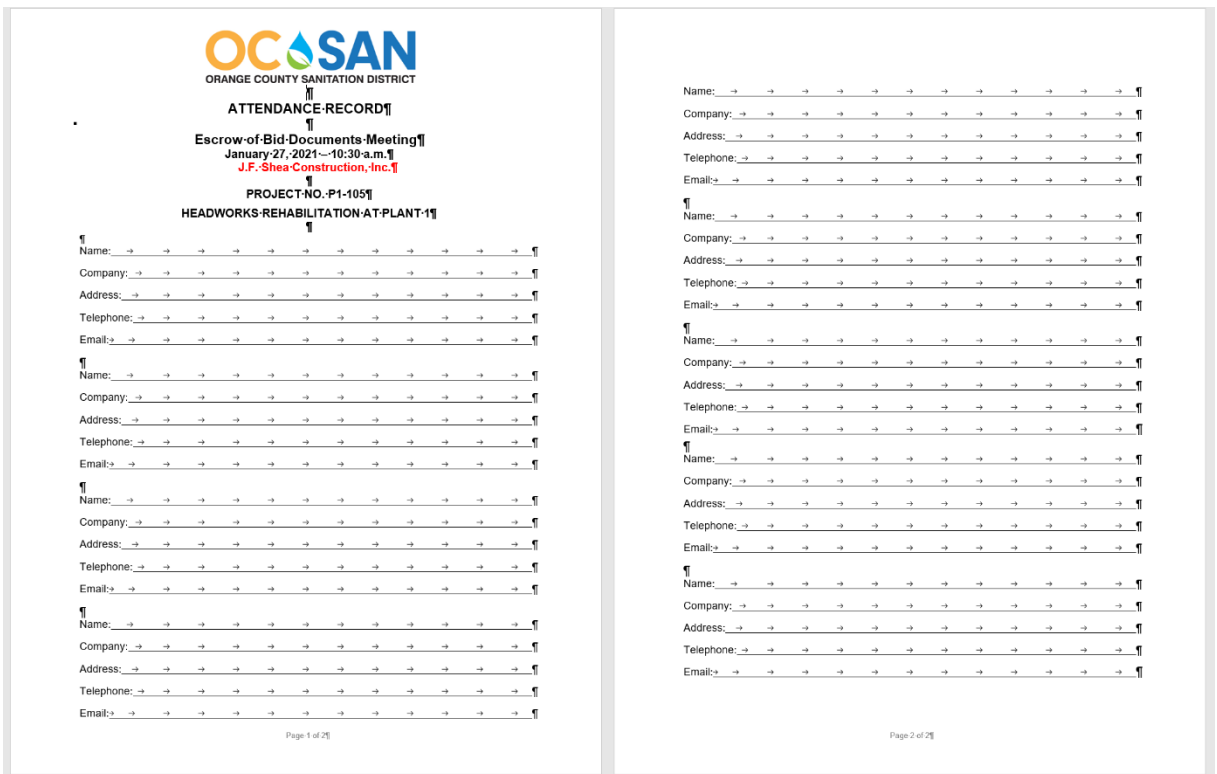
3.1 After Bid Opening, but no later than the date and time of the Meeting, Records Management will prepare an OC San Escrow Records Storage Facility Transfer Request & Tracking form (Form) (sample image below) for each Bidder's Escrowed Bid Documents.

OC San Escrow Records Storage Transfer Request & Tracking			Date: 05/05/2021
Project Number and Name: P1-128A, Headworks Complex at Plant No. 1 Contractor: Swinerton Builders Requestor: Digna Olmos Division Name and Number: Contracts-230		Offsite Storage Location & Tracking Barcode: AFFIX BAR CODE HERE	
Meeting/Transacting Date	Transaction/Activity	Authorization Signatures	Comments/Notes
Original Records Intake 05-05-2021 / 9:00 a.m.	Intake of Escrow Bid Documents Meeting	Contractor Representative Print Name Contractor Representative Signature	Information Recorded on Escrow Inventory
05-05-2021	Escrow Bid Documents Sent Offsite	Records Management Print Name Records Management Signature	Information Recorded on Escrow Inventory
Document Review Meeting (If Applicable) Date & Time	Escrow Bid Documents Retrieval & Review <input type="checkbox"/> Check here if inventory of records (Contracts document) added to storage container	Records Management Print Name Records Management Signature Contractor Representative Print Name Contractor Representative Signature	If applicable, escrow records inspected by contractor(s) and OC San staff. Documents not officially released and will be resealed and sent back offsite. Date sent offsite
Date Pending	Release of Escrow Bid Documents Meeting	Contractor Representative Print Name Contractor Representative Signature	
Storage Intake Approved By: → → → → → Date:			
OC San Records Management			
Storage Permut Approved By: → → → → → Permut Date:			
OC San Records Management			

A separate Form is required for each Bidder's Escrowed Bid Documents due to the fact each Bidder's escrow box is assigned a separate bar code to be affixed to the Form. Also, each Bidder must sign the Form applicable to their documents. After the meeting, Records Management scans and saves a copy of all documents.


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3.2 In preparation for the arrival of Bidders for the Meeting, the CA shall prepare an Escrow of Bid Documents Meeting Attendance Record for record of attendance which will be completed by the representative of each company and all the OC San staff in attendance at the Meeting. A copy should be made and provided to each representative of the company delivering documents and the original kept on file by Records Management.



3.3 At the Meeting, the two lowest Bidders will hand deliver their Bid Documents to OC San Records Management and the CA. OC San Staff/Contractor will open and review the contents together at OC San.

3.4 Each Bidder will fill out and sign an Intake of Escrow Bid Documents Record of Receipt (sample image below) prepared prior to the Meeting by Records Management.

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RECORD-OF-RECEIPT-FOR: []

Intake-of-Escrow-Bid-Documents []
 May 5, 2021 -- 9:00 a.m. []
 Swinerton-Builders []

PROJECT-NO. P1-128A []

HEADWORKS-COMPLEX-AT-PLANT-NO. 1 []

NUMBER-OF-BOXES: → → → → → []

Documents-Delivered-By: []

Name: → → → → → → → → → → → []

Company: → → → → → → → → → → → []

Address: → → → → → → → → → → → []

Telephone: → → → → → → → → → → → []

Email: → → → → → → → → → → → []

Signature: → → → → → → → → → → → []

Documents-Intake-By: []

Name: → → → → → → → → → → → []

Company: → Orange County Sanitation District → → → → → []

Address: → 10844 Ellis Avenue, Fountain Valley, CA 92708 → → → → → []

Telephone: → → → → → → → → → → → []

Email: → → → → → → → → → → → []


Signature: → → → → → → → → → → → []

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- 3.5 After OC San approves of the documentation in the Bidders' Bid Documents, OC San Records Management will affix GRM bar codes and ID numbers on the OC San Escrow Records Storage Transfer Request & Tracking form (Form) and to each Bidder's Escrowed Bid Document box. The Bidders and Records Management shall all sign the completed Form.
- 3.6 Each Bidder, the CA, and Records Management will receive a copy of the completed Form for their records and future reference.
- 3.7 As arranged by Records Management, GRM will thereafter take possession of the apparent two low Bidder's Escrowed Bid Documents and transfer them to its document storage facility.

4.0 AFTER CONTRACT AWARD

- 4.1 Following the Award of the Contract, OC San will return the Escrowed Bid Documents to the unsuccessful Bidder(s) at a meeting to be scheduled at the convenience of all parties. In preparation of the meeting, Records Management will prepare the Release of Escrow Bid Documents Record of Receipt (sample image below). As appropriate, all parties will complete this

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Record of Receipt at the meeting, obtaining all of the required signatures. A copy of the completed Release of Escrow Bid Documents Record of Receipt will be provided to the Bidder and CA. Records Management keeps the original.



RECORD-OF-RECEIPT-FOR:¶
•¶
Release-of-Escrow-Bid-Documents¶
July-26,-2021--7:30-a.m.¶
Kiewit-Infrastructure-West-Co.¶
¶
CONTRACT-NO.-P2-98A¶
A-SIDE-PRIMARY-CLARIFIERS-REPLACEMENT-AT-PLANT-NO.-2¶
¶
OC-San-Requester: → → Ludwig-Lapus → → ¶
¶
GRM-Bar-Code: → → 003927536 → → ¶
(NUMBER-OF-BOXES:-1)¶
¶
Documents-Returned-To:¶
¶
Name: → → → → → → → → → → ¶
Company: → Kiewit-Infrastructure-West-Co. → → → → → → ¶
Address: → → → → → → → → → → ¶
Telephone: → → → → → → → → → → ¶
Email: → → → → → → → → → → ¶
Signature: → → → → → → → → → → ¶
¶
Documents-Released-By-OC-San-Board-Services-(Records-Management):¶
¶
Name: → → → → → → → → → → ¶
Company: → Orange-County-Sanitation-District → → → → → → ¶
Address: → 10844-Ellis-Avenue,-Fountain-Valley,-CA-92708 → → → → ¶
Telephone: → → → → → → → → → → ¶
Email: → → → → → → → → → → ¶
Signature: → → → → → → → → → → ¶

5.0 EXCEPTIONS

- 5.1 In the event of a bid protest or other problem with the apparent low bid, the CA will contact the third and perhaps fourth apparent low bidders and complete the required steps of this Procedure above.
- 5.2 For Design-Build (DB) Projects, only the Proposal Documents of the successful proposer will be escrowed, after the award of contract by the Board of Directors.

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1.0 POLICY OBJECTIVES AND BACKGROUND

1.01 The Orange County Sanitation District (OC San) has identified the following objectives for digitizing records:

- 1.01.1 Provide online access to OC San records
- 1.01.2 Make digitized material and metadata available
- 1.01.3 Advance the preservation of records by reducing wear and tear on the originals
- 1.01.4 Maintain a reduction in paper


1.02- To ensure that users have the ability to access digitized records, OC San has implemented an Electronic Content Management System (ECMS) (Laserfiche) which will be made available via SharePoint and on ocsan.gov, as well as a desktop application for designated staff members. Utilizing this management system ensures the authenticity, reliability, usability, and integrity of the digital copies.

1.03 The implementation of a paper reduced environment, including the incorporation of the ~~Electronic Content Management System~~ ECMS and implementation of a fully digital process to reduce the use of paper ~~by June 30, 2022, was included in the General Manager's Fiscal Year 2021-22 Work Plan~~ is a continued goal in the General Manager's Work Plan.

1.04 OC San is pursuing a reduction in paper in the office environment. Digitization provides a means for preserving at-risk physical materials (including paper documents, maps, photos, etc.) as well as providing greater accessibility and security for those documents. To the extent practicable, OC San promotes electronic systems, electronic records, and paperless transactions to support OC San's transition to electronic government and enhanced transparency.

1.05 Digitization refers to the process that includes the following activities:

- 1.05.1 Identifying, selecting, and documenting physical materials for digitization;
- 1.05.2 Preparing physical materials for scanning (including locating, preserving, gathering, reviewing, and organizing for access; and

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screening for suitability to be digitized);


- 1.05.3 Collecting basic descriptive and technical metadata sufficient to allow retrieval and management of the digital copies and to provide basic contextual information for the user;
- 1.05.4 Scanning the physical materials (also referred to as digital conversion), re-filing, or disposing;
- 1.05.5 Quality control (validation) of digital copies and metadata;
- 1.05.6 Providing access to reliable and authentic copies for business purposes to internal users as well as the public; and
- 1.05.7 Maintaining digital copies and metadata.

2.0 POLICY RESPONSIBILITY

- 2.1 The Board Services and Information Technology (IT) Divisions have overall responsibility for this policy. The OC San Board of Directors adopts this policy, IT manages the Electronic Content Management System, and the Custodian of Records implements and oversees this policy on behalf of the Board of Directors.

3.0 APPLICABILITY

- 3.1 This policy provides guidance and requirements for digitizing physical media.
- 3.2 This policy applies to all records of physical materials being considered for digitization. These records fall into three categories:
 - 3.2.1 Vital or Historical Records with permanent or life of organization retention;
 - 3.2.2 Inactive records that have not met their retention schedule (especially records that are voluminous or have a long retention schedule) and are not regularly accessed. These may be considered for digitization due to constraints of

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physical storage space or costs of maintaining the physical record collection; and

- 3.2.3 Active records that are initially produced in paper or similar physical media as part of the business process, e.g., requiring a physical signature, and are regularly accessed for a continuing business purpose. Digitization may provide for access among multiple users across multiple locations.

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4.0 TERMS AND DEFINITIONS

4.1 As used in this policy, the following terms and definitions apply:

- 4.1.1 Custodian of Records: The custodian of records for OC San is the Clerk of the Board.
- 4.1.2 Digitization: The act of scanning an analog document into digital form, as well as the series of activities that results in a digital copy being made available to end users via the intranet, internet, or other means for a sustained length of time.
- 4.1.3 Electronic Content Management System (ECMS): Computerized/digital means for collecting, organizing, and categorizing information to facilitate its preservation, retrieval, use, and disposition.
- 4.1.4 Electronic Signature: A method of signing an electronic document that identifies and authenticates a particular person as the source of the signature and indicates such person's intent to sign the document.
- 4.1.5 Office of Record: The Department/Division that, by definition of its mission or function, has primary responsibility for maintenance and retention of the record.

5.0 POLICY GOAL AND CONSIDERATIONS

- 5.01 The goal of this policy is to expand public and internal access to important vital, historical, and long-term documents through digitization. OC San does

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not require all records in physical media be digitized unless they are at risk of damage or destruction, which may result in the loss of the record. However, based upon business analysis by the Office of Record and Custodian of Records, digitization may be an effective way to maintain and manage a record collection that exists only in physical media form.

5.02 Before undertaking a digitization project, the Office of Record should consider the following:


- A. Volume of the record collection;
- B. Cost to digitize (budgeted in each Department/Division);
- C. Need/Demand for availability (sharing) of the documents;
- D. Quality of the originals (including handwritten notes, degradation of original medium, etc.); and
- E. Need to preserve the originals after digitization for historical or other purposes.

5.03 The legal validity of electronic signatures in the context of electronic transactions (i.e., actions between two or more persons relating to the conduct of business, consumer, commercial, or governmental affairs) must be well-recognized and approved by the Secretary of State of California.

6.0 POLICY EXCEPTIONS

6.01 Exceptions to this policy may be necessary based on legitimate business needs, legal, or compliance requirements. Any exceptions must be documented, reviewed, and approved by the Custodian of Records, Management, and General Counsel.

6.02 This policy guidance does not apply when the digitization is merely to provide a reference or convenience copy in limited circumstances, i.e., a single document rather than conversion of an entire collection for purposes of lifecycle management.


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7.0 RESPONSIBILITIES

- 7.01 Board Services Division: Coordinates the overall program. Provides guidance and assistance to all OC San Departments/Divisions with lifecycle management and coordinates required records reviews, evaluations, and reports.
- 7.02 Reprographic Center: Provides digitization/scanning services to the Office of Record for their paper document record collections. For larger projects the need for additional services may be required.
- 7.03 Managers/Supervisors: Effectively manage information assets within their area of responsibility in a consistent manner to ensure the integrity, security, and availability of information assets. Managers/Supervisors are also responsible, through their organization, for documenting a digitization plan that ensures their digitization projects meet the requirements of this policy.

8.0 STANDARDS AND PROCEDURES

- 8.01 The Office of Record, under the direction of the Custodian of Records, must develop a digitization plan to meet the following requirements:
- 8.01.1 Authorization. Digital Records may be maintained as the only copy of a record if approved by General Counsel and the Board of Directors, as may be required, following the laws of California. They are viewed as being functionally equivalent to the original paper version if the intent to preserve the document only in digital form is documented and authorized by the Custodian of Records and General Counsel. Once approved this authorization and notation must be included in the Records Retention Schedule.
- 8.01.2 Document Preparation. This includes a review of the documents to be digitized to ensure that digitization will not compromise the readability of the content. This is particularly important for documents that include "marginalia" (handwritten notes or additions to the content of the document). Moreover, an inventory of the records must be prepared, especially in instances where the actual digitization is performed by someone else. Finally, in some instances, a clean copy may be necessary if the original paper has been degraded to the point that, in its original form, a valid digital

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copy would not be possible.


8.01.3 Digitization. As part of the actual digitization process, a single scanned image type (see list below) must be chosen for the records. Consideration must be given to the ability of a particular scanned image type to be searched. In addition, a consistent set of metadata should be incorporated into the scanned image to assist in organizing and managing the digital collection. “Scanned image” types include:

- a) gif – graphics interchange format;
- b) tiff – tagged image file format;
- c) biif – basic image interchange format;
- d) png – portable network graphics; or
- e) pdf – portable document format.

8.01.4 Validation. Throughout the digitization process, the scanned images must be validated to ensure that a clean, readable image has been produced, that the content of the document set is the same as the original (number of pages), and that the metadata attached is accurate. The Office of Record may choose to do an initial series of documents as a test case. If so, choose a sample that will cover the range of quality and other attributes of the originals, e.g., differing font sizes or layouts. It is recommended that every scanned image be validated; however, if the original documents are of highly consistent quality, format, and content, sampling validation may be appropriate.

8.01.5 Disposition of Originals. Once the records have been digitized and validated, the paper original may be destroyed as long as the destruction is documented as part of the digitization plan, in accordance with the Records Retention Schedule and has been authorized by the Office of Record, Supervisor, Manager, Executive Director, General Counsel, and the Custodian of Records. Special consideration must be given to physical records with historical value content. OC San’s Custodian of Records can provide assistance and guidance to divisions in determining the historical value of original physical media records.

8.01.6 Digital Storage. The ECMS (Laserfiche), designated for

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maintenance and management of OC San’s digital records, meets the integrity, security, and availability requirements. Using Laserfiche for digital records is preferred because this system prevents manipulation and unauthorized deletion of the scanned images and Laserfiche provides enhanced security and permission restrictions to aid management of the digital collection. In addition, OC San uses Restorvault which allows the Laserfiche application to meet the definition of a trusted system. The State of California defines a trusted system as, “a combination of techniques, policies, and procedures for which there is no plausible scenario in which a document retrieved from or reproduced by the system could differ substantially from the document that is originally stored”. (Source: California Government Code §12168.7(c))

9.0 PERFORMANCE & MONITORING

9.01 The Custodian of Records and IT Division are responsible for the performance standards and monitoring plans contained in this policy.

9.02 Performance Standards

9.02.1 Cost effectiveness of digitization projects:

9.02.1.1 Increased availability of OC San records to the public and appropriate personnel with a need for access.

9.02.1.2 Reduced risk of damage or inaccessibility to OC San records currently maintained in paper format.

9.03 Monitoring Plans

9.03.1 Sampling and validating digitized collections for integrity, security, and availability.

9.03.1.1 Scheduling (for retention) and reviewing ECMS used to maintain digitized collections.