



# Helendale Community Services District

## BOARD OF DIRECTORS MEETING

August 2, 2018 at 6:30 PM

26540 Vista Road, Suite C, Helendale, CA 92342

### Call to Order - Pledge of Allegiance

#### 1. Approval of Agenda

2. **Public Participation** - *Anyone wishing to address any matter pertaining to District business listed on the agenda or not, may do so at this time. However, the Board of Directors may not take action on items that are not on the agenda. The public comment period may be limited to three (3) minutes per person. Any member may speak on any agenda item at the time the agenda item is discussed by the Board of Directors.*

#### 3. Consent Items

- Approval of Minutes: July 19, 2018 Regular Board Meeting
- Bills Paid and Presented for Approval

#### 4. Reports

- Directors' Reports
- General Manager's Report

### Discussion Items

- Discussion and Possible Action Regarding Helendale CSD Owning and Operating the Helendale Farmers Market and Possible Adoption of Resolution 2018-17: A Resolution of the Board of Directors of the Helendale Community Services District Establishing the Farmers Market Rules and Regulations
- Discussion and Possible Action Regarding Adoption of Resolution 2018-18: A Resolution of the Helendale Community Services District Establishing the Statement of Investment Policy for Fiscal Year 2018-19
- Discussion and Possible Action Regarding Adoption of Resolution 2018-19: A Resolution of the Board of Directors of the Helendale Community Services District Adopting Records Retention Policy
- Discussion and Possible Action Regarding Adoption of Resolution 2018-20: A Resolution of the Board of Directors of the Helendale Community Services District Approving Award of Sole Source Contract to High Desert Underground for Helendale Park Sewer System Project

### Other Business

- Requested items for next or future agendas (Directors and Staff only)

### Closed Session

- Conference with Labor Negotiator  
(Government Code Section 54967.8)  
Property: 26538 Lakeview Drive  
District Negotiator: Kimberly Cox  
Negotiating Parties: Chang Media  
Under negotiation: Price and terms of payment

#### 11. Announcement of Closed Session Actions

#### 12. Adjournment

*Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought in order to participate in the above agendaized public meeting should be directed to the District's General Manager's office at (760) 951-0006 at least 24 hours prior to said meeting. The regular session of the Board meeting will be recorded. Recordings of the Board meetings are kept for the Clerk of the Board's convenience. These recordings are not the official minutes of the Board meetings.*

### Providing:

- Water
- Wastewater
- Park & Recreation
- Solid Waste Management
- Street lighting
- Graffiti Abatement for the Helendale Community

### OFFICE HOURS:

Monday-Friday  
8:00 – 5:30 p.m.

### PHONE:

760-951-0006

### FAX:

760-951-0046

### ADDRESS:

26540 Vista Road  
Suite B  
Helendale, CA  
92342

### MAILING

ADDRESS:  
PO BOX 359  
Helendale, CA  
92342

Visit us on the Web  
at:

[www.helendalecsd.org](http://www.helendalecsd.org)





Minutes of the Helendale Community Services District  
REGULAR BOARD OF DIRECTORS MEETING FOR  
July 19, 2018 at 6:30 PM  
26540 Vista Road, Suite C. Helendale, CA 92342

**Board Members Present:**

Ron Clark - President; Tim Smith – Vice President; Sandy Haas – Secretary; Craig Schneider – Director; Henry Spiller – Director

**Staff Members Present:**

Kimberly Cox – General Manager  
Craig Carlson – Water Operations Manager  
Alex Aviles – Wastewater Operations Manager  
Cheryl Vermette – Program Coordinator  
Shavon Aviles – Customer Service Rep II

**Consultants:**

Steve Kennedy, Legal Counsel

**Members of the Public:**

There were eight (8) members of the public present.

**CALL TO ORDER AND PLEDGE OF ALLEGIANCE** – The meeting was called to order at 6:35 by President Ron Clark, after which the Pledge of Allegiance was recited.

**1. Approval of Agenda**

**Action:** A motion was made by Director Schneider to approve the agenda as presented. The motion was seconded by Director Smith.

**Vote:** Motion carried by the following vote: 5 Yes – 0 No

**2. Public Participation**

Deputy Fisher, from the San Bernardino County Sheriff's Department addressed the situation with the missing person in the community. He provided a brief update on the ongoing investigation. To date no one has heard from him or seen him. Sheriffs have not been able to identify if the golf cart he was driving was located. They have done a record to check to see if his name comes up in any other areas and have also checked hospitals. Foul play is a possibility. They are following up with all leads.

Deputy Fishers Partner reported that the marijuana enforcement team served several search warrants and seized over 9,100 marijuana plants from 6 locations in Helendale, additionally six arrests were made.

Christian Gunter from 1<sup>st</sup> District Supervisor Lovingood's Office announced that the fiscal year budget was passed, of note one million dollars in additional funding for the Sheriff's Department to conduct specialized crime sweeps. The County coalition recently placed the 1,000<sup>th</sup> homeless veteran into a home. Cary Rayhall was named as the planning director for San Bernardino County. Shooting maps are now available in the High Desert at Mojave Narrows Park and Calico.

**3. Consent Items**

- a. Approval of Minutes: June 21, 2018 Regular Board Meeting
- b. Bills Paid and Presented for Approval

**Action:** A motion was made by Director Haas to approve the consent items as presented. The motion was second by Vice President Smith.

**Vote:** Motion carried by the following vote: 5 Yes – 0 No

#### 4. Reports

##### a. Director's Reports:

- Director Schneider reported that there was a Park and Rec meeting last week, and two agenda items from that meeting will be discussed tonight.

##### b. General Manager's Report

- General Manager Cox gave the report
  - GM Cox presented a picture of the Sensus antenna that will be installed for the new AMI system
  - Discussed some of the extraordinary expenses for the beginning of the FY including the installment payment of \$149,447 for the water loan, \$129,267 to SDRMA, \$18,150 for CalPers unfunded liability, \$12,591 to Jensen Precast, \$90,862 to High Desert Underground, \$15,086 to Aquametrics for meters, \$45,468 to Burrtec, and \$19,253 to Southern California Edison
  - Costs for Public Notices for FY 18 totaled \$5,627.81, the District has spent \$1,860.60 for the recent water and sewer standby notice, the delinquent accounts and the ESFR notices.
  - GM Cox presented a chart of Thrift Store Sales from FY 11/12 through FY 17/18
- Program Coordinator Vernetta presented Solid Waste Report:
  - The August Concert in the Park was rescheduled for August 25<sup>th</sup> due to a conflicting event on August 4<sup>th</sup> with the Silver Lakes Association.
  - Three landscape workshops have been scheduled for August and September
  - National Night Out will be held on Tuesday August 7<sup>th</sup> at North Beach
  - Our new Alzheimer's, Dementia and Family Caregiver Support Group will start on July 25<sup>th</sup> and be held the 4<sup>th</sup> Wednesday of every month at 1:00 pm
  - Free technology classes will be offered Monday's at 10:00 am in September.
  - Our new playground excavator was delivered and will be installed before the end of September. The sports fields are looking good and ready for soccer. Currently we have 107 signed up.
- Wastewater Operations Manager Aviles gave the Wastewater Report:
  - The bar screen is now back up and operational, staff made adjustments and drilled out the screen bearings.
  - High Desert Underground finished the pipe for the secondary irrigation area and tied in on July 4<sup>th</sup>.
- Water Operations Manager Carlson gave the water report
  - Staff is continuing to install new meters
  - Staff met with Aqua Metrics about antenna for AMI
  - Repaired chlorine leak on Well 4A, and ordered new part that will be here on Friday
  - Leak shorted our electrical outlets and staff replaced outlets and light switch
  - Assessed valve cans that need to be raised due to road paving

#### Public Hearing Items

5. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2018-15; A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Water and Sewer Standby Charges for Fiscal Year 2019

**Discussion:** General Manager Cox discussed the collection of water and sewer standby fees. The minimum fee is \$30 per service per parcel. One parcel in the proximity of both water and sewer lines, but not connected, would be charged \$60.00 (\$30.00 for each service availability). The resolution also establishes the District as the successor agency to County Service Area 70, Zones B & C. 626 Parcels are subject to the Water Standby Fee and generate \$23,330.10 in fee revenue and 618 Parcels are subject to the Sewer Standby Fee and generate \$20,960.10 in fee revenue. Exhibits A and B attached to the resolution illustrate the calculation used to determine the stand by fees for both water and sewer.

**Public Hearing:** President Clark opened the Public Hearing at 7:07 pm, hearing no comments and receiving no written protests the public hearing was closed at 7:07 pm.

**Action:** Director Haas made the motion Adopt Resolution 2018—15 A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment Continuation of Collection of Water and Sewer Standby Charges for Fiscal Year 2018-19. Director Spiller Seconded the motion.

**Vote:** The motion was approved by the following roll call vote: 5 – Yes 0 – No

Director Schneider: Yes; Director Haas: Yes; President Clark: Yes; Vice President Smith: Yes; Director Spiller: Yes

6. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2018-16: A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Refuse Disposal Land Use Fees for 2018-2019.

**Discussion:** In November 2010, San Bernardino Solid Waste Management transferred the Refuse Disposal Land Use Fee to HCSD. The District now collects \$85.14 per Equivalent Single-Family Residence (ESFR). The amount differs based on the type of residence on a parcel, for example two SFRs, three SFRs, Duplex, Triplex, etc. The amount is collected on the County property tax bill and paid to the District periodically during the fiscal year. FY 18/19 ESFR is projected to be \$229,662.58. The ESFR funds: Disposal of the community's waste pick at the curb by Burtec; Green Waste disposal program; Bulky Item Pick Up Program; Dump Passes; Two Recycling Center employees. Resolution 2018-16 authorizes the General Manager to cause the levy of the special assessment for Refuse Land Use Fees to be collected on the 2018-19 San Bernardino County Tax Roll. The parcel information will be forwarded to the County by August 10. The public hearing was noticed in the Daily Press in accordance with law and no protests have been received.

**Public Hearing:** President Clark opened the Public Hearing at 7:12 pm, hearing no comments and receiving no written protests the public hearing was closed at 7:12 pm.

**Action:** Director Schneider made the motion Adopt Resolution 2018—16 A Resolution of the Board of Directors of the Helendale Community Services District Authorizing the Establishment and Continuation of Collection of Refuse Disposal Land Use Fees for 2018-19. Director Spiller seconded the motion.

**Vote:** The motion was approved by the following roll call vote: 5 – Yes 0 – No

Director Schneider: Yes; Director Haas: Yes; President Clark: Yes; Vice President Smith: Yes; Director Spiller: Yes

7. Public Hearing to Receive Comments Regarding the Possible Adoption of Resolution 2018-14; A Resolution of the Board of Directors of the Helendale Community Services District Confirming, or Modifying and then Confirming, the Report of Delinquent Water, Sewer and Trash Collection User Charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll

**Discussion:** Government agencies have the ability to place delinquent utility accounts on the County tax roll. Resolution 2018-14 confirms the report of delinquent water, sewer and trash collection user charges and authorizes the collection via the County tax roll. All 12 properties on the list have been previously liened and have outstanding unpaid balances. All properties on the list have received a letter from the District informing them of the process. The revised total amount of delinquent charges are

\$8,700.20. The list of delinquent accounts to be collected on the tax roll will be submitted to the County by no later than August 10, 2018. Property owners who have paid in the meantime will be removed from the list up to 8/10/18. After 8/10, no payments will be taken by HCSD for these delinquent account amounts to allow staff to compile the file into the format used by San Bernardino County. Several property owners who were notified have paid their delinquent charges. No objections have been received to date.

**Public Hearing:** President Clark opened the Public Hearing at 7:17 pm, hearing no comments and receiving no written protests the public hearing was closed at 7:17 pm.

**Action:** Director Spiller made the motion Adopt Resolution 2018—14: A Resolution of the Board of Directors of the Helendale Community Services District Confirming, or Modifying and then Confirming, the Report of Delinquent Water, Sewer and Trash Collection User charges for the Purpose of Collecting Said Charges on the San Bernardino County Tax Roll. Director Smith seconded the motion.

**Vote:** The motion was approved by the following roll call vote: 5 – Yes 0 – No

Director Schneider: Yes; Director Haas: Yes; President Clark: Yes; Vice President Smith: Yes; Director Spiller: Yes

**8. Discussion Only Regarding Sanitary Solution for the Helendale Community Park and Update on Park Restrooms**

**Discussion:** The Board discussed whether to proceed with a septic system or sewer system for the park and ultimately decided the sewer system would be a better option as it is long-term. The second consideration was whether to go through the bid process that would take up to three months or to award a sole source contract because of the urgency of the project. Due to the Boards desire to complete the restrooms by September, they directed staff to go with the sole-source option.

**Other Business**

**9. Requested items for next or future agendas (Directors and Staff Only)**

**10. Adjournment**

**Action:** President Ron Clark adjourned the meeting at 7:43 pm

Submitted by:

Approved By:

\_\_\_\_\_  
Ron Clark, President

\_\_\_\_\_  
Sandy Haas, Secretary

*The Board actions represent decisions of the Helendale Community Services District Board of Directors. A digital voice recording and copy of the PowerPoint presentation are available upon request at the Helendale CSD office.*



# Helendale Community Services District

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Date: August 02, 2018  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
BY: Sharon Kreinop, Senior Account Specialist  
SUBJECT: Agenda item # 3 b.  
Consent Item: Bills Paid and Presented for Approval

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**STAFF RECOMMENDATION:**

Report Only. Receive and File

**STAFF REPORT:**

Staff issued 55 checks and 13 EFT's for the period of July 12, 2018 through July 30, 2018 totaling \$355,704.88

Total cash available:	<u>7/30/18</u>	<u>7/12/18</u>
Cash	\$ 5,254,029.55	\$ 5,378,434.08
Checks Issued	\$ 355,704.88	\$ 479,990.25

Investment Report

The Investment Report shows the status of invested District funds. The current interest rate is 2.11% for CalTRUST Short-Term and 2.48% for Medium-Term Investments, 1.90% for LAIF, and 0.25% for the CBB Sweep Account for June 2018. Interest earned in June 2018 on the CalTrust investments and the CBB Sweep Account is \$6,653.54



Helendale CSD

# Bills Paid and Presented for Approval

## Transaction Detail

Issued Date Range: 07/12/2018 - 07/30/2018

Cleared Date Range: -

Issued Date	Number	Description	Amount	Type	Module
<b>Bank Account: 251229590 - CBB Checking</b>					
07/12/2018	<a href="#">EFT0002374</a>	To record EVO Thrift Store CC Fees 22567	-125.78	EFT	General Ledger
07/12/2018	<a href="#">EFT0002374</a>	To record EVO Thrift Store CC Fees 22567	125.78	EFT Reversal	General Ledger
07/16/2018	<a href="#">20790</a>	Southern California Edison	-19,253.47	Check	Accounts Payable
07/16/2018	<a href="#">20791</a>	Southern California Edison	-370.11	Check	Accounts Payable
07/16/2018	<a href="#">20792</a>	Southern California Edison	-1,222.20	Check	Accounts Payable
07/16/2018	<a href="#">20794</a>	AQUA Capital Management LP	-5,490.00	Check	Accounts Payable
07/16/2018	<a href="#">20795</a>	Beck Oil	-2,084.02	Check	Accounts Payable
07/16/2018	<a href="#">20796</a>	Burrtec Waste Industries	-300.59	Check	Accounts Payable
07/16/2018	<a href="#">20797</a>	County of San Bernardino	-212.00	Check	Accounts Payable
07/16/2018	<a href="#">20798</a>	Imperial Sprinkler Supply, Inc.	-204.62	Check	Accounts Payable
07/16/2018	<a href="#">20799</a>	Infosend	-1,980.67	Check	Accounts Payable
07/16/2018	<a href="#">20800</a>	Jonathan A. Escobar	-135.00	Check	Accounts Payable
07/16/2018	<a href="#">20801</a>	Liberty Signs Reversal	200.00	Check Reversal	Accounts Payable
07/16/2018	<a href="#">20801</a>	Liberty Signs	-200.00	Check	Accounts Payable
07/16/2018	<a href="#">20802</a>	Mobile Occupational Services, Inc.	-45.00	Check	Accounts Payable
07/16/2018	<a href="#">20803</a>	State of California Department of Justice	-81.00	Check	Accounts Payable
07/16/2018	<a href="#">20804</a>	Stotz Equipment	-192.67	Check	Accounts Payable
07/16/2018	<a href="#">20805</a>	Tunnel Vision Pipeline Cleaning	-900.00	Check	Accounts Payable
07/16/2018	<a href="#">20806</a>	Tyler Technologies, Inc.	-1,660.85	Check	Accounts Payable
07/16/2018	<a href="#">20807</a>	United Site Services	-158.19	Check	Accounts Payable
07/16/2018	<a href="#">20808</a>	USA of So. California	-64.45	Check	Accounts Payable
07/16/2018	<a href="#">20809</a>	Choice Builder	-752.86	Check	Accounts Payable
07/16/2018	<a href="#">20810</a>	Frontier Communications	-172.62	Check	Accounts Payable
07/16/2018	<a href="#">20811</a>	Frontier Communications	-99.11	Check	Accounts Payable
07/16/2018	<a href="#">20812</a>	Grainger	-376.68	Check	Accounts Payable
07/16/2018	<a href="#">20813</a>	Uline	-230.47	Check	Accounts Payable
07/16/2018	<a href="#">20814</a>	Jensen Precast	-12,591.73	Check	Accounts Payable
07/18/2018	<a href="#">EFT0002385</a>	To record CalPERS Pmt Classic PP 6/11/18- 6/24/18	-5,035.71	EFT	General Ledger
07/18/2018	<a href="#">EFT0002386</a>	To record CalPERS Pmt PEPRA PP 6/11/18 - 6/24/18	-1,134.44	EFT	General Ledger
07/18/2018	<a href="#">EFT0002388</a>	To record CalPERS Pmt 457 Contribution PP 6/11/18 - 6/24/18	-625.00	EFT	General Ledger
07/18/2018	<a href="#">EFT0002389</a>	To record CalPERS Pmt 457 Contribution PP 5/28/18 - 6/11/18	-575.00	EFT	General Ledger
07/19/2018	<a href="#">20815</a>	AARON HENKE	-227.42	Check	Utility Billing
07/19/2018	<a href="#">20816</a>	MICHAEL FLYNN	-314.00	Check	Utility Billing
07/19/2018	<a href="#">20817</a>	Cheryl Vermette	-250.00	Check	Accounts Payable
07/19/2018	<a href="#">20818</a>	Citizens Buisness Bank	-149,447.45	Check	Accounts Payable
07/19/2018	<a href="#">20819</a>	Daily Press	-1,860.60	Check	Accounts Payable
07/19/2018	<a href="#">20820</a>	Frontier Communications	-58.47	Check	Accounts Payable
07/19/2018	<a href="#">20821</a>	Greg Heldreth	-278.81	Check	Accounts Payable
07/19/2018	<a href="#">20822</a>	Konica/Minolta	-741.89	Check	Accounts Payable
07/19/2018	<a href="#">20823</a>	Roto-Rooter Plumbers	-150.00	Check	Accounts Payable
07/19/2018	<a href="#">20824</a>	United Site Services	-112.81	Check	Accounts Payable
07/19/2018	<a href="#">20825</a>	UPS	-39.67	Check	Accounts Payable
07/19/2018	<a href="#">20826</a>	USPS	-200.00	Check	Accounts Payable
07/19/2018	<a href="#">20827</a>	Brunick, McElhane & Kennedy	-6,280.00	Check	Accounts Payable
07/19/2018	<a href="#">20828</a>	Burrtec Waste Industries, Inc.	-45,205.98	Check	Accounts Payable
07/19/2018	<a href="#">20829</a>	Cardmember Service	-1,242.29	Check	Accounts Payable
07/19/2018	<a href="#">20830</a>	County of San Bernardino, Solid Waste Mgmt. Div.	-906.54	Check	Accounts Payable
07/19/2018	<a href="#">20831</a>	Desert Community Bank	-165.00	Check	Accounts Payable
07/19/2018	<a href="#">20832</a>	Desert Service Station Maintenance	-2,021.25	Check	Accounts Payable
07/19/2018	<a href="#">20833</a>	Home Depot Credit Services	-1,456.01	Check	Accounts Payable
07/19/2018	<a href="#">20834</a>	Liberty Composting, Inc.	-200.00	Check	Accounts Payable
07/19/2018	<a href="#">20835</a>	Lowe's	-2,368.60	Check	Accounts Payable

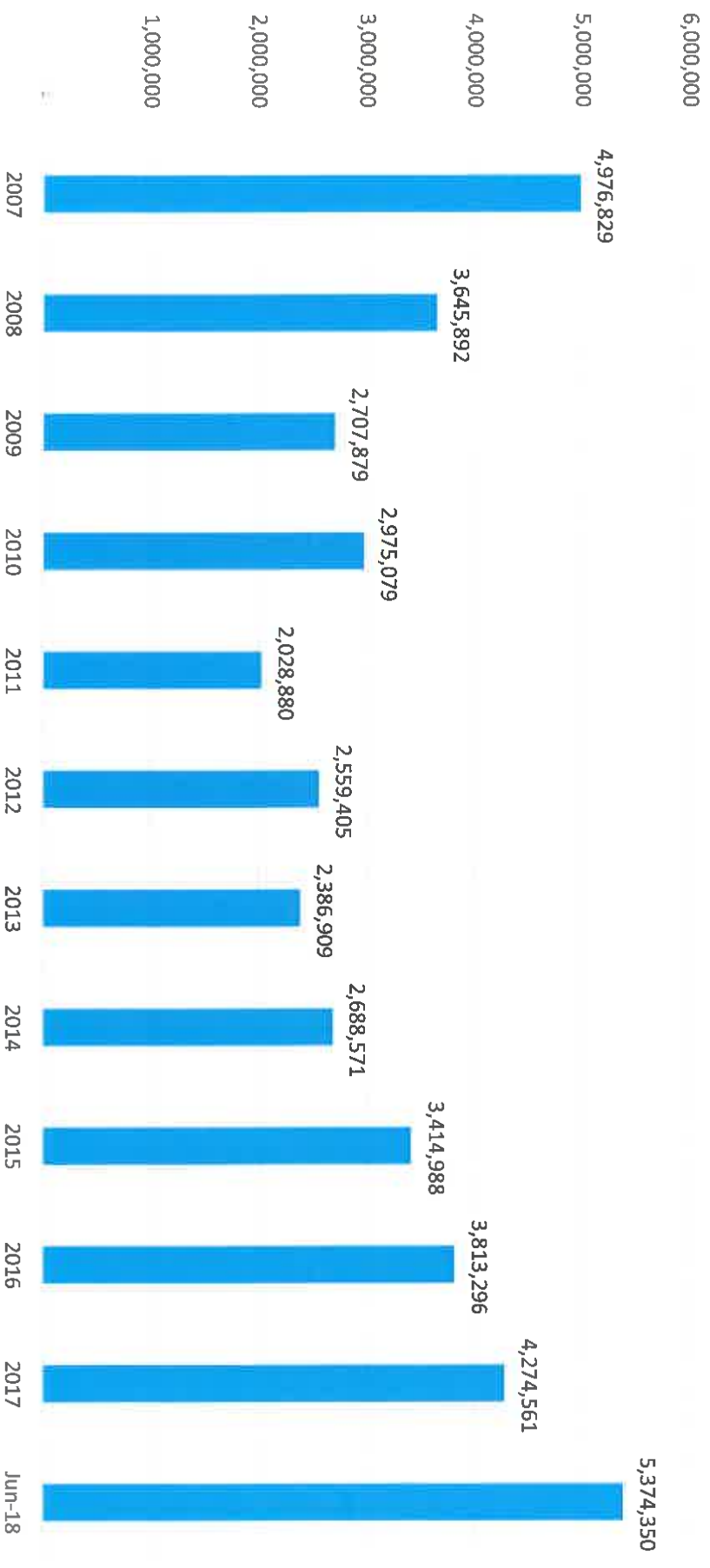
**Bank Transaction Report**

Issued Date Range: -

Issued Date	Number	Description	Amount	Type	Module
07/19/2018	<a href="#">20836</a>	Mobile Occupational Services, Inc.	-45.00	Check	Accounts Payable
07/19/2018	<a href="#">20837</a>	WaterMaster	-1,915.58	Check	Accounts Payable
07/19/2018	<a href="#">20838</a>	Southern California Edison	-3,766.50	Check	Accounts Payable
07/19/2018	<a href="#">EFT0002390</a>	To record Sales Tax Pmt - 2nd Quarter Pmt	-1,867.00	EFT	General Ledger
07/23/2018	<a href="#">EFT0002398</a>	To record Bank Account Analysis Fees	-561.67	EFT	General Ledger
07/26/2018	<a href="#">20839</a>	MOHAMMAD AZADZOI	-58.16	Check	Utility Billing
07/26/2018	<a href="#">20840</a>	GENOA HOLDINGS, INC	-33.36	Check	Utility Billing
07/26/2018	<a href="#">20841</a>	MICHAEL C. GRUBER	-191.81	Check	Utility Billing
07/26/2018	<a href="#">20842</a>	TAMERIA RUSSELL	-61.42	Check	Utility Billing
07/26/2018	<a href="#">EFT0002393</a>	To record FY 2018-19 Lump Sum Unfunded Accrued Liabil	-17,836.00	EFT	General Ledger
07/26/2018	<a href="#">EFT0002394</a>	To record FY 2018-19 Lump Sum Unfunded Accrued Liabil	-356.00	EFT	General Ledger
07/26/2018	<a href="#">EFT0002395</a>	To record Tasc Flex Claim Pmt	-619.21	EFT	General Ledger
07/26/2018	<a href="#">EFT0002396</a>	To post Payroll pmt - Dir Deposit	-33,227.31	EFT	General Ledger
07/26/2018	<a href="#">EFT0002397</a>	To post Payroll pmt - PR Tax Pmt	-8,234.57	EFT	General Ledger
07/27/2018	<a href="#">20843</a>	Aqua-Metric Sales Co.	-15,086.08	Check	Accounts Payable
07/27/2018	<a href="#">20844</a>	West Coast Sand & Gravel	-2,369.96	Check	Accounts Payable
<b>Bank Account 251229590 Total: (68)</b>			<b>-355,704.88</b>		
<b>Report Total: (68)</b>			<b>-355,704.88</b>		

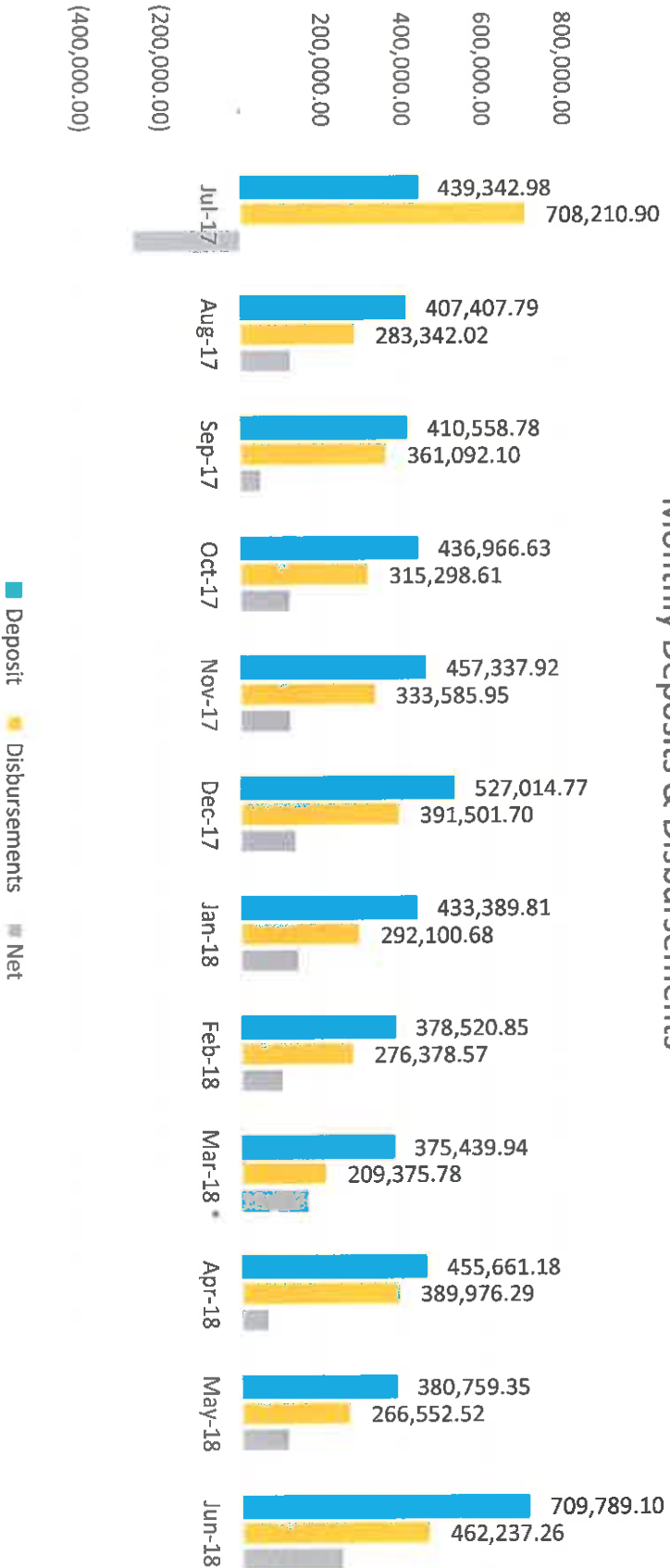


### Cash Balances by Fiscal Year - June 30 Ending



# Cash Flow Report

## Monthly Deposits & Disbursements



## Cash Balances by Fund





# Helendale Community Services District

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**Date:** August 2, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**BY:** Cheryl Vermette, Program Coordinator  
**SUBJECT:** Agenda item 5:

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Discussion and Possible Action Regarding Helendale CSD Owning and Operating the Helendale Farmers Market and Possible Adoption of Resolution 2018-17: A Resolution of the Board of Directors of the Helendale Community Services District Establishing Farmers Market Rules and Regulations

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## **Staff Recommendation**

Staff recommends approval of Resolution 2018-17.

## **Staff Report**

Several years ago, staff looked into starting a Farmers Market in Helendale, at that time Staff reached out to several established market managers. After meeting with the market managers, Staff realized that the costs associated with running the market were high and the availability of farmers was low. Recently Staff has begun looking into starting a farmer's market again and discovered that a local resident started a monthly Handmade Market. Staff contacted the Handmade Market organizer and asked about her interest in partnering on a Farmers Market. The organizer was interested in partnering with the District to create a certified farmers market in Helendale.

A Farmers Market can become certified in one of three ways:

- Be a certified producer
- Be a local government agency
- Be a non-profit organization

Since the CSD is a local government agency we would be able to file the paperwork to become a certified farmers market. The Helendale CSD would be the owner of the market and file the application with the California Department of Food and Agriculture and the Health Department.

### **Fees:**

- Certified Farmers Market Sales Area Permit from the Health Department - \$505.00 Annually
- San Bernardino County Fee - \$330 (Waived if site accepts EBT)

### **Vendor Fees:**

- Vendors will be required to pay \$10 - \$15 fee for a space
- To attract farmers to the market, fees for farmers will be waived until the market is more established.

- Staff will work with the Market Manager to create additional fee options for vendors

**Market Hours**

- Wednesdays from 3 – 7 pm. This is the most opportune time for farmers to attend because there is little competition with other markets that they attend

**Market Location**

- The market will be held in area north of the parking Lot of the Community Center

The application can take up to 45 days to process. The first market would likely be held late September or early October.

The District will assist the market manager in marketing and advertising as well as ensuring all appropriate permits and paperwork are submitted. The market manager will find vendors, advertise the market, interact with vendors, build relationships with vendors and farmers, and enforce market rules.

**Fiscal Impact:**

**\$505.00 Annually for the Health Department Permit**

**Possible revenue from vendor fees**

**Possible Motion:**

**Approve Staff to apply for Certified Farmers Market Permit for Helendale CSD to Own and Operate the Helendale Farmers Market and Adopt Resolution 2018-17 A Resolution of the Board of Directors of the Helendale Community Services District Establishing Farmers Market Rules and Regulations**



## **RESOLUTION NO. 2018-17**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT ESTABLISHING FARMERS MARKET RULES AND REGULATIONS**

**WHEREAS**, the Helendale Community Services District owns and operates the Helendale Farmers Market; and

**WHEREAS**, the Board has determined it is necessary to implement appropriate Rules and Regulations concerning the Farmers Market.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the Helendale Community Services District, as follows:

1. The Helendale Community Services District hereby establishes and adopts the Farmers Market Policies, which are attached hereto and incorporated herein by this reference.
2. The provisions of this Resolution shall take effect immediately upon adoption

**ADOPTED AND APPROVED** this 2nd day of August 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: \_\_\_\_\_  
Ron Clark, President

ATTEST: \_\_\_\_\_  
Sandy Haas, Secretary

**Helendale Farmers Market  
26540 Vista Rd.  
Helendale, CA 92342**

**I. PURPOSE**

Helendale Certified Farmer's Market has been formed to provide healthy, fresh foods and horticultural products to the community and surrounding areas, and to encourage commerce, entertainment, nutrition program participation, and trade.

**II. TYPE OF MARKET**

Helendale Certified Farmer's Market operates in accordance with regulations published in California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5. ("Direct Marketing Regulations"), hereinafter referred to as "state law." The Markets are subject to all pertinent District, county, state, and federal regulations and laws. All participating producers are required to be familiar with the current provisions of the Direct Marketing Regulations. The Markets are in a location approved by the Helendale Community Services District ("District") and county agencies, as well as the County Agricultural Commissioner, who also certifies and inspects each farmer to ensure that he/she actually grew the commodity being sold at the Markets. Consequently, the produce is fresher, vine-ripened, of better quality, and greater variety.

**III. GOVERNANCE**

Helendale Certified Farmer's Market is governed and sponsored by Helendale Community Services District (DISTRICT). All Market activities are supervised and overseen by the Market Manager. THE DISTRICT and its designated agents shall implement and enforce all rules and regulations pertaining to the operation of Helendale Certified Farmers Market in a fair and equitable manner.

**IV. DEFINITIONS**

**THE MARKET:** refers to the Helendale Certified Farmer's Market in the Helendale Community Services District located in San Bernardino County.

**HELENDALE CERTIFIED FARMERS MARKET:** a location authorized by the County Agricultural Commissioner where certified producers of fresh fruits, vegetables, and nuts may sell their produce directly to consumers exempt from standard pack labeling and grading regulations.

**MARKET MANAGER:** The person who is responsible for the affairs of the Market and the authorized arbiter of the Market Rules and Regulations.

**MARKET RULES:** This document which is governed by California Code of Regulations, Title 3, Division 3, Chapter 1, Subchapter 4, Article 6.5 on Direct Marketing, CRFC, and the Sherman Food, Drug, and Cosmetic Law ("state law").

**CERTIFIED PRODUCER:** A person or his/her agent and employees authorized by the County Agricultural Commissioner to sell fresh fruits and vegetables, nuts, apiary products, cut flowers and nursery products directly to consumers at this Certified Farmers' Market. Products must be produced on land owned, leased or licensed by the producer.

**PRODUCER:**

1. (Farmer) A person, partnership, corporation or any other entity that produces agricultural products other than certified produce by practice of the agricultural arts upon the land or waters which the person or entity controls. These products may include but are not limited to: poultry and meat products; aqua cultural products; viticulture products; dried fruits and vegetables; juices, jams or other processed agricultural products.

2. (Fisherman) A person or entity that catches pelagic and/or freshwater fish or shellfish from boats which the person or entity controls.

**FOOD VENDOR:** A person or entity that produces or controls the production of baked, processed, or prepared foods.

**ARTISAN:** A person, who through the practice of the applied arts, creates original craftwork or an artist or sculptor.

**NON-PROFIT CORPORATION:** An incorporated organization which has non-profit status under the Internal Revenue Code.

**COMMERCIAL SELLER:** A person or entity who resells goods for a profit.

### **OTHER DEFINITIONS**

**EMPLOYEE:** "Any person employed by a producer at a regular salary wage, on either a full or part-time basis. It does not include any person who is reselling or whose compensation is primarily based on a commission of sales." (Direct Marketing Regulations § 1392.2.)

**FOOD PREPARATION:** "Packaging, processing, assembling, portioning, or any operation which changes the form, flavor, or consistency of food, but does not include trimming of produce." Source: California Retail Food Code, §113791. This includes but is not limited to: juices, jams, flavored nuts, nut butters, baked items, dairy products, and cleaned fish.

**IMMEDIATE FAMILY:** "Parents, children, grandparents, or grandchildren of the certified producer or a family member regularly residing in the certified producer's household."

**LOAD LIST:** "an itemized list of all products sold at the certified farmers' market each market day ... [which] ... shall state the name of the certified producer, the identity of each product sold as it appears on the certified producer's certificate, and the quantity of each product sold at the market."

**PARTNERSHIP:** "A partnership is a separate entity distinct from its individual members. As a separate entity, a partnership must obtain a certified producer's certificate to market, directly to consumers, its agricultural products, which shall be produced by practice of the agricultural arts upon land that the partnership, as a separate entity, exclusively controls." (Direct Marketing Regulations §1392.2)

## **V. ALL SELLERS**

### **General Rules**

1. All sellers shall complete the Vendor Reservation Application.
2. All sellers must sign and return the "Hold Harmless" Agreement and the final page of the rules and regulations acknowledging receipt of said rules and regulations and return to the Market Manager.
3. All sellers must be either:
  - a. Certified Producers
  - b. Food Vendors
  - c. Artisans
  - d. Non-Profit Corporations
  - e. Commercial Sellers



4. Only those who have applied for and received permission from the Market Manager may sell at the Market. Entry requirements differ for each category and are described below. Permission to occupy a space at the Market is given only after the Market Manager has received copies of all required documents and has confirmed a space reservation for the applicant. The seller must receive approval, at the discretion of the Market Manager, for all products offered for sale, under whichever categories and approval procedures are dictated by these rules.
5. Sellers shall only display or advertise items that have been approved for sale by the market manager. All products offered for sale in a gift box or other container must be approved items and be of the seller's own production. Sellers may only promote their farm-related activities at their stalls at the discretion and approval of the Market Manager. The market is not responsible for lack of sales.
6. No seller may assign or sublet stall space.
7. The Market is conducted in accordance with state and federal laws and local agencies. Sellers are expected to be familiar with the Market Safety Rules as described below, and to comply with them. Sellers will immediately comply with the Market Manager's or District Staff's directions in matters relating to safety.
8. All sellers are recommended to have product liability insurance, which indemnifies the Helendale Community Services District, and provide evidence if applicable.
9. All sellers acknowledge and agree to cooperate with any additional documentation that may be required and with any representative of the Market who may visit the farm, workshop, kitchen, or other location as necessary to verify compliance with all regulations.

#### **Stall Space Set-up and Breakdown**

10. A seller's stall size, location and other factors of the space assignment of selling space within the Market shall be at the discretion of the Market Manager. In making any determination in this regard, the Market Manager may consider, among many factors, the following:
  - a. The maintenance of present and past consumer-producer relationships.
  - b. The maintenance and extent of a good product mix and consumer traffic flow.
  - c. The principles of good Market and product promotion.
  - d. Length of seniority for the space.
11. All sellers must post visible price signs and all required permits, licenses and certificates.
12. All sellers must visibly post a sign with business name and contact information.
13. All promotions and sales shall occur within the space provided. Aisle space, within the flow of customer traffic, may not be used without permission from the Market Manager.
14. In an effort to present a pleasant setting to the public, the Market Manager requests all booths to be set up with a 10 x 10 fire retardant awning with a minimum of 30 lb. sand bags attached at each corner. No hanging weights. Vendor product tables are to be covered with tablecloths or other eye-pleasing presentation to enhance the presentation of the market and in addition all product to be displayed in a similar pleasant presentation.
15. Produce for sale must be presented in plain sight and customers must be allowed to choose for themselves the items they wish to buy. Items may not be displayed hidden from view on seller's table (concealed in boxes or other containers).
16. When vacating their space, the seller shall remove all equipment, product, trimming, wrappings, and containers within 60 minutes after the closing of the Market. Sellers are responsible for cleaning their own stall space and the aisle area in front of, behind, and around their stall at the end of the Market and disposing of trash. (refer to# 34 "Market Conduct").

17. Sellers shall reimburse the District for any expenses incurred to return the stall space to the condition in which it was found (reasonable wear and tear excepted). This includes cleanup costs incurred by the Market Manager for any reason, including but not limited to grease, produce refuse and other conditions. Market manager also may remove such seller from market.

### **Market Hours**

18. Market hours are Wednesday's 3pm - 7pm and 2pm - 6pm during daylight savings time.
19. No selling is allowed before or after the established times
20. All sellers are expected to arrive at the Market for stall space assignment, set-up, and important notices 60 minutes before the selling hours each Market day. Those sellers who arrive late jeopardize their selling space reservation. The Market Manager will make every reasonable effort to keep selling space open for late arrivals. However, the Market Manager reserves the right to reassign late sellers to another selling space or to offer empty spaces to other sellers. Late sellers may be required to unload offsite and carry in products for sale.
21. Sellers who repeatedly arrive late may permanently lose their selling space and/or right to sell in the Market or repeated failure to arrive on-time may result in fines levied per occurrence.
22. Sellers will be allowed a 60-minute take down time after the Market day.
23. Sellers shall wait at least 15 minutes after closing time before exiting the market in their vehicle.
24. No seller may leave the Market without permission before the Market closes.
25. All sellers will park in designated seller parking lot.

### **Fee Payment**

26. Load lists are handed out by the Market Manager at the beginning of each Market day. Load lists must be completely filled out by every seller and turned in to the Market Manager within one hour of the closing of the Market. Completed load lists must be turned in by every seller for every Market day present.
27. Load lists are to be filled out honestly and accurately. The Market Manager reserves the right to audit any vendor at any time. Failure to report honestly and accurately may result in further market disciplinary action.
28. Sellers can pay fees in cash to the Market Manager or payments can be made on the Districts Recreation website.
29. All Vendors will pay a \$15 space fee which includes the \$2.00 CDFA fee.

### **Market Safety**

30. All sellers shall comply with all applicable requirements of the California Retail Food Code and the Sherman Food, Drug and Cosmetic Law, specifically:
  - a. Every stall selling food shall have a clean trash box in front of their stalls for public use.
  - b. No display tables may be filled over carrying capacity. Items on display must be stable. Table legs must be secure and tables must not cave in.
  - c. All connecting rods of the shade set-ups must be secure in their fittings. Shade set-ups must be tied to seller's tables or vehicle. Tarps must be securely fastened.
  - d. "All food shall be stored at least 6 inches off the ground."(CRFC § 114371a)
31. Auto and truck ingress and egress must not endanger pedestrians. After the Market starting time, no moving vehicles will be allowed in the Market. All off-loading vehicles must exit the Market 30 minutes before market starting time.
32. No live animals, birds or fowl may be kept or allowed within 20 feet of any area where food is stored or held pursuant to California Retail Food Code requirements. This includes pets in Market vendor's vehicles. Service animals are exempt.

33. No bicycling, skating, or skateboarding is allowed in the Market.
34. Smoking is not allowed in the Market.
35. All sellers shall keep their vehicles, merchandise and tables within their assigned stall space. No part of the seller's stall set-up may encroach on the mandated fire lane nor congest pedestrian flow.
36. All sellers are required to clean their own area and keep it safe; this includes protecting the sidewalk and pavement from grease, produce refuse, and other potential stains and/or safety hazards. Any cleanup costs incurred by the Market Manager due to grease, produce refuse and other conditions will be charged to the offending vendors.

### **Market Conduct**

37. At Market closing each seller is responsible for leaving his or her stall space completely clean and carrying offsite all trash generated. Trash may not be placed in street trash bins or the Market dumpster.
38. Consumption of alcoholic beverages, yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated by anyone. Any behavior or language considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market with reinstatement to be based upon review by the Market Manager.
39. Customers who have a legitimate complaint about the product that they purchase should be given a full monetary refund or replacement of equal value. It is the Market's policy to satisfy the customer and to promote goodwill by being generous. Complaints or disagreements will be mediated by the Market Manager. In general, the benefit of the doubt will be given to the consumer.
40. Sellers are expected to treat each other, staff, customers, officials, and the Market Manager with common courtesy.
41. Sellers are responsible for the actions of their representatives, employees or agents.
42. Any complaints about other sellers should be made to the Market Manager and never to customers. All complaints between sellers will be addressed after Market hours.
43. Collusion among sellers to change prices or exertion of any influence, pressure or persuasion to cause a seller to change prices is strictly forbidden according to state law.
44. Sellers are expected to wear proper attire during Market hours, including shirts and shoes, as determined by the Market Manager.
45. No radios, boom boxes, or sound devices may be played during Market hours without permission of the Market Manager.
46. Conduct considered by the Market Manager to be detrimental to the welfare of the Market may result in removal from the Market.
47. The Market Weather Policy will be determined by the forecasts on the [www.weather.gov](http://www.weather.gov). Should the forecast predict a 60% chance of rain or snow at 4 pm or later, Market may be canceled. Farmers and vendors can look up the site themselves to find out if the market will be open by accessing the website at [www.weather.gov](http://www.weather.gov) entering zip code 92342 in the zip code field, and then clicking on the "Hour-by-Hour Forecast". Market participants can also call the Market Manager. If the weather defies prediction the following will apply: a. Market may be canceled if it snows at any time after 3 PM on the day before the Market (Tuesday).
48. All closed or sealed containers, bags, jars, etc. must be labeled with a name, address, zip code and minimum weight. Processed items must also include an ingredients list. Meat, eggs, fish, etc. must have a grade on the label, in accordance with USDA standards.

49. Scales must be in compliance with the San Bernardino County Dept. of Agriculture/Weights and Measures. Scales tested and sealed with a current year seal in other Counties within California are permitted. Scales are to be sealed, calibrated and tagged annually. Only certified scales are permitted in the market. Scales must be in plain sight of the consumer.
50. Prices must be clearly posted.
51. Participants selling fresh produce must have a protective covering on their table. Produce cannot be sold off of a bare wood table.

### **Violation of Rules**

52. The Market Manager is responsible to interpret, implement, and enforce all rules and regulations pertaining to the running of the Market in a fair and equitable manner.
53. The Market Manager has the authority to issue warnings and to take appropriate action against participating sellers who violate these rules and all other applicable regulations and laws. Notwithstanding any other provisions of these Rules, the Market Manager also has the power to immediately suspend or remove any vendor for any health, safety and liability risks caused by any single violation. Vendors will be given a warning and chance to correct violation. After The third offense, vendors can be suspended or removed from the Market. In other circumstances, a written Notice of Violation will be issued with the following schedule of penalties:
  - 1st violation - Warning
  - 2nd violation - Warning
  - 3rd violation - Suspension or permanent removal from the Market

### **VI. CERTIFIED PRODUCERS AND PRODUCERS**

1. All Certified Producers shall complete the "Certified Producer and Producer" Application. (See Section XII), complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations and provide a copy of current seller's permit, if applicable
2. All food products must be grown in California or caught in state waters.
3. Admission to sell at the Market shall be at the discretion of the Market Manager. In making any determination in this regard, the Market Manager shall consider many factors including the following:
  - a. Producer's positive or negative history of compliance with state, local government and this and other Market Rules and Regulations.
  - b. Producer's history of Market participation. When practical, significant weight, priority and preference should be given to producers returning from previous seasons.
  - c. The competitive availability and number of sellers of the same type of products as producers present within the Market. If practical, monopolies and surfeits (gluts) should be avoided. Admission of certain types of product will depend on whether the present number of sellers of the same type of product as the producer's product are adequately supplying consumer demand.
  - d. The number of stall spaces and other limitations of the Market
4. A producer may sell only those products listed on the application and approved by the Market Manager. Any changes, modifications, or additions must be approved by the Market Manager.
5. The actual producer of the product(s) is encouraged to attend the Market regularly; however, an employee may sell as long as the producer sells at the Market at least two (2) times each calendar year.

6. To sell fresh fruits, vegetables and nuts at a Certified Farmers Market, the seller shall have a Certified Producer Certificate issued by the Agricultural Commissioner in the County of origin of his/her produce, as required by state law.
7. Certified producers are required to ensure that the Market Manager has copies of all current certificates and permits.
8. Prepared or processed products may be sold by producers if prepared in accordance with the State Health & Safety Code and all ingredients (with some exceptions) of the prepared product is produced entirely by the producer.
9. Bulk foods, such as dried fruit or shelled nuts may be sold from washable, labeled bulk containers with attached self-closing lids and attached utensil. (CRFD § 114060a)
10. Any farmer, producer, partnership, owner representative, agent or employee whose Certified Producer Certificate has been revoked or canceled for resale of agricultural products will not be allowed to participate in the Market.
11. High quality, vine-ripened, recently harvested produce is expected. Lower grade fruits and vegetables must be marked as such and priced accordingly. However, lower grade produce is only permissible if higher grades are also available at the same stall (state law). Over 80% of products presented must be of the highest quality. The Market Manager has the authority to require that poor quality produce be removed.
12. A certified producer (including farmers, nurserymen, fishermen and other agricultural producers) may sell for up to two additional certified producers including, but not limited to, separate entities, such as partnerships in which the certified producer has an interest as an individual member, only at the express permission of the Market Manager. All producers wishing to carry a second certificate must meet the following CDFA Direct Marketing Regulations:
  - 1392.4.f.1 "A certified producer shall not represent, nor be represented by more than two other certified producers in a 12-month period.
  - 1392.4.f.2 "Each certified producer's certified agricultural products to be sold or offered for sale shall be separated and identifiable by each certified producer's valid certificate at point of sale."
  - 1392.4.f.3 "The name of the certified producer for whom another certified producer is selling shall appear on the certificate of the person selling his/her products."
  - 1392.4.f.4 "The name of the certified producer who is selling the products of another certified producer shall appear on the certificate of the person for whom s/he is selling."
  - 1392.4.f.5 "The certified producer selling for another certified producer shall be selling or offering for sale certified agricultural products which s/he has produced and which are greater than the amount by volume offered for sale for the other certified producer."
13. Any producer claiming to have Certified Organic produce or products shall have grown or produced the product in accordance with the California Organic Products Act of 2003 and the National Organic Standards.
14. Signs stating that Certified Organic produce or products have been organically grown shall comply with the National Organic Standards.
15. Organic certification and registration shall be posted at the producer's stall and copies of all certification forms shall be submitted to the Market Manager. Producers selling less than \$5000 annually of organic produce may simply post organic registration.
16. All agricultural producers must post a conspicuous sign or banner at the point of sale identifying their name or the name of their establishment, the county where they maintain/store their product, the location where their production occurs, and the statement, "we sell only what we grow/raised", or similar, that clearly expresses the seller is only selling agricultural products that were grown or raised by the seller on California land.

## **VII. FOOD VENDORS**

1. A prospective Food Vendor shall complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations and a copy of current seller's permit.
2. Food Vendors are required to have a valid permit from the San Bernardino County Health Department and their local jurisdiction.
3. The Market Manager selects prepared foods that are original, of high quality and that do not excessively duplicate foods already sold at Market. To benefit consumers, no food vendor will have exclusive right to sale of any category of food product. Food Vendors' products may not directly compete with products made and sold by producers from their own farm products.
4. All food stalls where cooking is taking place are required by the San Bernardino County Fire Marshall to have on site at all times a fire extinguisher and a water container. Sellers must not change propane cylinders during Market hours. All food stalls where cooking is taking place must meet Fire Department requirements for tarps and canopies (such as fireproofing and height requirements.)
5. All food stalls must have a trash can in front of the stall for customer use.
6. All food stalls must have a hand-washing sink.
7. All food stalls where cooking is taking place are required to have a floor cover when located on dirt.
5. All menus must be clearly marked as to price and type. Food Vendors may not sell food not originally listed on the application without prior approval of the Market Manager.
6. All San Bernardino County and State Health Department regulations must be followed.
7. All state and local requirements shall be met before a food vendor may sell at the Market. Food vendors must provide a copy of the following documents to the Market Manager and have on display, as applicable:
  - a. Current Retail Food Vehicle Permit or Temporary Event Permit, or other required permit from the San Bernardino County Health Department unless exemption criteria is met.
  - b. Seller's Permit from the State Board of Equalization
8. Priority consideration will be given to food vendors who make their own products, are local to the Market area, and use produce from Helendale Certified Farmer' Market producers.
9. Prepared food vendors must provide adequate facilities to keep hot and cold foods at prescribed temperatures as per San Bernardino County Health Department requirements.
10. Food Vendors are encouraged to use recyclable and/or compostable packaging and containers for processed and prepared foods.

## **VIII. ARTISANS**

1. A prospective artisan shall complete and sign the "Vendor" Application and "Hold Harmless" agreement provided and present a copy of signed market rules and regulations.
2. Each artisan must have and present copy of a Seller's Permit from the State Board of Equalization and a County of San Bernardino Business Permit.
3. In accord with the "producer-to-consumer" philosophy, only an artisan (fine artist or skilled craftsman) who designs and is involved in all aspects of production of her/his art work or craft work will be considered to sell under this designation. All interested artisans must first complete an application before being considered for acceptance by the Market Manager.
4. The Market selects for consideration only original art and applied crafts that are self-produced, hand-crafted and of high quality workmanship while avoiding too much duplication of any given category (fine art, jewelry, textiles, ceramics). Artisans must have created, sewn, constructed or otherwise fashioned from component materials the item(s) they sell. The component materials must be sufficiently modified from their original state to demonstrate true craftsmanship. No reproductions or mass-produced items allowed. Art or craftsmanship that is thematic with the Market is preferred.

5. Consideration will be given to the following qualifications when evaluating applications: Creativity, originality, and uniqueness; Quality of product; Skill and technical execution; Presentation and display; Farmers' market relatedness (farm/food, garden, ecological themes); Seniority and past participation.
6. Artisans previously accepted may be re-evaluated so as to maintain the high standards of the Market. Anyone who is rejected may reapply with new products. While a balance of products is intended, the Market does not assure exclusive rights to any category or product.
7. All items in an artisan's line may be reviewed by the market manager and/or committee if Artisan committee is formed.
8. Current artisans must receive the approval of the Market Manager before selling any new products in the market. Any products offered for sale not listed on the application are subject to removal.
9. Products shall not compete with items made by producers from their own farm-produced materials.
10. Products designed by the artisan, and produced with the help of apprentices or employees may be sold providing that:
  - a. The artisan has complete control of the production by apprentices or employees, and
  - b. The artisan can provide documentation of their design work, proof of control of production, and receipts for raw materials used in the product sold. If requested, she/he must also show the Market Manager unfinished goods in progress, raw materials and tools used to create the product. The Market Manager reserves the right to visit the production site to verify compliance with these rules.
11. No resale of any items is permitted. The Market defines resale as using items not of his/her own production in an artwork. If using a commercial component in his/her own work, the artisan must substantially alter the item using great skill or technique and original design.
12. Artisans may be allowed to share booth space on a limited basis with Market Manager's approval. Each artisan must apply and receive approval separately prior to selling in the Market. Both artisans should be present at the Market. Limit two artisans per booth space.
13. Artisans who reside or do business in the immediate area of a Market will be given preference.
14. Artisans who create or demonstrate at the Market will be given preference.
15. The Market Manager reserves the right to determine on which Market days the artisan may sell and the rotation of artisans.

#### IX. NON-PROFIT CORPORATIONS

1. A prospective Non-Profit Corporation shall complete and sign the "Vendor" Application. (See Section XII) and present a copy of signed market rules and regulations and "Hold Harmless" agreement provided.
2. Non-profit corporations may apply to sell select products on a limited basis.
3. Non-profit corporations may also apply for a stall space to publicize their services and/or activities. The Market Manager may authorize such use of stall space on a week-by-week, space available basis only.
4. Application for stall space shall be made at least five days before Market day.
5. Applicant shall provide proof of the organization's charitable, 501(c)3 non-profit status and his/her position as representative of that organization.
6. When arts and crafts, prepared foods, or commercial goods are being offered for sale, the non-profit must apply and be approved under the conditions described under the appropriate category in these Rules and Regulations. No items may compete with products offered for sale by producers, food vendors or artisans.
7. Any organization selling prepared foods must obtain a temporary event permit from the Health Department unless exemption criteria is met per Department of Health guidelines.
8. The organization shall provide all necessary furnishings for their space (refer to General Rules #14 "General Rules"). Required.

9. Organization representatives shall not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities shall not block walkways or access to assigned stall spaces.
10. The Market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards, and other expressions of the interests represented. The use of fighting words, obscenities, grisly or gruesome displays or highly inflammatory slogans likely to provoke a disturbance may be prohibited by the Market Manager.
11. The Market prohibits proselytizing and/or campaigning for and against any ballot measure, political candidate or public office. This prohibition does not preclude any person or organization from conducting such activity during Market hours on public sidewalks or other public property adjacent to the Market. Violation of this prohibition may result in expulsion from the Market for the remainder of that Market day.
12. Non-profit corporations, whether dispensing information or selling, must comply with the Market Rules & Regulations, including Section V for all sellers.

#### **X. ENTERTAINERS**

1. A prospective Entertainer shall complete and sign the "Vendor" Application. (See Section XII) and present a copy of signed market rules and regulations and "Hold Harmless" agreement.
2. All entertainers at the Market must be pre-approved and scheduled by the Market Manager at least five days in advance.
3. All Entertainers are considered on an "as space allows" basis. Certain areas of the Market may be designated as a "no music" area and any musician setting up there may be asked to move.
4. All Entertainers perform at the discretion of the Market Management. The Market Management reserves the right to relocate or remove any entertainers.

#### **XI. COMMERCIAL SELLERS**

1. A prospective Commercial Seller shall complete and sign the "Vendor" Application. (See Section XII) and present a copy of signed market rules and regulations and "Hold Harmless" agreement provided and provide a copy of current seller's permit.
2. Commercial sellers selling select products may be permitted on a limited basis at the discretion of the Market Manager.
3. Commercial sellers may sell only high-quality products, approved by the Market Manager.
4. Because of the Markets "producer-to-consumer" philosophy, the Market Manager will be highly selective of products offered for resale. Items must be unique, well made, and conform to the overall atmosphere of the Market. No mass-market items will be accepted. No resale items may compete with items offered for sale by producers, food vendors or artisans.

#### **XII. APPLICATION REQUIREMENTS**

##### **A. INSTRUCTIONS**

1. Read and sign the Helendale Farmer's Market Rules and Regulations.
2. Complete vendor reservation form and hold harmless agreement.
3. Return completed forms with photocopies of required permits, licenses and other documents to the Market Manager
4. The Market Manager will acknowledge receipt of your application by Email (PDF), mail or telephone.

##### **B. REQUIRED DOCUMENTS FOR ALL SELLERS AND ENTERTAINERS**

1. All sellers, non-profits and entertainers must sign and return the signature page of the Helendale Certified Farmers Market rules and regulations to the Market Manager which acknowledges receipt by all sellers, non-profits, and entertainers of these Rules & Regulations.
2. General Liability Insurance - recommended only



3. Product Liability Insurance - recommended only
4. Any other licenses or permits required by seller category.

C. REQUIRED DOCUMENTS BY SELLER CATEGORY

**1. CERTIFIED PRODUCER**

**Certified Producer's Certificate**

Producers of fresh fruits, nuts, vegetables, shell eggs, honey, flowers and nursery stock must obtain a Certified Producers Certificate prior to selling such commodities at the Market. Such commodities must have been produced by the producer by the practice of the agricultural arts upon land that the producer farms and owns, rents, leases or sharecrops. Any producer who sells produce that is not of his/her own production while claiming that it is will be permanently expelled from the Market. A certificate is issued by the County Agricultural Commissioner which exempts a producer of fresh fruits, vegetables and nuts from standard size, standard pack, container and labeling laws and which permits the producer to transport and sell his/her produce at a Certified Farmers Market. The Certified Producer's Certificate must list San Bernardino County as an "authorized County" if the certificate was issued outside of SB County. Producers may be required to submit additional proof that they produce what they or their representatives sell.

CERTIFIED PRODUCERS AND PRODUCERS will be required to have based on product:

Apiary Registration, Avocado Exemption Permit or Proof of Inspection, Board of Equalization Permit, Boat Registration/Commercial Fish Business License, Commercial Fishing License, Employee Agreement Form Health Processing Permit(s), Milk Handler's License, Nursery License, Organic Registration and/or Certification, Scale Registration, Other supporting documents such as lease or partnership agreements, any other licenses or permits required by regulatory agencies. All the above documentation with the exception of the "Hold Harmless" agreement shall be visibly posted during Market hours.

**2. FOOD VENDORS**

- a. Public Health Operating Permit and other Department of Health Permits:
  - Temporary Event Permit (if you prepare and/or sample and sell foods at the Market site)
  - Food Vehicle Permit (if applicable).
- b. Selling Permit from the State Board of Equalization
- c. Pictures of product and booth set up and/or trailer and list of products to be sold.

**3. ARTISANS**

- a. Selling Permit from the State Board of Equalization
- b. Detailed written description of product and pictures of product and booth set up.
- c. Detailed written description of how and where the products are produced.

**4. NON-PROFIT CORPORATIONS**

- a. Organizational Mission Statement and/or description of booth activity.
- b. Letter of Determination from the IRS stating tax-exempt status

**5. COMMERCIAL SELLERS**

- a. Selling Permit from the State Board of Equalization
- b. List of products to be sold, pictures and pictures of booth set-up.

**Appendix "A"**  
**"HOLD HARMLESS, RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK AND INDEMNITY"**  
**AGREEMENT**

I, owner of \_\_\_\_\_, whose address is \_\_\_\_\_ (hereinafter "Participant"), in consideration of being permitted to participate in any way in the Helendale Farmers Market ("Activity"), for myself for personal representatives, assigns, heirs and next of kin, agree as follows:

1. Participant acknowledges, agrees and represents that participant understands the nature of the Activity and that I am qualified, in good health, and in proper physical condition to participate in such Activity. I further agree and warrant that if at any time I believe conditions to be unsafe or unhealthy, I will immediately discontinue further participation in the Activity.
2. Participant fully understands that: (a) these risks and dangers may be caused by my own actions or inactions, the actions or inactions of others participating in the Activity, the condition in which the Activity takes place, or the negligence of the releasees named above and below; (b) There may be other risks and social and economic losses either not known to me or not readily foreseeable at this time and I full accept and assume all such risks and all responsibility for losses, costs and damages I incur as a result of my participation in this Activity.
3. Participant hereby releases, discharges and covenants not to sue the Helendale Community Services District ("District"), its administrators, directors, agents, officers, members, volunteers, employees, acting market manager, other participants, any sponsors or advertisers and, if applicable, owner and lessor of premises on which the Activity takes place (each considered one of the "releasees" herein) from all liability, claims, demands, losses or damages on my account caused or alleged to be caused in whole or in part by the negligence of the participants or otherwise, including negligent rescue operations, and I further agree that if, despite this release and waiver of liability, assumption of risk and indemnity agreement I, the participant, or anyone on my behalf, makes a claim against any of the releasees, I will indemnify the District of any liability due to acts or omissions, save and hold harmless each of the releasees from any litigation expenses, attorney fees, loss, liability, damage or cost which may incur as the result of such claim.

By signing below, Participant hereby voluntarily agrees to participate in the Activity in a manner consistent with the instructions and directions of representatives from the District and irrevocably assumes all risks in connection therewith and extinguishes all rights and claims against the District as follows:

Participant, on behalf of Participant and Participant's descendants, ancestors, dependents, heirs, spouses, executors, administrators, agents, servants, employees, representatives, assigns, and successors ("the Releasers"), hereby fully, irrevocably, and unconditionally, releases and forever discharges the District, the Activity sponsors, and their respective predecessors, successors, affiliates, subsidiaries, parents, corporations, companies, and divisions, and each and all of their respective current and former officers, directors, administrators, assigns, agents, servants, stockholders, employees, insurers, attorneys, representatives, and successors ("the Released Parties") from any and all demands, damages, debts, liabilities, obligations, contracts, agreements, actions, causes of action, suits, judgment, liens, indebtedness, losses, costs, and claims of whatever nature, character, or description, whether known or unknown, anticipated or unanticipated, foreseen or unforeseen, suspected or unsuspected, fixed or contingent, which Participant and the Releasers now have or may hereafter have or claim to have against the District and the Released Parties arising out of or related to the Activity and the administration and coordination thereof by the District.

1. Participant acknowledges that this Release was entered into voluntarily, and also expressly acknowledges that he/she has been informed and is familiar with the provisions of Section 1542 of the California Civil Code which provides as follows:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR.

Participant expressly waives the provisions of California Civil Code Section 1542, as well as any and all similar protections under the law, and further waives any rights that he/she may have to invoke said provisions now or in the future with respect to the releases set forth herein. Participant recognizes and understands that factors which have induced him/her to enter into this Release may turn out to be incorrect or different from what he/she had previously anticipated, and Participant expressly assumes all of said risks, including the risks of this waiver of California Civil Code Section 1542, and thus assumes full responsibility for any resulting liabilities.

In the event of an accident, injury, or illness, the District and its agents do not assume any responsibility or obligation to provide financial assistance or other assistance, including but not limited to, medical, health, or disability insurance, in the event of an accident, injury, illness, death or property damage. In the event of an accident, injury, or illness, the above stated and its agents will make every effort to contact parents/guardians immediately if necessary.

Further, Participant agrees to indemnify and hold harmless the District, its Board of Directors, and its officers, employees, and agents from any liability, loss, or expenses arising from Participant's participation in the Activity, including but not limited to any and all claims and/or litigation asserting that any acts, omissions, statements, or material furnished by me violated or infringed the rights of third parties.

I have read this agreement, fully understand its terms, understand that I have given up substantial rights by signing it and have signed it freely and without inducement or assurance of any nature and intend it to be complete and unconditional release of all liability to the greatest extent allowed by law and agree that if any portion of this agreement is held to be invalid, the balance, notwithstanding, shall continue in full force and effect.

Participant (Please Print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Alt. Phone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Appendix "B"

Helendale Certified Farmers Market  
Vendor Reservation Form

Please complete this form and turn in at market location or mail to:  
P.O. Box 359 Helendale, CA 92342  
Attn. Heather Lynn, Market Manager

Business Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone No: \_\_\_\_\_ Alt. Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Type of Product(s) sold: \_\_\_\_\_

Health Permit# (S.B. County): \_\_\_\_\_

Sellers Permit# (S.B. County): \_\_\_\_\_

Temporary Food Facility Permit No (for on-site food preparation): \_\_\_\_\_

Number of 10' x 10' Booths Requested: \_\_\_\_\_

Signed participant shall indemnify, defend, and hold harmless Helendale Certified Farmer's Market, its Board of Directors, market manager, agents, servants, employees, and volunteers from and against any and all loss, damages, liability, claims, suits, costs and expenses, whatsoever, including reasonable attorneys' fees arising from or in any manner connected to the willful misconduct or to the passively or actively negligent acts, errors, or omissions of Seller, its agents and employees, in connection with Seller's participation in Helendale Certified Farmer's Market and in the performance of services, work or activities under this Agreement and the Helendale Certified Farmer's Market Rules & Regulations. Seller acknowledges receipt of and agrees to comply with each and every rule, regulation, procedure, term and condition set forth in the Helendale Certified Farmer's Market Rules and Regulations including.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Organization \_\_\_\_\_

Contact Person \_\_\_\_\_ Phone: \_\_\_\_\_

Appendix "C"

**NOTICE OF VIOLATION**

Date: \_\_\_\_\_ Violation No: \_\_\_\_\_

Name: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone No. \_\_\_\_\_ Email: \_\_\_\_\_

This notice is being issued to you for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is a violation of Market rule #: \_\_\_\_\_

As a signatory to the Helendale Certified Farmer's Market Rules & Regulations, you have acknowledged and agreed to comply with all rules and regulations pertaining to your selling privileges at the Helendale Certified Farmers Market.

Please be advised that subsequent violations of Market rules could result in your suspension from the Helendale Certified Farmers Market. Violations will be removed after a 12-month period, if no new violations are issued.

First Violation - Warning

Second Violation - Warning

Third Violation - Suspension or permanent removal from the Helendale Certified Farmers Market

Signed: \_\_\_\_\_

(Market Manager reserves the right to immediately remove vendor from Market based on severity of violation.)

## Appendix "D"

### Sampling Guidelines for the Certified Farmers' Market

Sampling guidelines have been set by the San Bernardino County Health Department and must be followed. To be allowed to sample you must have a complete sampling set-up and follow sampling procedures as follows:

#### Sampling Set-up

- a. Water container with a downward-facing spout (for hands and produce washing)
- b. Non-absorbent cutting board
- c. A knife used exclusively for sampling
- d. 1% chlorine solution for sanitizing the cutting knife
- e. Liquid pump soap dispenser (bar soap is not acceptable)
- f. Single use (paper) towels
- g. Sneeze guard cover for cut samples
- h. Toothpicks or skewers for handing out samples
- i. Bucket to catch wash water

#### Sampling Procedures

- a. All produce must be washed before cutting.
- b. Samples must be cut out of reach of customers.
- c. Cut samples must either:
  1. Be kept covered out of reach of customers and handed directly to the customer on a toothpick or with tongs or
  2. Be kept under a sneeze-guard type of sampling apparatus with toothpicks.
- d. A covered trash can must be available for discarded samples & toothpicks.
- e. Hands must be washed before cutting samples. Plastic gloves may be worn but they do not replace hand-washing requirements.
- f. Bucket containing wash water must be disposed of in a public sewer system or taken home for disposal. Wash water may not be dumped into planters or storm drains.

## Appendix "E"

### Time, Place, and Manner Rules

At the discretion of the Market Manager, Helendale Certified Farmers Market allows community organizations and information groups to be present at the Market in a designated area. That area will be determined and assigned by the Market Manager. All interested parties requesting such a space should check with the Manager before setting up for proper placement. Nonprofit corporations with 501(c)3 status can apply for table space through normal market application procedures.

Groups/individuals must abide by the following rules while at Helendale Certified Farmers Market:

1. Individuals or groups may not interfere with Market operations by aggressively soliciting signatures, donations or attention. Such activities may not block sidewalks or access to assigned seller stall spaces.
2. All individuals or groups must stay within the designated area. At no time may representatives walk through the Market handing out information.
3. Groups are allowed space in the Market for informational purposes only. No sale of items is allowed. Any groups conducting fundraising must provide proof of the organization's charitable status and of the individual's position as a representative of the organization.
4. Individuals or groups must accept the spaces assigned to them by the Market Manager.
5. Each organization or individual must prominently display its name and must comply with all applicable Market rules.
6. The Market retains the right to regulate the time, place and manner of activities relating to displays, signs, posters, placards and other expressions of the interests represented. The use of "fighting words," obscenities, grisly or gruesome displays or highly inflammatory slogans likely to provoke a disturbance may be prohibited by the Market Manager.
7. The Market prohibits proselytizing and/or campaigning for and against any ballot measure, political candidate or public office. This prohibition does not preclude any person or organization from conducting such activity during Market hours on public sidewalks or other public property adjacent to the Market. Violation of this prohibition may result in expulsion from the Market for the remainder of that Market day.
8. Yelling, swearing, name-calling, slanderous remarks and other rude behavior will not be tolerated. Any behavior or language considered to be deleterious to the normal operation of the Market will be grounds for expulsion from the Market.

The Board of Directors has authorized the Market Manager to enforce the above rules. Violation could mean expulsion from the Market. The Market cannot endorse the opinions or positions of any group or individual. Questions regarding these rules should be directed to the Market Manager.

Appendix "F"

**Acknowledgement of the Helendale Certified Farmers Market Rules and Regulations**

I HAVE READ AND AGREE TO ABIDE BY THE HELENDALE CERTIFIED FARMERS MARKET RULES AND REGULATIONS.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_

Phone: \_\_\_\_\_

Organization \_\_\_\_\_

Return Market acknowledgement to: Helendale Certified Farmers Market, PO Box 359 Helendale, CA 92342  
Market Contact Person: Heather Lynn Phone: (760) 998-1454





# Helendale Community Services District

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Date: August 2, 2018  
TO: Board of Directors  
FROM: Kimberly Cox, General Manager  
SUBJECT: Agenda item #6  
Discussion and Possible Action Regarding Adoption of Resolution 2018-18: A  
Resolution of the Helendale Community Services District Establishing the Statement  
of Investment Policy for Fiscal Year 2018-19

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**STAFF RECOMMENDATION:**

Staff recommends that the Board of Directors adopt Resolution 2018-18

**STAFF REPORT:**

Annually the District Investment policy is reviewed by Staff and any changes necessary to the policy are suggested to the Board. After review, Staff sees no need to modify the Investment Policy. However, the Statement of Investment Policy is required to be adopted by resolution on an annual basis, regardless of any change or not.

Currently the District's investments are as follows:

CBB	\$1,127,583.62	@	.25%
Cal Trust Medium	\$2,054,867.23	@	2.48%
Cal Trust Short	\$2,050,430.59	@	2.11%
LAIF	<u>\$ 6,679.33</u>	@	1.90%
	\$5,239,560.77		

Interest earned for the month of June 2018 from Cal Trust and CBB was \$6,653.54.

Attached Resolution 2018-18 establishes the Statement of Investment Policy for the current fiscal year.

**FISCAL IMPACT:**

None

**POSSIBLE MOTION:**

A motion to approve Resolution 2018-18



**RESOLUTION NO. 2018-18**

**A RESOLUTION OF THE HELENDALE COMMUNITY SERVICES DISTRICT  
ESTABLISHING THE STATEMENT OF INVESTMENT POLICY  
FOR FISCAL YEAR 2018-19**

**THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT  
DOES HEREBY RESOLVE AS FOLLOWS:**

**WHEREAS**, the Helendale Community Services District, under Government Code Section 53646.2 must provide to its governing Board a Statement of Investment Policy; and

**WHEREAS**, the Statement of Investment Policy has been modeled after similar agency policies and in conformity with the California Government Code Sections 53600 and 53635, et seq.; and

**WHEREAS**, the Statement of Investment Policy provides District Staff with a management tool to implement future investment decisions by the District.

**NOW, THEREFORE, BE IT RESOLVED, ORDERED AND DETERMINED BY THE BOARD OF DIRECTORS OF THE HELENDALE COMMUNITY SERVICES DISTRICT THAT** the District, as set forth in the attached Statement of Investment Policy, does hereby adopt as the Investment Policy for public funds held by and entrusted to the Helendale Community Services District through its elected Board of Directors and employees.

**APPROVED AND ADOPTED** this 2nd day of August 2018 by the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
ABSENT: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Ron Clark, President

ATTEST:

\_\_\_\_\_  
Sandy Haas, Secretary

**Helendale Community Services District**  
**Statement of Investment Policy and Procedures**  
Adopted August 2, 2018

**I. PURPOSE**

It is the policy of the Helendale Community Services District to invest public funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all state and local statutes governing the investment of public funds.

**II. OBJECTIVE**

The objective of the investment policy is to provide guidelines for insuring the safety of funds invested while maximizing investment interest income to the District.

**III. INVESTMENT POLICY**

1. **RESPONSIBILITY.** The General Manager, or authorized designee, is responsible for investing the cash balances in all District funds in accordance with the California Government Code, Sections 53600 et seq. and 53635 et seq. This policy does not include Long Term Debt Reserve Funds and Deferred Compensation Funds, which are exceptions covered by other more specific Government Code sections and the legal documents unique to each debt transaction.
2. **PRUDENT INVESTOR STANDARD.** The standard of prudence to be used by the General Manager and other individuals assigned to manage the investment portfolio shall be the "prudent investor" standard which states, in essence, that "in investing... property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs..." (Civil Code Sect. 2261, et seq.) This standard shall be applied in the context of managing an overall portfolio. These individuals acting in accordance with written procedures and the investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.
3. **INVESTMENT INTENT.** It is the District's full intent, at the time of purchase, to hold all investments until maturity in order to ensure the return of all invested principal. However, it is realistically anticipated that market prices of securities purchased as investments will vary depending on economic conditions, interest rate fluctuations, or individual security credit factors. In a well-diversified investment portfolio, such temporary variations in market value will inevitably result in measurable losses at any specific point in time. From time to time, changes in economic or market conditions may dictate that it is in the District's best interest to sell a security prior to maturity.

Helendale Community Services District  
Statement of Investment Policy and Procedures

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4. **PRINCIPAL INVESTMENT FACTORS.** The three principle investment factors of **Safety, Liquidity and Yield** are to be taken into consideration, in the specific order listed, when making any and all investment decisions.
- A. Safety** of principal is the foremost factor to be considered during each investment transaction. Safety in investing refers to minimizing the potential for loss of principal, interest or a combination of the two due to the two types of risk, Credit Risk and Market Risk.
- a. Credit Risk, defined as the risk of loss due to failure of the issuer of a security, shall be mitigated by only investing in very safe, or "investment grade" securities and diversifying where feasible.
  - b. Market Risk, defined as market value fluctuations due to overall changes in interest rates shall be mitigated by limiting the average maturity of the investment portfolio to less than 3 years, with a maximum maturity of any one security of 5 years without prior Board approval. Also, the portfolio will be structured based on liquidity needs so as to avoid the need to sell securities prior to maturity.
- B. Liquidity** refers to the ability to convert an investment to cash promptly with minimum risk of losing some portion of principal or interest. The investment portfolio will be structured based on historic cash flow analysis in order to provide the necessary liquidity as investments routinely mature. A portion of the portfolio will be maintained in liquid short term securities which can be converted to cash if necessary to meet unforeseen disbursement requirements.
- C. Yield** is the average annual return on an investment based on the interest rate, price, and length of time to maturity. The District attempts to obtain the highest yield possible, provided that the basic criteria of safety and liquidity have been met.
5. **AUTHORIZED INVESTMENT INSTRUMENTS.** The District is subject to California Government Code, Section 53601 et seq. Within the context of the governing language, the General Manager or designee is authorized to invest in the following types of securities. (The percentage noted in this section is the maximum percentage the investment is allowed in regards to the portfolio.)
- A. United States Treasury Bills, Notes, and Bonds – Maximum of 100%.** Maximum term of investment 5 years. There is no limitation as to the percentage of the portfolio, which can be invested.

Helendale Community Services District  
Statement of Investment Policy and Procedures

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- B. Obligations issued by the Federal Government – Maximum of 100%.** Obligations issued by the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCB), the Federal Home Loan Bank (FHLB), the Federal Home Loan Mortgage Corporation (FHLMC), the Federal National Mortgage Association (FNMA), and the Student Loan Marketing Association (SLMA). Although there is no percentage limitation on “governmental agency” issues, the prudent person rule shall apply for a single agency name.
- C. Banker’s Acceptances – Maximum of 25%**  
Time drafts drawn on and accepted by a commercial bank, otherwise known as Banker’s Acceptances. Banker’s Acceptances purchased shall not exceed 270 days to maturity, or 25% of the market value of the portfolio. No more than 5% of the market value of the portfolio may be invested in Banker Acceptances issued by any one commercial bank.
- D. Commercial Paper – Maximum of 15%**  
Commercial Paper rated “P1” by Moody’s Investor Services and A1 by Standard and Poor’s and issued by a United States corporation having assets exceeding \$500,000 and having an “A” or better rating on its long-term debentures as rated by Moody’s and Standard and Poor. Commercial Paper purchases cannot exceed 15% of the market value of the portfolio (30% if the dollar weighted average maturity of all commercial paper does not exceed 31 days). Purchase of commercial paper may not exceed 10% of outstanding paper of an issuing corporation.
- E. Negotiable Certificates of Deposit - Maximum of 25%**  
Negotiable Certificates of Deposit (NCD) issued by a nationally or state chartered bank or state or federal savings and loan association. To be eligible for purchase by the District the NCD must be issued by:
1. A California bank rated “BB” or better by Standard and Poor’s; or
  2. A major national regional bank outside California rated “BBB” or better by Standard and Poor’s; or
  3. A savings and loan association operating in California rated “BBB” or better by Standard and Poor’s.
- Purchases of negotiable certificates of deposits may not exceed 25% of the market value of the portfolio. A maturity limitation of five (5) years is applicable on NCDs.
- F. Repurchase Agreements – Maximum of 20%**  
The District may invest in Repurchase Agreements with banks and dealers with which the District has entered into a Master Repurchase Agreement which specifies terms and conditions of Repurchase Agreements. A signed copy of the Master Repurchase Agreement shall be required from the authorized financial dealer prior

Helendale Community Services District  
Statement of Investment Policy and Procedures

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to the execution of any applicable transaction. The maturity of Repurchase Agreements shall not exceed one year. The market value of securities used as collateral for Repurchase Agreements shall be monitored daily and will not be allowed to fall below 102% of the value of the Repurchase agreement as set forth in California Government Code Section 53601 (i) (2).

**G. Local Agency Investment Fund – Maximum of \$40 million per account**

The District may invest in the Local Agency Investment Fund (LAIF) established by the State Treasurer for the benefit of local agencies up to the maximum permitted by State law.

**H. Medium-Term Notes – Maximum 30%**

Medium-Term Notes with a maximum of five years maturity issued by corporations organized and operating within the United States or any state and operating within the United States. Notes eligible for investment shall be rated in a rating category of "A" or its equivalent or better by nationally recognized rating service. No more than 30% of the market value of the portfolio may be invested in Medium-Term Notes.

**I. Money Market Mutual Funds – Maximum of 20%**

Shares of beneficial interest issued by diversified management companies that are money market mutual funds registered with the Securities and Exchange Commission under the Investment Company Act of 1940, as defined in Section 53601(k)(2) of the California Government Code. To invest in securities and obligations, which comply, with the investment restrictions pursuant to Section 53601(k)(2), companies shall either:

1. Attain the highest ranking or the highest letter and numerical ranking provided by not less than two out of the three rating services: Moody's Investor Service, standard and Poor's, or Fitch Investor's Service, Inc.
2. Retain an investment advisor registered or exempt from registration with the Securities and Exchange Commission with not less than five years' experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000). The purchase price of shares of beneficial interest purchased pursuant to this section shall not include any commission that these companies may charge and shall not exceed 20% of the District's surplus money that may be invested in money market mutual funds. Further, the District may invest only in money market mutual funds, which have an average maturity of 90 days or less per Securities and Exchange Commission regulations.
3. All positions in government-sponsored investment pools and permitted

Helendale Community Services District  
Statement of Investment Policy and Procedures

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money market mutual funds (per Sections G and I, above) shall be subject to periodic review by the General Manager or designee, in order to ensure that the monies in question are managed in a manner consistent with the standards and objectives set forth elsewhere in this policy.

**J. Collateralized Bank Deposits – Maximum of 10%**

The Agency may invest in notes, bonds or other obligations, which are at all times secured by a valid first priority security interest. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank which is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or Federal regulations applicable to the types of securities in which the security interest is placed. For the purposes of Time Deposits issued by financial institutions, the District may not invest more than 10% of the market value of the portfolio in this category.

**K. Investment Pools – Maximum of \$10 Million**

The District may invest in Pools and other investment structures rated AA or higher, incorporating investments permitted in California Government Code Sections 53601, 53635, and 5922(d) to a maximum of \$10 million per account and each account shall not exceed 40% of total available funds to be invested.

**Summary of Maximum % Limitations of Investments by Investment Type:**

The following summary of maximum percentage limits by investment type established for the District's total pooled investment portfolio:

<u>Investment Type</u>	<u>Limit</u>	<u>Period</u>
US Treasury Bills Notes & Bonds	0 to 100%	No Limit
Obligations Issued by the US Government	0 to 100%	No Limit
Banker's Acceptances	0 to 25%	270 Days
Commercial Paper	0 to 15%	45 Days
Negotiable Certificates of Deposit	0 to 25%	5 Years
Repurchase Agreements	0 to 20%	1 Year
Local Agency Investment Fund	\$40 million/Acct	No Limit
Medium-Term Notes	0 to 30%	5 Years
Money Market Mutual Funds	0 to 20%	90 Days
Collateralized Bank Deposits	0 to 10%	No Limit
Investment Pools	\$10 million/Acct Up to 40%	No Limit

Helendale Community Services District  
Statement of Investment Policy and Procedures

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- 6. PROHIBITED INVESTMENTS.** In accordance with California Government Code Section 53601.6, the District will not invest any funds in inverse floaters, range notes, or interest only strips that are derived from a pool of mortgages. The District may hold previously permitted but currently prohibited investments until their maturity dates.
- 7. SAFEKEEPING.** All investments of the District shall have the Helendale Community Services District as registered owner and shall be held in safekeeping by a third party bank trust department, acting as agent for the District under the terms of a custody agreement.
- 8. MAXIMUM MATURITIES.** The District will match its investments with anticipated cash flow requirements. Per California Government Code Sections 53601 et seq., maximum maturities shall not exceed five (5) years. The average maturity of funds should not exceed 1,275 days (3.5 years), and the cash flow requirements shall prevail at all times.
- 9. DIVERSIFICATION.** Investments shall be diversified among institutions, types of securities and maturities to maximize safety and yield with changing market conditions. Local financial institutions will be given preferential consideration for investment of District funds consistent with the District's objective of attaining market rates of return, and consistent with constraints imposed by its safety objectives, cash flow considerations and State laws.
- 10. LEGISLATIVE CHANGES.** Any State of California legislative actions that further restricts allowable maturities, investment type, or percentage allocations will be incorporated into the Helendale Community Services District Investment Policy and supersede any and all previous applicable language.
- 11. DELEGATION AND GRANTS OF AUTHORITY.** Management responsibility for the investment program is delegated to the General Manager, who shall establish written procedures and policies for the operation of the investment program with this Investment Policy. The General Manager may delegate the responsibility for investment to other management employees as necessary and approved by the Board of Directors.
- 12. ETHICS & CONFLICT OF INTEREST.** The General Manager and all personnel authorized to invest District monies shall refrain from personal business activity which would create a conflict with the proper execution of the investment program, or the execution of impartial investment decisions. A State of California Form 721, Statement of Economic Interests Disclosure shall be completed by the General Manager and other management personnel that invest District monies.



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Statement of Investment Policy and Procedures

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**13. INVESTMENT REPORTS.** The General Manager shall submit a quarterly investment report to the District Board in accordance with Government Code Section 16481.2 containing the following information for each individual investment:

- Financial institution
- Type of investment
- Purchase Price of investment
- Rate of interest
- Purchase date
- Maturity date
- Current market value for securities
- Other data as required by the District

In addition, the report shall include a statement of compliance of the portfolio with the Board approved Investment Policy and a statement indicating the ability of the District to meet its expenditure requirements for the next six months.

**9. INVESTMENT POLICY REVIEW**

This investment policy and guidelines shall be adopted by resolution of the District Board on an annual basis after being reviewed to ensure its consistency with the overall objectives of preservation of principal, liquidity, and yield, and its relevance to current law and financial and economic trends.



# Helendale Community Services District

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**Date:** August 2, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Agenda item #7  
Discussion and Possible Action Regarding Adoption of Resolution 2018-19: A  
Resolution of the Board of Directors of the Helendale Community Services District  
Adopting Records Retention Policy

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**Staff Recommendation:**

Staff seeks approval from the Board.

**Staff Report:**

Staff is requesting that the board consider adopting the proposed resolution which would modify the existing records retention policy. The existing policy was adopted on May 10, 2017 and has been in force since that time. However, as Staff as applied the policy it has requirements for retaining records that are greater than what is required and creates a large volume of storage of old district records and customer payments. The attachment to the resolution noted as "Exhibit A" is a list provided by the state for use by local governments. As Staff has reviewed this document, the opinion is that this will best meet the needs of the District.

Attached for the Board's consideration is a draft document outlining the District's Records Retention policy. The draft policy outlines the timeframes for which the District must retain certain documents pertaining to its business and personnel practices. Exhibit A outlines the retention timeframes which may be modified from time to time to meet the District's needs, address public transparency and preserve historical documents.

Exhibit B outlines the statutory requirements related to public documents that provide the framework for the proposed resolution.

**FISCAL IMPACT:**

None

**POSSIBLE MOTION:**

A motion to approve Resolution 2018-19



**RESOLUTION NO. 2018-19**  
**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE HELENDALE COMMUNITY SERVICES DISTRICT  
ADOPTING RECORDS RETENTION POLICY**

WHEREAS, the Board of Directors of the Helendale Community Services District finds as follows:

A. The Helendale Community Services District (“the District”) is a community services district organized and operating pursuant to the Community Services District Law, California Government Code Section 61000 et seq.

B. Pursuant to Government Code Sections 60200-60204, the District’s Board of Directors (“the Board”) is authorized to destroy or dispose of any District record (with exceptions) by utilizing any of the procedures set forth therein.

C. Under Government Code Section 60201(b)(2), the Board may authorize the destruction or disposition of any District record that is not expressly required by law to be filed and preserved by adopting by resolution a records retention schedule that complies with guidelines provided by the Secretary of State, that classifies all of the District’s records by category, and that establishes a standard protocol for destruction or disposition of records.

THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District as follows:

Article 1. General Standard. It is the general policy of the District that all District records shall be retained, stored, or destroyed as authorized by the Board and allowed under California law.

Article 2. Authorization for Destruction of Records. Pursuant to Government Code Section 60201(b)(2), the record retention schedule attached hereto as Exhibit “A” and incorporated herein by this reference is hereby adopted in its entirety, subject to the exceptions contained in Article 6 of this Resolution. In accordance therewith, after the records referenced therein have been retained for the time periods and according to the process set forth therein, such records are hereby authorized to be destroyed. Pursuant to Government Code Section 60201(c), the District is not required to photograph, reproduce, microfilm, or make a copy of any record that is destroyed or disposed of in accordance with the provisions of this Article 2.

Article 3. Destruction of Records after Scanning. Any record not expressly required by law to be filed and preserved in original form may be destroyed at any time after it is electronically stored in conformance with the requirements of Government Code Section 60203, the applicable

provisions of which are attached hereto as Exhibit "B" and incorporated herein by this reference.

Article 4. Destruction of Duplicates. Pursuant to Government Code Section 60200, any duplicate record, paper, or document, the original or permanent photographic copy of which is in the files of the District, may be destroyed after confirmation that such original or permanent photographic copy remains on file in the District.

Article 5. Retention of Records Not Mentioned. All records, papers, and documents not mentioned in this Resolution may be scanned as archival records or destroyed so long as such disposal is consistent with the recommendation of the Local Government Records Management Guidelines as set forth by the Secretary of State (June 2004) as the same may be amended from time to time.

Article 6. Retained Records. Pursuant to Government Code Section 60201(d), the District shall permanently retain records that relate to formation, change of organization, or reorganization of the District; a District ordinance unless it has been repealed, or is invalid, or is unenforceable for a period of five years; minutes of a meeting of the Board; pending claims and litigation records for two years after the disposition; records that are the subject of a pending Public Records Act request until the request is granted or two years have passed since denial; records of construction projects prior to notice of completion and release of stop notices, if any; records related to non-discharged contracts or debts; records of title for District real property; unaccepted construction bids/proposals until two years old; records that specify the amount of compensation paid to District employees, office or independent contractors until seven years old; and any records for which the administrative, fiscal, or legal purpose has not yet been fulfilled.

Article 7. Periodic Review. This Resolution will be reviewed and revised as deemed necessary by the Board.

Article 8. Effective Date. This Resolution shall take effect immediately upon its adoption.

Adopted this 2nd day of August, 2018.

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

---

Ron Clark, President, Board of Directors

ATTEST:

---

Sandy Haas, Secretary, Board of Directors

# EXHIBIT A



SECRETARY OF STATE

LOCAL GOVERNMENT

RECORDS MANAGEMENT GUIDELINES

SECRETARY OF STATE DEBRA BOWEN

ARCHIVES DIVISION  
RECORDS MANAGEMENT

(916) 653-3834

FEBRUARY 2006

**LOCAL GOVERNMENT  
RECORDS MANAGEMENT GUIDELINES**

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## **LOCAL GOVERNMENT RECORDS MANAGEMENT**

### **GUIDELINES**

#### **California Government Records Management Program** **2-1000**

##### **Background** **2-1010**

In 1968 the Legislature passed the California Public Records Act (PRA) ([Government Code, Section 6250 et seq.](#)) which is modeled after the federal Freedom of Information Act and details what government information is, and is not, available to the public. In general, all records are open to the public except 28 specific exemption categories listed in PRA, Section 6254. The PRA applies to all records, in whatever form, maintained by either state or local public agencies.

In 1978 the Information Practices Act (IPA) ([California Civil Code, Section 1798 et seq.](#)) became effective to protect personal privacy rights for individuals. The IPA is modeled after the Federal Privacy Act of 1974 and supercedes portions of the PRA. It does not apply to local public agencies except under voluntary contractual agreements.

The State Records Management Act ([Government Code, Section 14740-14774](#)) requires the Director of the Department of General Services (DGS) to establish and administer the state's records management program. The program applies "... to the creation, utilization, maintenance, retention, preservation, and disposal of state records." DGS administers the program through the State Administrative Manual (SAM), Chapter 1600 and the California Acquisition Manual (CAM).

SAM and CAM require every state agency to establish Records Retention Schedules which, when approved, become the legal authority for the agency to dispose of official public records. Retention schedules are the key element in effective records management programs for both government and private industry. State agencies must revise and update their schedules every five years or whenever a change occurs that impacts the keeping or disposing of agency records. The Records Management Act, SAM and CAM do not apply to local public agencies.

Since, with the exception of the PRA, legislation and directives establishing the state Records Management Program **do not** apply to local government, county and/or city government agencies do not have a standardized program of accountability for their treatment of public records. Nor does local government have standard retention periods for various record categories other than certain record types identified in government codes that mandate specific local programs. To alleviate this situation the 1999 legislature added [Section 12236](#) to the Government Code, which states in Section 12236 (a) "The Secretary of State shall establish the Local Government Records

Program to be administered by the State Archives to establish guidelines for local government retention and to provide archival support to local agencies in this state.”

These guidelines are an initial attempt to provide some standards and structure to the local government records management effort. Other attempts at standardization include the California City Clerks Association’s 1998 list of common local government records and recommended retention periods. The goal of the State Archives in compliance with GC 12236 is to consolidate information resources and provide local government with a single source for archival and records management support and guidance.

### **Authority**

**2-1020**

- California Public Records Act (Government Code, Section 6250 et seq.)
- Government Code, Section 12236

### **Definitions**

**2-1030**

- **Active Records** – As a measure of activity for records that are referred to at least once a month per cubic foot of records. Also – As a retention period for a Perpetual Record that remains “active” until some event occurs to change its status, at which time it has fulfilled its function. (See also **Perpetual Record**)
- **Administrative Records** – Records commonly found in all offices and typically retained only for short time periods – less than five years. Examples include subject, chronological, budget, and policy files.
- **Archival Records** - Records with enduring value because they reflect significant historical events, document the history and development of an agency, or provide valuable research data.
- **Discovery** – The pretrial disclosure of pertinent facts or documents by one or both parties to a civil action or proceeding. Anything requested during discovery must be disclosed if it exists – even non-records and records that should have been destroyed earlier. Discovery effectively freezes selected holdings until released by opposing attorney or the court.
- **Local Government** – Government Code, Section 6252 states: “‘Local Agency’ includes a county; city, whether general law or chartered; city and county; school district; municipal corporation; district; political subdivision; or any board, commission or agency thereof; other local public agency; or nonprofit entities that are legislative bodies of a local agency pursuant to subdivisions (c) and (d) of Government Code, [Section 54952](#).”



- **Non-Records** - Material not usually included within the definition of records, such as unofficial copies of documents kept only for convenience or reference, working papers, appointment logs, stocks of publications and processed documents, and library or museum material intended solely for reference or exhibition. Also, documents such as rough notes, calculations or drafts assembled or created and used in the preparation or analysis of other documents. (See also **Discovery**)
- **Permanent Records** – Records that are required in perpetuity, usually identified by statute or other written guidance. Examples include original birth certificates, death certificates, Spanish land grants, etc.
- **Perpetual Records** – Records retained for an indefinite period of time and then stored or destroyed after some event takes place. Examples include office personnel files which are kept until a person leaves the office, policy files kept until the policy is changed, contract files kept until the contract terminates, etc.
- **Program Records** - Records that relate to the primary function of the agency in response to its daily mission. Examples include lien files, recorders files, election files, probate records, medical records, etc.
- **Public Records** - Any 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.
- **Records** - All papers, maps, exhibits, magnetic or paper tapes, photographic films and prints, punched cards, and other documents produced, received, owned or used by an agency, regardless of physical form or characteristics.
- **Records Retention Schedule** - A list of all records produced or maintained by an agency and the actions taken with regards to those records. A retention schedule is an agency's legal authority to receive, create, retain, and dispose of official public records. It assists the agency by documenting which records require office or temporary storage, which records have historic or research value, and which records should be destroyed because they no longer have any administrative, fiscal, or legal value. In the event of litigation, courts accept a retention schedule as establishing an agency's "normal course of doing business".
- **Retention Period** – The length of time a record must be retained to fulfill its administrative, fiscal and/or legal function. Then a record should be disposed of as soon as possible in accordance with an approved Records Retention Schedule.

## **Records Management**

**2-2000**

### **Principles**

**2-2010**

According to Government Code, Section 14740, California's Records Management Program is designed to "...apply efficient and economical management methods to the creation, utilization, maintenance, retention, preservation, and disposal of state records". Effective Records Management ensures that records are kept **only** as long as they have some administrative, fiscal, or legal value.

When records no longer fulfill the value for which they were created, they should be destroyed unless they also have some historic or research significance. If that is the case the records should be preserved by an appropriate historical agency. Staff members should realize that an effective records management program is not only cost effective, it will also make their jobs easier. They should also know that records retained beyond their value "just in case" only extend the agency's legal liability in the event of adverse litigation.

These principles apply to all levels of government.

### **Inventory**

**2-2020**

The first step in records management is a records inventory. Agencies need to know what records they have, where the records are kept, the volume, and how the records are used. This information is essential for developing a Records Retention Schedule to document the agencies normal course of doing business.

The Records Inventory Worksheet, state form STD 70, is available to assist agencies in gathering information needed in a records management program. Regardless of the form used, the following information should be obtained during any inventory of agency records:

- **Record Series** - A record series is a group of similar records arranged under a single filing system or kept together as a unit. They deal with a particular subject (budget, personnel, etc.), result from the same activity (arrest reports, property assessments, etc.), or have a special form (blueprints, maps, etc.). The title of each record series should be as accurate as possible, since future references to the records will be by the record series name. Avoid vague titles such as "Corporate Papers", "Official Documents", or "Vital Correspondence".
- **Media** – Determine the media for each record series such as paper, microfilm, etc. Also note if the same record exists in several medium.

- **Years covered** – Determine the period of years covered by each record series. (Example: 1994-98).
- **Activity Level** - The amount of activity involving a record determines where the record should be stored. Active records need to be readily available and are generally stored in the office because they are accessed frequently. Inactive records that are still needed but only accessed occasionally should be warehoused in low cost storage.
- **Volume** – Note the volume of each record series by the cubic feet of space they occupy. This number is a spot count and should represent only those records on hand at the time of inventory. A typical file drawer or archive box contains approximately one cubic foot of actual records. Folders, separators, tab cards, etc. are not considered part of a record.

### **Appraisal and Scheduling**

**2-2030**

After the inventory, sound records management requires a realistic appraisal of records in relation to their period of usefulness and their value to the agency that owns them.

The appraisal will:

- Establish reasonable retention periods.
- Identify records that can be destroyed immediately.
- Identify records that should be transferred to low cost storage.
- Identify vital and/or confidential records.
- Identify records with historic and/or research value.
- Determine the method of disposition.

Once records are inventoried, determine the immediate and future usefulness of the records. In general, records should be retained only as long as they serve the immediate administrative, legal and/or fiscal purposes for which they were created. When records no longer serve these purposes, they should be disposed of or preserved for archival purposes, whichever is appropriate.

Records with administrative value are created to help accomplish the functions for which an agency is responsible and have administrative value only as long as they assist the agency in performing current or future work. Their administrative use is exhausted when the transactions to which they relate are complete and from that point on they lose value rapidly.

Records with legal value contain evidence of legally enforceable rights or obligations of the agency. Examples are records that provide the basis for action, such as legal decisions and opinions; fiscal documents representing agreements, such as leases, titles and contracts; and records of action in particular cases, such as claim papers and legal dockets.

Fiscal records pertain to the financial transactions of the agency, such as budgets, ledgers, allotments, payrolls and vouchers. After some records have served a basic administrative function, they may still have sufficient fiscal value to justify additional retention to protect the agency against court action and/or audits.

Some records will also have enduring value because they reflect significant historical events or document the history and development of an agency. Others contain accumulated data that can be useful for both scientific and genealogical research. At the local level historical societies and/or public libraries may be able to assess this potential value for the agency.

The final step in appraising records is determining their retention period. Keeping records, either in offices or storage areas, is very expensive and the actual or potential value of the records must be weighed against the cost. Most managers tend to keep records too long “just in case” and unwittingly extend the agency liability for as long as the records exist. Except for perpetual records, most administrative records should only be kept two or three years and certainly not more than five. Program records (unique and representative of the function of the office) are typically large files and kept for longer periods of time. Attachment A contains recommended retention periods for common administrative records maintained by several state agencies.

Questions to ask are how serious would it be if a particular record 5 or 10 years from now were unavailable? What are the chances of it being needed? Are the consequences serious enough to justify keeping a large volume of records for long periods of time at considerable cost? Is the information available anywhere else? What would it cost to reconstruct the record if necessary? Answering these questions will lead to a more realistic approach to the problem of determining how long records should be kept.

Establishing retention periods may also involve negotiation with the people who use the records. They should be encouraged to look realistically at their need for the records. Don't accept the answer that 'the records are used all the time and therefore must be kept permanently'. “Permanent” retention is very expensive, rarely necessary, and usually must be justified by a specific written requirement such as a statute, legal opinion, government code, etc. The State assumes “permanent” to mean 500 years! Will your records really have any value 500 years from now?

Once retention periods have been established for all records, a Records Retention Schedule can be developed. The schedule formalizes the retention and disposition of the agency's records and establishes the agency's “normal course of doing business”.

**Retention Schedules****2-2040**

A properly prepared and approved Records Retention Schedule is an agency's legal authority to do whatever needs to be done with records and documents entrusted to the agency's care. It certifies the life, care, and disposition of all agency records. If subpoenaed records have been destroyed, agency schedules (AND EVIDENCE OF COMPLIANCE WITH THOSE SCHEDULES) will defend the agency's actions. However, to prove there was no adverse intent when records were destroyed, schedules must be specific and consistently used. Adverse intent (to keep records out of court) is both a civil and criminal offense.

The state uses two forms to create Records Retention Schedules: the Records Retention Schedule Approval Request, [STD Form 72 \(pdf\)](#); and the Records Retention Schedule, [STD Form 73 \(pdf\)](#). The Form 72 contains signature elements from the agency involved, the Records Manager, the approval authority, and an archival review. The Form 73 is the schedule itself and contains an agency description or mission statement plus the listing of all agency records. Both of these forms are for state agencies but could easily be adapted/modified for use by local government.

Use of these or similar forms help an agency ensure their schedule contains all the elements necessary to withstand legal scrutiny. The signatures of the program manager (record custodian) and agency Records Manager attest to the completeness and accuracy of the information on the schedule. The approval authority should be the government body having administrative authority over the agency. For local government this authority could be the County Board of Supervisors, County Administration, Mayor's Office, City Administrator or similar government functions. Archival review at the local level could be from a county or city historical society, historical museum, library, or similar organization.

In state government schedules are considered current for five years unless amended sooner due to a significant change in an agency's record keeping practices. A change of mission, added functions, new programs, etc. would all trigger an amendment to an existing schedule. Regardless of any amendments, a new schedule must be prepared and approved after five years to ensure the schedule accurately and completely reflects the agency's records holdings and disposition. Renewing schedules more frequently is always an option, and is required in some states. Local government agencies should adopt whatever cycle is most practical within their jurisdiction.

Physical location, complexity, and activity levels of records are some of the factors to consider when determining how many schedules are needed to support an agency's records management program. Small agencies housed in one facility with narrowly focused missions may only need one schedule for the entire agency. Larger, more complex agencies may need many schedules to efficiently and effectively document the varied records maintained by the agency. For example, County Health Services in a large populous county would probably require separate schedules for Children's Services, Mental Health, Health Promotion, Elder Care Services, etc. On the other

hand, a small county Health Services Agency might use a single schedule and list record series in groups under each different agency function.

### **Disposition of Records**

**2-2050**

Once records have fulfilled their administrative, fiscal, or legal function they should be disposed of as soon as possible in accordance with their Records Retention Schedule. A properly completed schedule provides an agency with the legal authority to dispose of records entrusted to its care. Disposition may include sending appropriate records to an archival facility, recycling unneeded records, and/or destroying unneeded confidential records. Remember, in the event of litigation the court will want to know what the agency does in the normal course of doing business. Your Records Retention Schedule spells out the normal course of business for how your agency handles and disposes of its records.

In general, most agencies keep records well beyond the record's administrative, fiscal, or legal value "just in case" the records may be desired for future purposes. That is one of the worst reasons to retain records because excess records over-burden staff, slow response times to public requests, and extend the agency's legal liability. A court can not demand an agency produce documents that have been destroyed in accordance with accepted and documented (your retention schedule) industry practices.

### **Summary**

**2-2060**

Records Management's primary concern is the efficient, effective and economical management of information. The guiding principle of Records Management is to insure that information is available when and where it is needed, in an organized and efficient manner, and in a well-maintained environment. Records Management is more than retention schedules and the disposition of records; records management also encompasses all the record-keeping requirements that allow an organization to establish and maintain control over information flow and administrative operations. Records Management seeks to control and manage records through the entirety of their life cycle, from their creation to their final disposition.

In today's litigious society Records Management is more important than ever but unfortunately is still overlooked and under-funded at all levels of government. In court an astute attorney can discredit an agency in the eyes of a judge or jury by attacking the way the agency handles its records. The fact that the records may refute or support a particular position is obscured by the attack on how the agency accounts for and handles those records. The agency's legal position in the litigation may be influenced by how well or how poorly they comply with accepted records management practices.

A sound records management program doesn't cost – it pays. It pays by improving customer service, increasing staff efficiency, allocating scarce resources, and providing

a legal foundation for how an agency conducts its daily mission. It helps identify and justify opportunities for new technology. Microfilm, optical disk, optical character recognition, workflow, e-mail, bar code, and other related technologies cannot be adequately evaluated and cost justified without a good records management program. Other benefits of effective records management include:

- Space Savings
- Reduced expenditures for new filing equipment
- Increased efficiency in information retrieval
- Compliance with legal, administrative, and fiscal retention requirements
- Identification and protection of vital records
- Control over creation of new records
- Identification of records with research value
- Identification of records with historical value

**Acknowledgement**

**2-2070**

The California State Archives would like to acknowledge the League of California Cities and the City Clerks Association of California for their major contribution to these guidelines. Attachment C represents several years of effort by the League and the Association to provide standard retention periods for record series common to most city jurisdictions. Attachment D – County Records Retention Guidelines has been permanently removed.

Please forward comments and/or corrections to these retention periods to the California State Archives.

For assistance in developing a Records Management Program or to comment on this web site please contact:

*Laren Metzger  
Deputy State Archivist  
Secretary of State  
Archives Division  
1020 O Street  
Sacramento, CA 95814  
(916) 653-3834, Fax (916) 653-7134  
[lmetzer@sos.ca.gov](mailto:lmetzer@sos.ca.gov)*

**Administrative Records - Typical Retention Periods**

Type of Record	Years	Remarks
<b>Correspondence</b>		
Chron Files	2	
General/Public	3	
Controlled	2	
Reports	3	
Subject Files	3	
Reproduction/Printing Requests	2	
<b>Financial</b>		
		>4/7 = 4 yrs for state funds/7 for federal funds<
Expense Reports	4/7	Or until audited, whichever is first
Budgets	4/7	Or until audited, whichever is first
Billing/Accounting Reports	4/7	Or until audited, whichever is first
Budget Change Proposals	4/7	Or until audited, whichever is first
Budget Change Concepts	4/7	Or until audited, whichever is first
Audits	4/7	
Invoices	4/7	Or until audited, whichever is first
Fees/Receipts	4/7	Or until audited, whichever is first
Checks/Ledgers/Registers	4/7	Or until audited, whichever is first
Cal Stars Reports	Active+1	Active until new budget approved*
Cost Recovery - Federal	Active+7	Active until claim paid then 7 or until audited, whichever is first*
Cost Recovery - State	Active+4	Active until claim paid then 4 or until audited, whichever is first*
Grants	Active+2	Active until end of grant year*
<b>Equipment/Supplies/Space</b>		
Inventory	Active	Active until revised*
Purchase Request/Order	Active+4/7	Active until items received(4/7 if subject to audit)*
Service Orders/Authorizations	Active	Active until service performed*
Vendor Information	Active	Active until revised*
Building Maintenance/Leases	Active	Active until lease terminates*
Inspection Reports/Moves/Space	Active	Active until revised/rescinded/superseded*
Equipment Maintenance	Active+2	Active until maintenance complete*
Hardware/Software Documentation	Active	Active until revised/rescinded/superseded*
Vehicle Files	2	
<b>Personnel</b>		
Duty Statements	Active	Active until revised*



Employee Records	Active+1	Active until employee leaves/terminates. PRA 6254, IPA 1798.40, Confidential Destruction. (CD)*
Attendance	Active+1	Active until employee leaves/terminates. PRA 6254, IPA 1798.40, CD.*
Travel	Active+1	Active until travel complete. PRA 6254, IPA 1798.40, CD.*
Training	3	PRA 6254, IPA 1798.40, CD.
Applications	2	PRA 6254, IPA 1798.40, GC 12946, CD.
Interview Documents	2	PRA 6254, IPA 1798.40, CD.
Affirmative Action	Active	Active until revised*
Merit Awards	3	PRA 6254, IPA 1798.40, CD.
Superior Accomplishments	3	PRA 6254, IPA 1798.40, CD.
Labor Relations	2	
Production/Assignment Logs	2	
Overtime Logs	2	PRA 6254, IPA 1798.40, CD.
Action Requests/Grievances	2	PRA 6254, IPA 1798.40, CD.
Toxic Exposure Reports	Active	Active until employee leaves/terminates. PRA 6254, IPA 1798.40, CD. Transfer Rpt with employee.*
<b>Policy/Procedure/Organization</b>		
Policies (All)	Active	Active until revised*
Procedures (All)	Active	Active until revised*
Compliance Requirements	Active	Active until revised*
Organization Charts	Active	Active until revised*
Mission Statements	Active	Active until revised*
Associations	Active	Active while membership is current*
Meetings/Minutes/Agendas	2	
Activity Reports	2	
Studies/Statistics	3	
Feasibility Studies	5	
Request for Proposals	3	
Delegation Orders	Active	Active until revised/superseded/Revoked*
Conferences/Committees	3	
Contracts	Active+4/7	Active until contract terminates/+4/7 if subject to audit*
Emergency Preparedness	Active	Active until revised*
Public Hearings	5	
Health/Safety	3	
Plans and Goals	Active	Active until revised/rescinded/superseded/Complete*
<b>Records Management</b>		
Records Retention Schedule	Active	Active until revised*
Records Transfer List (STD 71)	Active	Active until disposal of records*
Records Destruction Authorization	4	

Forms File	Active+1	Active until revised/rescinded/superseded*
<b>Legislation/Regulations/Legal</b>		
Bill Analysis	3	PRA 6254
Research Information	3	PRA 6254
Proposed Legislation/Regulations	4	PRA 6254
Legal Opinions	Active+1	Active until issues resolved*
Law Suits/Small Claims	Active+1	Active until litigation complete*
Enrolled Bill Report	4	PRA 6254
PRA/IPA Files	2	
<b>Public Relations</b>		
Clippings	2	
Press Releases	2	
Speeches	2	

\* "Active" retention is for Perpetual Records that remain "active" until some event occurs. After the event occurs the records are disposed of or may require retention for an additional short period of time.

The "Remarks" section of a retention schedule also identifies records not subject to public disclosure because of code or statute, as well as any other unusual or significant characteristics about a record series. PRA refers to the California Public Records Act and IPA refers to the Information Practices Act. CD stands for Confidential Destruction.

Most administrative records are small in volume and the records retained for less than five years.

### **Program Records:**

There are no typical retention periods for program records because they are unique to the individual office. They represent the reason the office exists and their retention is usually specified in some statute or regulation that established the office or program. A few program records may be identified for permanent retention however most will be retained for a specific number of years, or as perpetual records with an "Active" period, just like administrative records.

Most program records are large in volume and may be required much longer than administrative records. As with administrative records, program records should be retained only as long as they have some administrative, fiscal, or legal value. After that they should be disposed of in accordance with an approved Records Retention Schedule.

## **Records Management and Archives Resources**

Many resources exist to assist you in your records management program. This list is not all-inclusive but will provide you with several contacts where you can ask questions and receive professional answers to many records management issues. All of these resources provide information free of charge and some also offer membership in the organization, which entitles you to additional benefits.

**AIIM - Association for Information and Image Management, International.**  
AIIM is a global industry association connecting users and suppliers of enterprise content management (ECM) technologies - tools and methods that help capture, manage, store, preserve and deliver content in support of business processes. AIIM is a neutral and unbiased source of information. They produce educational events and conferences, provide up-to-the-minute industry information, and are ANSI/ISO-accredited for standards development. Local chapters provide networking and educational opportunities throughout the country.

World Headquarters  
1100 Wayne Avenue, Suite 1100  
Silver Spring, MD 20910  
1-800-477-2446  
<http://www.aiim.org/>

**ARMA International – Association of Records Managers and Administrators.**  
The mission of ARMA International is to provide education, research, and networking opportunities to information professionals, to enable them to use their skills and experience to leverage the value of records, information, and knowledge as corporate assets and as contributors to organizational success. ARMA has a network of local chapters that provide educational opportunities for members and non-members alike.

ARMA International  
4200 Somerset Dr., #215  
Prairie Village, KS 66208  
1-800-422-2762  
<http://www.arma.org/>

**NAGARA – National Association of Government Archives and Records Administrators.**  
NAGARA is an association dedicated to the improvement of federal, state, and local government records and information management. Their goal is to promote the availability of our documentary legacy by improving the quality of records and information management at all levels of government

**NAGARA**

48 Howard Street

Albany, NY 12207

1-518-463-8644

<http://www.nagara.org/>

**NARA – National Archives and Records Administration**

Major source for national archives and records management issues and policies.

Develops standard Record Retention Schedules for federal agencies.

National Archives and Records Administration

700 Pennsylvania Avenue, NW

Washington, D.C. 20408

1-800-234-8861

<http://www.archives.gov/index.html>

**COSHRC**

Council of State Historical Records Coordinators

Provides internet links to all State Archives and Records Management Offices.

<http://www.coshrc.org/arc/states.htm>

**InterPARES**

International Research on Permanent Authentic Records in Electronic Systems

Source for international research papers seeking to recommend standards in the electronic records industry.

<http://inter pares.org/>

**CA Secretary of State**

Provides records management guidelines for local government agencies through the California State Archives web site.

California State Archives

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**CA Department of General Services – California Records and Information Management (CalRIM)**

CalRIM establishes guidelines for state agencies to manage their records programs, including the management of electronic records and using technology such as imaging.

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<http://www.osp.dgs.ca.gov/calrim/default.htm>

# **LOCAL GOVERNMENT RECORDS RETENTION GUIDELINES**

**August 1999  
City Clerks' Association of California  
California State Archives 2002 Version**

# LOCAL GOVERNMENT RECORDS RETENTION GUIDELINES

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## Disclaimer

### Local Government Retention Schedule Guidelines

The guidelines as enclosed have been endorsed by resolution of the General Assembly of the League of California Cities, and by the City Clerks Association of California. They represent extensive research as to the *minimum legal requirements* for the retention of local government records and do not reflect the administrative, operational, financial or historical needs of the jurisdiction. It is strongly recommended that cities consult with legal counsel when formulating their retention schedules so as to best meet their particular needs.

The committee's research was as complete as possible and reviewed by many legal officers but may not include every record series pertinent to local government. The guidelines are just that and are fluid, very much subject to additions and updates which will be coordinated through the office of the State Archivist under the Secretary of State.

Reference to retention periods, unless otherwise indicated, refers to the current year plus the years shown. For example, Cu + 2 refers to the Current year plus two, or 1998 plus years 1997 and 1996.



**RECORDS RETENTION CLASSIFICATIONS – CITY GOVERNMENT****August 1999****ADMINISTRATION**

**Audit**  
**Community Services**  
**Elections**  
**General Subject**  
**Grants**  
**Human Resources**  
**Information Services**  
**Legal/Legislative**  
**Municipal Clerk**  
**Policies & Procedures**  
**Public Information**  
**Public Financing Authority**  
**Risk Management**

**DEVELOPMENT**

**Administration**  
**Building**  
**Code Enforcement**  
**Engineering**  
**Environmental Quality**  
**Housing**  
**Municipal Facilities**  
**Planning**  
**Property**  
**Redevelopment**

**FINANCE**

**Accounting**  
**Administrative Services**  
**Fixed Assets**  
**License**  
**Payroll**  
**Purchasing**  
**Reports**  
**Treasurer**

**PUBLIC SAFETY**

**Animal Control\***  
**Emergency Management**  
**Fire Safety**  
     **Administration**  
     **Personnel**  
     **Property**  
     **Reports**  
**Hazardous Materials**  
**Health & Welfare**  
**Law Enforcement**  
     **Administration**  
     **Investigations**  
     **Patrol**  
     **Services**

**PUBLIC WORKS**

**Parks**  
**Sanitation/Solid Waste/**  
     **Wastewater**  
**Streets/Alleys**  
**Utilities**  
**Water**

**TRANSPORTATION**

**Administration**  
**Airport**  
**Ground Transportation**  
**Harbor**

**\*Anticipate will be addressed by County Officials**

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### **LEGEND**

#### **Records Retention**

**AC = Active**  
**AU = Audit**  
**CU = Current Year**  
**E = Election**  
**P = Permanent**  
**T = Termination**

**AD = Adoption**  
**CL = Closed/Completion**  
**DOB = Date of Birth**  
**L = Life**  
**S = Supersede**

### **CITATIONS**

**B&P – Business and Professions**

**CAC – California Administrative Code**

**CCP – Code of Civil Procedure**

**CCR – Code of California Regulations**

**CEQA – California Environmental  
Quality Act**

**CFR – Code of Federal Regulations**

**EC – Election Code**

**FMLA – Family & Medical Leave Act,  
1993**

**GC – Government Code**

**H&S – Health & Safety**

**HUD – Housing and Urban  
Development**

**OSHA – Occupational Safety & Health  
Act**

**PC – Penal Code**

**POST – Police Officers Standards  
Training**

**UFC – Uniform Fire Code**

**USC – United States Code**

**WIC – Welfare & Institutions Code**

**ADMINISTRATION**

Record Series	Retention	Citation	Descriptor
<b>AUDIT</b>			
Annual Financial Report	CL + 2	GC34090	Independent auditor analysis
Bonds	CL + 10	GC34090; CCP 337.5	Final bond documentation
Budget	P	GC34090	Annual operating budget approved by Legislative Body
Budget Operating (copies)	S	GC34090	Departmental Reference
Hearing or Review	AU + 2	GC34090; OMB A-128	Documentation created and or received in connection with an audit hearing or review
Reports	AU + 4	GC34090; OMB A-128	Internal and/or external
Reviews, Internal/External Periodic	CU	GC34090; GC6250	Daily, weekly, monthly, quarterly or other summary, review, evaluation, log, list, statistics, except a report
<b>COMMUNITY SERVICES</b>			
Libraries	CU + 2	GC 34090	Books, art, gifts, donations, exhibits, theatre, music, special events, etc.
Plaques	P		Historic value
Sports Organization	S + 2		
<b>ELECTIONS</b>			
Affidavit Index	CL + 5	EC 17001	
Applications, Absentee Ballots and Envelopes	E + .5	EC 17505; EC 17302	From date of election
Assisted, Challenged Voters List	E + .5	EC 17304	From date of election
Ballots	E + .5	EC 17302	From date of election; ballots submitted to precincts/City Clerk that were not used - unless contested (EC 17302(c)) retention by court order
Ballots Prop. 218 (Assessment Districts)	P	California Constitution Art. XIII	Property related fees (Assessment Ballot proceeding)
Calendar	E + 2	GC 34090	
Canvass	P	GC 22932; EC 17130; EC 2653	Notifications and Publication of Election; Records used to compile final election results, including tally sheets, voting machine tabulation, detailed breakdown of results; special election results
Certificates of Election	T + 4	GC 81009(a) (d)	Certificates of election; Original reports and statements
Charter Amendments/ Measures	P	GC34458-60; GC34090	Chapter designations by Secretary of State following adoption of voters

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>Fair Political Practices</b>			
<b>Administration/ Campaign Statements and Conflict of Interest</b>	CU + 5		FPPC Opinions
<b>Campaign disclosure, Elected</b>	P	GC81009(b) (g)	FPPC Filings
<b>Campaign disclosure, Not Elected</b>	E + 5	GC81009(b)	FPPC Filings
<b>Campaign disclosure - Unsuccessful (all other committees)</b>	E + 7	GC81009	FPPC Filings
<b>Candidate Statements</b>	E + 4		Sample ballot retained permanently.
<b>History</b>	P	GC 34090	History of elections, sample ballots, certificates of destruction, other resolutions re: elections
<b>Statement of economic interest - Elected Officials</b>	T + 7	GC 81009(e)	FPPC Filings
<b>Statement of economic interest - Not Elected</b>	E + 5	GC 81009(b)	FPPC Filings
<b>Lobbyist Registration</b>	P	EC 81009(b)	Statements
<b>Maps, Precincts/Voter Information</b>	E + 2	GC 34090; EC 17501; EC 17301	
<b>Nomination Papers Successful Unsuccessful</b>	E + 4 E + 2	EC 17100 GC 81009(b)	
<b>Notifications and Publications</b>	E + 2	GC 34090	Proof of publication or posting, certification and listing of notice of posting; copy of newspaper notice and certification of offices to be voted for at forthcoming election
<b>Oaths of Office</b>	T + 6	GC34090; 29 USC 1113	Elected Officials
<b>Petitions</b>	.75	EC 17200, 17400; GC 7253.5; EC 14700 + GC 3756:8	From date of filing or election; Initiative, referendum, recall, Charter Amendments

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Precinct Records	E + .5	EC 17503	From date of election: Precinct official material; declaration of intention, precinct board member applications, orders appointing members of precinct boards and designating polling places Includes notice of appointment of office and record of service
Roster (Of Voters)	E + 5	EC 17300	From date of election; Initiative, referendum recall, general municipal election, Charter Amendments
Voter Affidavits	CL + 5	EC 17000	
Voter Registration Signature Copy	CU + 5	EC 17000	Fire, special or school district
<b>GENERAL SUBJECT</b>			
Administration	P	GC 34090	
Biographies	CU + 2	GC34090	
Classifications and Appointments	P	GC 34090; GC 12946; 29 CFR 516.6(2); 29 CFR 1602.4	Includes supplemental Personnel records. Wage rate tables 2 years.
Correspondence/ Originating Department	CU + 2	GC34090(d)	If not attached to agreement or project file
Goals & Objectives	CU + 2	GC34090	Departmental goals & objectives
Policies & Procedures, Departmental	S + 5	GC34090(d)	Retain while current
Promotional Marketing			
External	CU + 7		
Internal	2		
Reports			
Departmental	CU + 2	GC34090	Special/or final summary, review or evaluation
Staff	CU + 2	GC34090	Non-agenda related, includes supporting documentation
Special Projects	CU + 2	GC34090	
Support Services	CU + 2	GC34090	Reproduction; printing; postal/mailing services, other internal resources
Travel Records	CU + 2	GC34090	
<b>GRANTS</b>			
Community Development Block Grant and Urban Development	T + 4	GC34090; 24 CFR 570.502 24 CFR85.42*	Applications, reports, contracts, supporting documents; *OMB Cir. A-102, A-110, A-128
Federal and State	CL + 5	GC34090	Refer to grant application close-out procedure
Financial Records	CL + 5	GC34090	Refer to grant application close-out procedure
Unsuccessful	CL + 2	GC34090	Applications not entitled



**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>HUMAN RESOURCES</b>			
Benefit Plan Claims	P	GC6250 et seq; OMB A-129 29 CFR 1602.30; 32; Lab Rel Sec 1174*	May include dental, disability, education, health, life and vision including dependent care and Employee Assistance *29 CFR 1637.3; 29 USC 1027; 29 CFR 1627.3; 29 USC 1113
Benefit Plan Enrollment, Denied	CL + 4	GC34090; OMB A-128	
Bond, Personnel Fidelity	T + 2	GC34090	Employee Fidelity Bonds
Employee Handbook	S + 2	GC 34090	General employee information including benefit plans
Employee Programs	CL + 2	GC 34090; GC 12946	Includes EAP and Recognition
Employee Rights General Employees Safety (Police)	T + 2 T + 5	GC12946; 29 CFR 1602; 29 USC 211 (e); 203(m); 207(g)	May include Arbitration, grievances, union requests, sexual harassment and Civil Rights, complaints, disciplinary actions
Hourly Employees	T + 6	GC12946; GC34090*	*29 CFR 1627.3, Labor Relations Section 1174
Immigrant		Immigration Reform/Control Act 1986 Pub. L 99-603	I-9's
Medical Leave	CL + 30	FMLA 1993 US OSHA; 29 CFR ; 1910.20*	May include Family leave; certifications; tests; W-4's; *29 CFR 1602.30.32; 49 CFR 193-9;
Motor Vehicle Pulls (DMV)	CL + 7	GC12946, *	*CA 91009; 8 USC 1324 (a)
Negotiation	P	29 USC Sections 211(c), 203(m), 207(g)	Notes, notebooks, correspondence, contracts, and Memorandums of Agreements

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Non-Safety Employees	T + 3	Reference: 29 CFR 1627.3; CCR Sec 1174; 29 CFR 1602.30.32; GC6250 et seq; 29 CFR; GC 12946, 34090*	Non-safety employees may include: Release Authorizations; Certifications; Reassignments; outside employment; commendations disciplinary actions; terminations; Oaths of Office; evaluations-pre-employee medicals; fingerprints; identification cards (ID=s) *1607.4; 29 CFR 655.202; 29 CFR 516.6 et seq; 45 CFR 1068.6(a)
Personnel Records (copies)	CU + 2	GC34090; GC6250	Attendance; evaluations; drafts; worksheets; postings
PERS, Social Security, SSI	P	29 CFR 1627.3(2); GC 12946, 34090	EEOC/ADEA
Recruitment	CL + 3	Reference: GC12946; GC6250 et seq; 29 CFR 1602 et seq 29 CFR 1607; 29CFR 1627.3	Applications, resumes, alternate lists/logs, indices; ethnicity disclosures; examination materials; examination answer sheets, job bulletins; eligibility; electronic database
Reports	CU + 2	GC34090	Employee statistics, benefit activity; liability loss
Safety Employees	T + 5	Reference: 29 CFR 16273; CCR Sec 1174; 29 CFR 1607.4; *	Police, fire, emergency employees may include; Release Authorizations; Certifications Reassignments; outside employment; commendations disciplinary actions; terminations; Oaths of Office; evaluations-pre employee medicals *29 CFR 1602.30.32; 29 CFR 655.202; 29 CFR 516.6 et seq; 45 CFR 1068.6(a)
Surveys and Studies	CU + 2	GC 12946, 34090; 29 CFR 516.6(2); 29 CFR 1602.14	Includes classification, wage rates
Training Records Non-Safety	CU + 7	GC6250 et seq	Employee applications, volunteer program training, class training materials, internships;
Personnel (by name)	T + 7	GC34090	Paperwork documenting officers internal and external training
Safety	CU + 2	GC34090	Certifications/designations
Vehicle Mileage Reimbursement Rates	S + 2	GC 34090	Annual mileage reimbursement rates

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>INFORMATION SERVICES</b>			
Internet, World Wide Web	S + 2	GC34090	Management/Policies and supporting documentation
Inventory, Information Systems	S + 2	GC34090	Hardware/Software Inventory logs; systems manuals
Network Information Systems (LAN/WAN)	CU + 4	GC34090; CCP 337.2; 343	Configuration maps and plans
Program Files and Directories	CU + 2 CU + (2 mos.) CU + 1 CU + .5	GC34090; GC34090.7	Annual backup Daily backup  Monthly backup Weekly backup
Tapes Information Systems	CU + 2	GC34090	System Generation
<b>LEGAL/ LEGISLATIVE</b>			
Agendas	CU + 2	GC34090	Original agendas and special meeting notices, including certificates of posting, original summaries, original communications and action agendas for Council, Boards and Commissions
Agenda Reports (Master, Subject Files)	CU + 2	GC34090 (d)	Documentation received, created and/or submitted to Council
Appeals, Civil	CU + 3	CCP 583.320(a)(3); GC 34090	
Applications, Boards, Commissions, Committees	CL + 2	GC34090	Not selected
Applications, Boards, Commissions, Committees	T + 5	GC34090; GC40801	Selected
Articles of Incorporation	P	GC34090; CCP 337.2	
Case Log	CL + 7	CCP 337.2; 343	From Close of cases listed; Chronological listing of cases
Case Records - (High Profile)	P	GC6254	Significant cases which have importance/or set legal precedence. Includes logs, complaints, police reports, court orders, motions, notes, briefs
Case Records	CO + 7	42 USC s1983	Includes logs, complaints, police reports, court orders, motions, notes, briefs, closing statements (unless minors - 3 years after attaining 18)
Contracts and Agreements Excl. Capital Improvement	T + 5	CCP 337.2, 343; B&P7042.5; *	Includes leases, equipment, services or supplies *PU7685; 48 CFR:2; GC53066
Incl. Capital Improvement	P	2.08.110;*	Construction *GC37090a; 4004; H&S 19850
Index, Attorney Case	L	GC6254	Including notations on activities related to case

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Legal Advertising	CU + 4	CCP 343, 349 et seq.; GC 911.2; GC 34090	Includes public notices, legal publications
Logs, Attorney Service Request	CU + 2	GC34090	Service request, summaries of monthly requests
Minutes	P	GC34090(d) ; GC36814; GC40801	Official minutes and hearing proceedings of governing body or board, commission or committee
Notices, Meeting	CU + 2	GC 34090.7, 54960.1(c)( 1)	Special meetings
Opinions	S + 2	GC34090; GC6254	Confidential
Ordinances	P	GC34090(d) 40806	Charter amendments; municipal code
Petitions	CU + 1	GC50115; GC6253	Submitted to legislative bodies
Resolutions	P	GC34090(d) 40801	Legislative actions
Tapes, Audio/Video	CU + 3 mos.	GC 34090.7	When used for minute preparation and may have historical value.
<b>MUNICIPAL CLERK</b>			
Assessment Districts	P	GC 34090	Original documentation
Inventory, Records	CU + 2	GC34090; 80 OPS Atty. Gen. 106	Inventory of non-current or inactive records holdings and location, indices. Tapes may be recycled.
Municipal Code	P	GC 34090	Supplements included
Public Records Request	CL + 2	GC 34090	
Records Management	CL + 2	GC34090	Document includes retrieval, transfers - inactive
Records Management Disposition Certification	P	GC34090	Documentation of final disposition or records
Records Retention Schedules	S + 4	CCP 343	
<b>POLICIES/ PROCEDURES</b>			
General Administrative	S + 2	GC34090; 40801	All city policies and procedures
Policy, Council/ Proclamations	S + 2	GC34090	Policies, directives rendered by Council not assigned a resolution or ordinance number
<b>PUBLIC FINANCING AUTHORITY</b>			
Administration	P	GC 34090	

**ADMINISTRATION (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Financial Records	P	GC 34090, 40802, 53901	
Management Reports	2	GC 34090	
<b>PUBLIC INFORMATION</b>			
Brochures, publications, newsletter, bulletins	S + 2	GC 34090	
Calendar, City	CU + 2	GC 34090	
Media Relations	CU + 2	GC 34090	Includes cable, newspaper, radio, message boards, presentations.
<b>RISK MANAGEMENT</b>			
Accident Reports - City Assets	CL + 7	29 CFR 1904.2; 29,*	Reports and related records * CFR 1904.6
Bonds, Insurance	P	CCP 337.2; 343	Bonds and insurance policies insuring city property and other assets
Claims, Damage	CL + 5	GC34090; GC25105.5	Paid/Denied
Incident Reports	CL + 7	29 CFR 1904.2; 29 CFR 1904.6	Theft, arson, vandalism, property damage or similar occurrence (excluding fire/law enforcement)
Insurance, ACCEL JT Powers Agreement	P	GC34090	(Authority California Cities Excess Liability Insurance) B Accreditation/ MOU=s/agreement/agendas
Insurance, Certificates	P	GC34090	Insurance certificates filed separately from contracts, includes insurance filed by licensees
Insurance, Liability/Property	P	GC34090	May include liability, property, Certificates of Participation, deferred, use of facilities
Insurance, Workers Compensation	P	GC6410; 29 CFR 1910.20	Indemnity; PERS - working files - originals with Administrator
Photographs, Negatives, Film	CL + 2	GC34090	
Risk Management Reports	CL + 5	OMB 1220- 0029; 29 CFR1904.4; GC 34090	Federal OSHA Forms; Loss Analysis Report; Safety Reports ; Actuarial Studies
Workers Compensation	P	CCR 14311; 15400.2; CA Labor Code 110-139.6	Claim Files, Reports, Incidents (working files) originals filed with Administrator

**DEVELOPMENT**

Record Series	Retention	Citation	Descriptor
<b>ADMINISTRATION</b>			
Benchmark Data	CU + 2	GC34090d	Horizontal, vertical & control
Bids & Proposals (Unsuccessful)	CL + 2	GC34090d	
Bonds	CL + 10	CCP 337.5	Housing; Industrial Development
Development Security	CL + 2	GC34090	Documentation created and or received in connection with the performance of work/services for the city, or for parcel maps and subdivision work
Code Books	P	GC34090e	National Electrical Code, Uniform Building, Fire, Mechanical, Plumbing & Supplements
Contractor	CU + 2	GC34090d	Current listing
Correspondence	CU + 2	GC34090d	Working documentation
Development Conditions	L	GC34090	Mitigation measures; filed with case files
Development Agreements	P	CCP337, 337.1(a), 337.15; GC34090;4 8 CFR 4.703	Infrastructure contracts, franchises. Original maintained for 7 years.
Development Standards	P	GC34090a	Landscape mediums, parkway landscape development, public works construction
Drawings, Project Plan	CU + 2	GC34090d	Does not include those usually filed with case or project
Franchises	P	GC65864, 65869.5, 34090*	Including subdivision agreements, contracts for sale or purchase of property, cable, grant of easements and/pr involving construction of improvements *CCP 337.2, 343; AC16023
General Subject Files	CU + 2	GC34090d	Internal working files including correspondence
Grants, Community/Urban Development (includes CDBG)	CL + 4	24CFR 570.502(b) (3); 241CFR 85.42 & OMB Cir. A- 110, Attach. C; *	Project files, contracts, proposals, statements, reports, sub-recipient dockets, Environmental review, grant documents, applications, inventory, consolidated plan, etc. Includes Section 108 loan guarantee *OMB Cir. A-102 & 128, HUD regulations
Historic Preservation Inventory	2	GC34090d	Historic structures & landmarks
Incident Files	2	GC34090d	Emergency Call Outs
Land Uses, nonconforming	P	GC34090a	Building or site usage which does not conform to current standards
Logs	CU + 5		Logs, registers or similar records listing permits, certificates of occupancy issued; may include inspection, building activity, daily, plan check, utility

**DEVELOPMENT(CONTINUED)**

Record Series	Retention	Citation	Descriptor
Maps & Plats	P	GC34090a	Engineering & field notes and profiles; cross-section of roads, streets, right-of-way, bridges; may include annexations, parks, tracts, block, storm drains, water easements, bench marks, trees, grading, landfill, fire hydrants, base maps, etc.
Master Plans, Annual	S + 2	GC34090	Special or long range program plan for municipalities – coordination of services; strategic planning
Permits, Construction	P	GC34090a; H&S19850; 4003; 4004	Plans, building, signs, grading, encroachment, including blueprints and specifications
Permits, Other	CL + 2	GC34090d	Alterations, encroachment, excavations, road, street sidewalks & curb alterations, transportation, swimming pool drainage, temporary uses, etc.
Photographs	S + 2	GC34090d	Aerial photographs
Projects, Not Completed or Denied	CL + 2	GC34090d	Building, engineering, planning
Reports	CU + 2	GC34090	Activity, periodic
Seismic Retrofit Program	P	GC34090a	Includes Certificates of Compliance
Street Names and House Numbers	P	GC34090a	Street dedications, closings, address assignment/changes
Studies, Special Projects & Areas	CL + 2	GC34090d	Engineering, joint powers, noise, transportation
Surveys	P	GC34090a	Recording data and maps
<b>BUILDING</b>			
Blueprints, Specifications	CL + 2	GC34090d	Submitted by contractors with application for permit and builds for Certificate of Occupancy
Certificates	L	GC34090a	Compliance, elevation, occupancy which affect real property
Construction (Approved)	P	GC34090a; 4003; 4004; H&S 19850, 19853	New commercial and residential construction, tenant improvements room additions, spa, signs, block wall, remodel including security bonds
Inspection	CL + 2	GC34090d	Correspondence, fees, appeal requests, reports
Permits	P	GC34909a; H&S 19850; 4003;4004	Plans, building, signs, grading, encroachment permits
Signs (Temporary)	S + 2	GC34090d	Home occupations, off-premise signs
<b>CODE ENFORCEMENT</b>			
Abandoned Vehicles	CL + 2	GC34090d	
Case Files	CL + 2	GC34090d	Building, housing and mobile home code violation records including inspections; public nuisance rubbish and weed abatement, vehicle abatement, citations, massage parlor permits, general
Liens & Releases, Supporting Recorded	CL + 2 P	GC34090	Utilities, abatement, licenses

**DEVELOPMENT(CONTINUED)**

Record Series	Retention	Citation	Descriptor
Logs	CU + 2	GC34090d	Lien Recovery, citations, complaints
Regulations	S + 2	GC34090d	Includes rules
Reports, Federal and State	P	GC34090a	Code enforcement statistics; may contain records affecting title to real property or liens thereon
Violations, Building, Property & Zoning	CL + 2	GC34090d	Supporting code enforcement activity
<b>ENGINEERING</b>			
Capital Improvement Projects	CL + 10	CC337.15	Supporting documents including bidders list, specifications, reports, plans, work orders, schedules, etc.
Construction Tracking, Daily	P	CC337.15	Assesses value of real property
Drawings, Traffic Control Plan	P	GC34090a	Signs, signing & striping, road construction
Flood Control	CL + 2	GC34090d	Storm Drains
Special Districts	P	GC34090a	Supporting documents re: improvement, lighting, underground utility; bonds, taxes & construction
Street/Alley (Abandonment/ Vacation)	CL + 2	GC34090d	Relinquishment of rights and fee title
Traffic Signals	CL + 2	GC34090d	Counts, collisions, accidents
<b>ENVIRONMENTAL QUALITY</b>			
Air Quality (AQMD)	CU + 7	CCP 338(k); GC34090	Participants/voucher logs, Total Daily Mileage Survey (TDM); various local authorities; Commute Alternative
Asbestos	P	GC34090a	Documents abatement projects, public buildings
California Environmental Quality Act (CEQA)	P	GC34090a + CEQA Guidelines	Exemptions, Environmental Impact Report, Mitigation monitoring, negative declaration, notices of completion and determination, comments, statements of overriding considerations
Congestion Management	CU + 2	GC34090d	Ride sharing, trip reduction
Environmental Review	CL + 2	GC34090d	Correspondence, consultants, issues, conservation
Pest Control	CU + 2	GC34090d	Pesticide applications, inspections & sampling, documents
Soil	CL + 2	GC34090d	Analysis, construction recommendations
Soil Reports	P	GC34090d	Final Reports
<b>HOUSING</b>			
Bonds	CL + 4	CCP 337	Revenue Bond Documentation
Programs	CL + 3	24 CFR 570.502(b)(3); 24 CFR 85.42 & OMB Cir. A-110, #C	Includes comprehensive Housing Authority Strategy, Meeting Credit Certificate, Housing bond advisory, HOME, In-Lieu Housing Mitigation, Low/Moderate Housing, Rental Housing Assistance



**DEVELOPMENT(CONTINUED)**

Record Series	Retention	Citation	Descriptor
Redevelopment Budgets	P	GC 34090, 40802, 53901	Includes annual audit
Bond Issues	P	GC43900 et seq.	
<b>MUNICIPAL FACILITY</b>			
Capital Improvements, Construction	P	2.083110; GC34090a; 4004; H&S 19850; GC34090a	Contains records re: Planning, design, construction, conversion or modification of local government-owned facilities, structures & systems
Facility Rentals/Use	CU + 2	GC34090	Permits, contracts, diagrams, schedules, insurance binders
Maintenance & Operations	CU + 2	GC34090d	Service requests, invoices, supporting documentation; buildings, equipment, field engineering, public facilities including work orders and graffiti removal
<b>PLANNING</b>			
Case files, Planning and Zoning	P	GC34909a; H&S 19850; 4003;4004	Pertains to real property. May include blueprints, drawings, maps, plans, reports, evaluations, correspondence, uses, permits, variances, studies, appeals, compliance certificates, lot line adjustments or other planning-related matters brought before legislative body
Certificates	L	GC34090	Retain during life of structure
Flood Records	CU + 2	GC34090	
General Plan and Elements	P	GC34090	Includes sphere of influence
General Plan Amendments			
Approved	CL + 2	GC34090	
Denied	CU + 3	GC65103; *	* GC50110
Interpretations	CU + 2	GC34090	
Maps, Plans, Drawings, Exhibits, Photos	P	GC34090; H&S 19850; GC34090.7	Zoning, tentative subdivision, parcel, land use map, aerial photos, specific plans
<b>PROPERTY</b>			
Abandonment	P	GC34090a	Buildings, Condemnation, Demolition
Acquisition/Disposition	CL + 10	GC34090a; GC6254	Supporting documents re: sale, purchase, exchange, lease or rental of property by City
Annexation Case Files	P	GC34090a	Reports, agreements, public notices
Appraisals	CL + 2	GC34090; GC6254(h)	Exempt until final acquisition or contract agreement obtained
Deeds & Promissory Notes	P	GC34090a *	* 24 CFR 570.502(b)(3); 24 CFR 8.42 & OMB Circ. SA-110
Maps, City Boundary	P	GC34090d	Recorded maps, surveys, monuments
Lot Split Cases	P	GC34090	
Relocation Files	CL + 2	GC34090	e.g., Redevelopment

**FINANCE**

Record Series	Retention	Citation	Descriptor
<b>ACCOUNTING</b>			
Accounts Payable	AU + 4	GC34090	Invoices, check copies, supporting documents
Accounts Receivable	AU + 4	GC 34090	
Applications	CL + 2	GC34090	Utility connections, disconnects, registers, service
Assessment Districts	P	GC 34090	Collection information; Original documentation files with municipal clerk
Bank Reconciliation	AU + 5	GC34090; 26 CFR 16001-1	Statements, summaries for receipts, disbursements & reconciliation
Billing Records	AU + 2	GC34090	Customer name, service address, meter reading, usage, payments, applications/cancellations
Budget	AU + 2	GC 34090	
Budget adjustments, journal entries	AU + 2	GC34090	Account transfers
Checks	AU + 5	GC34090; CCP 337	Includes payroll, canceled & voided checks
Deposits, Receipts	AU + 4	GC 34090; CCP 337	Checks, coins, currency
Invoices	AU + 2	GC34090	Copies sent for fees owed, billing, related documents
Journals			
Utility Billing	CU + 2	GC34090	Billing including monthly activity
Ledger, General	P	GC34090; *	* CCP 337
Voucher	AU + 4	GC34090; CCP 337	Account postings with supporting documents
Taxes, Receivable	AU + 3	CCP338	
Warrant Register	AU + 2	GC 34090.7	
<b>ADMINISTRATIVE SERVICES</b>			
Budget Operating (copies)	S	GC34090	Departmental Reference
Budget, Proposed	CU + 2	GC34090	Presented to Council
Adopted	P	GC 34090	
<b>FIXED ASSETS</b>			
Inventory	AU + 4	GC34090; 26 CFR 301 65-1(F)	Reflects purchase date, cost, account number
Surplus Property			
Auction	AU + 2	GC34090	Listing of property
Disposal	AU + 4	GC34090; CCP 337	Sealed bid sales of equipment
Vehicle Ownership & Title	L	VC 9900 et seq.	Title transfers when vehicle sold
<b>LICENSE</b>			
Business	T + 4	GC34090; CCP 337	Paid & reports

**FINANCE (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>PAYROLL</b>			
Adjustments	AU + 4	GC 34090 29 CFR 516.5 – 516.6	Audit purposes
Employee Time Sheets	AU + 6	GC34090; 29 CFR 516.2*	Signed by employee for audit & FEMA Reports *20 CFR 516.6(1); IRS Reg. 31.6001-1(e)(z); R&T 19530; LC 1174(d)
PERS Employee Deduction Reports	T + 4	GC34090; CAC 22- 1085-2	Record of deductions (PERS Public Employee Retirement System) *26CFR 31.6001-1;29 CFR 516.5, 516.6, LC 1174(d)
Register	P	GC34090; GC37207	Labor costs by employee & program
Salary Records	T + 3	GC34090; 29 CFR 516.2	Deduction authorization, beneficiary designations, unemployment claims, garnishments
<b>PURCHASING</b>			
Bids, RFQ's, RFP's Successful Unsuccessful	AU + 4 AU + 5 CU + 2	GC34090; CCP 337; *	Requests for Qualifications; Requests for Proposals regarding goods and services * GC 25105-1; GC 34090
Requisitions			
Purchase Orders	AU + 4	GC34090; CCP 337	Original documents
Stores	CU + 2	GC34090	Completed forms for ordering
Vendor Register	P	GC34090	Alpha vendor listing of purchase orders, invoices, account numbers and check date
<b>REPORTS</b>			
Audits	P	GC 34090	
Deferred Compensation	T + 5	GC34090; 26 CFR 16001- 1*	Records of employee contributions and city payments *29 CFR 1627.3(2)
Federal and State Tax	AU + 4	GC34090; 29USC 436 *	Forms 1096, 1099, W-4's and W-2's *26 CFR 31.6001.1-4; IRS REG 31.6001-1(e)(2);R&T 19530;29 CFR 516.5-516.6
Financial, Annual Investment Transactions	AU + 7 P	GC 34090.7 GC34090; CCP 337; GC 53607	Summary of transactions, inventory & earnings report
Labor Distribution	AU + 2	GC34090	Costs by employee & program
Meter Reading	CU + 2	GC34090	
State Controller	P	GC34090	Controller may destroy after 5 years
Utility Rebates	CU + 2	GC34090	
<b>TREASURER</b>			
Bank Statements	AU + 2	FC 3368, 30210; GC 43900 et seq.	Financing authority

**FINANCE (CONTINUED)**

<b>Record Series</b>	<b>Retention</b>	<b>Citation</b>	<b>Descriptor</b>
<b>Bonds</b>			
<b>Account Statements</b>	<b>CL + 10</b>	<b>GC34090; CCP 337.5</b>	<b>Monthly statement of transactions.</b>
<b>Administration</b>	<b>CL + 10</b>	<b>GC34090; CCP 337.5</b>	<b>Supporting documents</b>
<b>Bonds and Coupons</b>	<b>CL + 2</b>	<b>GC34090; 53921</b>	<b>Paid/canceled</b>

**PUBLIC SAFETY**

Record Series	Retention	Citation	Descriptor
<b>EMERGENCY MANAGEMENT</b>			
Mutual Aid, Strategic Plans	S + 2	GC34090	
<b>FIRE SAFETY ADMINISTRATION</b>			
Books, Fire Code	S + 3	GC34090.7 CCP 340.5	Include OPS manuals
General Orders, Policies/Procedures	S + 2		
Inspections, Fire Prevention	CL + 3	UFC 103.34	Alarm/sprinkler systems, prevention efforts
Investigations, Evidence Arson	P	PC 799	Support prosecution resulting in homicide
Investigations, Evidence Arson	CL + 6	PC 800	Great bodily harm, inhabited structure or property
Journals, Fire Station	CU + 2	GC34090	Activities, personnel, engine company
Permits, Uniform Fire Code	CL + 2	GC34090	
<b>PERSONNEL</b>			
Exposure	T + 30	29 CFR 1910.1020	Sampling results, collection methodology, background
Exposure	T + 1	29 CFR 1910.1020	Laboratory reports and worksheets
Medical	T + 30	29 CFR 1910.1020	
Medical	T + 2	29 CFR 1910.1020; *	Employees less than one year *GC34090
Training	T + 2	GC34090	Certifications/designations
<b>PROPERTY</b>			
Apparatus/Vehicle	CU + 2	GC34090 CCP 340.5 *	Repair and Maintenance *8 CAL Code Reg. 3203 (b) (1)
Inventory, Equipment & Supplies	CU + 2	GC34090	
Logs, Fire Equipment/Gear	CU + 2	GC34090	
<b>REPORTS</b>			
Incident	CL + 3	GC34090 CCP338 *	Dispatch and daily logs *CCP 340.5
Field, Non-fire and Logs	CU + 2	GC34090	
Fire, Non-arson and Logs	CU + 2	GC34090	

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Investigations, Evidence Arson	CL + 3	PC 801; UFC 104.32	Structure
Weed Abatement	CL + 2	GC34090	Reports, assessments, resolutions, documentation
<b>HAZARDOUS MATERIALS</b>			
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re handling and disposal of hazardous waste
Permits, Hazardous Materials Storage	CU + 2	GC34090	Departments consistently recommend permanent retention of environmentally sensitive materials.
Programs, Household Hazardous Waste	S + 2	GC34090	
Training Materials	S + 2	Cal Code *	Standards and Administration *Reg. 3204(d), et seq.
Underground Storage Tank Compliance Maintenance & Operation.	P CU + 2	GC34090a GC34090	Documents re: storage Location, installation, removal, remediation
<b>LAW ENFORCEMENT ADMINISTRATION</b>			
Accounting/Cash Reconciliation	CU + 2	GC34090	
Alarm Records	CU + 2	GC34090	
Claim Files	CL + 6	PC 832.5	Claim copy, correspondence, photographs, supporting documents relative to incidents involving the Police Department filed by citizens
Department Manual	S		Changes to manual are recorded in the General Orders (permanent)
Equipment Communication Inventory	T + 2 S + 2	GC34090 GC34090	Retained until termination of equipment use; Manuals, Instructions, procedures Listing of equipment assigned to division, to whom it is assigned
Reports Activity	CU + 2	GC34090	Weekly/monthly/quarterly/ annual activity/statistical reports by division. Retain only one form for retention period
Chemical Emissions Survey Response Files	CU + 2 CU + 2	GC34090 GC34090	Surveys, responses, correspondence with other agencies requesting statistical data
<b>INVESTIGATIONS</b>			
Administrative/Internal	CL + 5	PC 832.5 EVC 1045 GC 12946 PC 801.5; 803(c) VC 2547	Initiated by citizens complaints or internally initiated; includes complaint, reports, findings

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>Asset Forfeiture</b>	<b>CL + 2</b>	<b>GC34090</b>	
<b>Investigations/ Proceedings Case File</b>			
<b>Notifications</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>To legal property owner prior to case filing that property is subject to asset forfeiture proceedings. If case is filed, notification becomes part of forfeiture case file.</b>
<b>Case Books, Investigative</b>	<b>CL + 2</b>	<b>GC34090</b>	<b>Retained by division until a case is suspended/closed; transfer to Records Division to be filed with associated Daily Report (DR) file</b>
<b>Case Files Homicide  Investigator's File</b>	<b>P</b>	<b>PC 799</b>	
<b>Narcotics (No arrest, Narcotics Cases)</b>	<b>CL + 2</b>	<b>GC34090</b>	<b>Retained by division until no longer useful for investigative purposes</b>
<b>Officer Involved Shootings</b>	<b>CL + 25</b>	<b>GC34090</b>	
<b>Court Daily Schedule</b>	<b>CU + 1</b>	<b>GC34090.7</b>	<b>Printouts of daily court scheduling</b>
<b>Sign-In Logs</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Logs officers' names, time in/out for court appearances</b>
<b>Tracking System Records</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Database records subpoena number, officer name, case number, defendant name, district attorney name, court information disposition</b>
<b>Evidence, Disposition Forms</b>			<b>Attach to duplicate Property Report, file w/DR in Records Division</b>
<b>Fingerprint Applicants Files</b>	<b>T + 2</b>	<b>GC34090</b>	<b>Paperwork authorizing fingerprinting and background checks for city employment applicants and business license applicants</b>
<b>Inked/Palm Cards</b>	<b>AC + 20</b>		<b>Persons booked into detention facility; (Copies distributed to county, state, federal agencies)</b>
<b>Records Latents</b>		<b>Approp. PC Section</b>	<b>1) Retain for applicable case statute of limitation; 2) or until evidence in case is destroyed; Hard copy and digitized</b>
<b>Suspect, Adult/Juvenile</b>	<b>CL</b>	<b>Law Enforcement Management Guide by POST</b>	<b>Adults/juveniles suspected of a crime, taken for comparison. Destroy after original purpose achieved</b>
<b>Guns, Dealers Record of Sale</b>	<b>CU + 6</b>	<b>PC 12070</b>	<b>Applicants, Monthly Gun Audits, Applications Denied, Stolen (DOJ File)</b>
<b>Informant Files</b>	<b>T + 10</b>		<b>Legal notifications, identification information, payment information, activities information</b>

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Record Series	Retention	Citation	Descriptor
<b>Jail</b>			
<b>Daily Logs</b>	CU + 6	GC34090	Daily report of staffing, bookings/releases, transfers, transportation
<b>Inmate Record</b>			Dependent on facility's classification; see Laws and Guidelines for Local Detention Facilities by Board of Corrections (State of California)
<b>Inspection Files</b>	CL + 6		Inspections by various agencies
<b>Surveys</b>	CL + 2	GC34090	Prepared quarterly, forwarded to State Board of Corrections
<b>Licenses</b>			
<b>Bicycle</b>	CU + 2	GC34090	
<b>Bingo, Mace</b>	CU + 2	GC34090	
<b>Business</b>	T + 1	GC34090	
<b>License Review Board</b>			
<b>Administrative Files</b>			
<b>Duplicate (Pink),</b>	CU + 2	GC34090	Original to licensee, Blue duplicate to DOJ; Pink duplicate retained by agency; renewals issued annually by local agency
<b>Secondhand Dealer, Pawn Brokers</b>			
<b>Logs</b>			
<b>Auto Theft</b>	S		
<b>Case Assignment</b>	CU + 1		
<b>Daily Activity</b>	CU + 2	GC34090	
<b>Officer</b>	CU + 2	GC34090	Daily activity of incidents not reported by use of official report
<b>Report Summary</b>	CU + 2	GC34090	Report numbers, type, names, dates retained for research value
<b>Investigative (Pre-Arrest)</b>	CL + 10	GC34090	Retained by division until cases are suspended and closed
<b>Juvenile Detention</b>	CU + 2	GC34090	Logs document juvenile processing per CYA
<b>Property Control</b>	CU + 2	GC34090	Logs items coming into and going out of property room
<b>Rap Sheet</b>	CL + 2	GC34090	Requests for criminal history
<b>Subpoena</b>	CU + 2	GC34090	Subpoenas received/served daily
<b>Pawn Slips/Tickets</b>	CU + 3	B & P 21628	
<b>Photographs</b>			Crime Scene, Registrant/Applicant, Photo file, Accident. Retain according to practical and functional association.
<b>Daily Report (Negatives)</b>	T	GC34090	Assigned DR number, retained as form of evidence, destroyed at same time evidence for associated case is destroyed
<b>Inmates (Negatives)</b>	CU + 20		By Prisoner number



**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Registration Files, Arson, Sex and Narcotics	Life of registrant within jurisdiction		Fingerprint Card, photo, Information also forwarded to DOJ
Arrest/Conviction H&S Section 11357 (b), (c), (d), (e) or H&S Section 11360 (b) violations (Occurring after January 1, 1996)	2 (Mandatory destruction from date of conviction or date of arrest with no conviction)	H&S 11361.5	Applicable to convictions occurring after January 1, 1996 or arrests not followed by a conviction occurring after January 1, 1996; Exception: H&S 11357(e), the record shall be retained until a juvenile offender attains the age of 18 years, then destroyed pursuant to 11361.5
Arrest/Conviction H&S Section 11357(b), (c), (d), (e) or H&S Section 11360 (b) violations (Occurring before January 1, 1996)	Mandatory Destruction (Upon notice from Department of Justice)	H&S 11361.5 (c)	Applicable to convictions occurring prior to January 1, 1996 or arrests not followed by a conviction occurring prior to January 1, 1996 for violations of H&S Code 11357, 11364, 11365 and 11550
Crime Felonies With Or Without Arrests	See descriptor	PC 800 PC 801	Prosecution for an offense punishable by imprisonment in state prison for eight years or more must commence within 6 years after offense commission. Commencement of prosecution defined in PC 804. Exception: See PC 803 - Tolling/Extension of time periods; Appeals process and "Three Strikes" also considerations in assigning retention.
Misdemeanor/ Infractions	CL + 2	GC34090	No arrests, identifiable property or missing persons (See: Note 1)
Supplemental Felonies Capital Crimes, Crimes Punishable by Death, Life Imprisonment	P	PC 799	No statutory limitation for prosecution. Includes Murder, kidnapping for ransom, treason, procuring execution by perjury, train wrecking, assault with a deadly weapon by a life-term prisoner, bombing resulting in death or bodily injury, making defective war materials that cause death
Destruction Guns	P		
Narcotics	P		
Disposition of Arrest/Court Action			Retention determined by action taken; i.e., recordable arrest or detention (released no arrest)
False Alarm (Duplicate)	CU + 2	GC34090	
Non-Criminal Occurrences	CU + 2	GC34090	Injured or sick persons; missing persons where person has been returned; traffic collision reports not used as the basis for criminal charges

**PUBLIC SAFETY (CONTINUED)**

<b>Record Series</b>	<b>Retention</b>	<b>Citation</b>	<b>Descriptor</b>
Property Original	Until case is adjudicated/disposition determined		Copy retained in records case file; Refer to Managing Property in Law Enforcement Agencies (By POST)
Range Inventory	S + 2	GC34090	Quarterly reports of inventories of weapons and ammunition held by Department Range
Reports	CU + 2	GC34090	Arrest & Citation Register; Arson Offenses; Crimes Against Senior Citizens; Death in Custody; Domestic Violence; FBI Include Return A/Supp; Hate Crime Incidents; Homicide Reports, Supp.; Officers Killed or Assaulted; Original to FBI - DOJ; Uniform Crime Reports
Statistical (Crime Analysis)	CU + 2	GC34090	Internally generated information using activity logs, citizen calls, current and past crime statistic reports, finance dept expenditure and budget records; citations, crime reports, accident reports, permits, receipts. Reports created for variety of purposes including increases/decreases in criminal activity; officer workload, deployment, time usage
Statistical (UCR), Uniform Crime Reports Mandatory to DOJ (LEIC); FBI Include Return A/Supplement; Supplementary Homicide Report; Law Enforcement Officers Killed or Assaulted; Monthly Return of Arson Offenses Know to Law Enforcement; Number of Violent Crimes Committed Against Senior Citizens; Monthly Report of Domestic violence Related Calls for Assistance; Monthly Arrest and Citation Register; Monthly Hate Crimes Incidents; Death In Custody Reporting.	CU + 2	GC34090	Originals sent to FBI, DOJ
Research Project Files	CL + 2	GC34090	May include request forms, background materials, staff reports, final project reports and supporting data

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
<b>Sealed Adult Found Factually Innocent</b>	<b>Manda-tory Destruc-tion Upon and Pursu- ant to Court Order</b>	<b>PC 851.8</b>	<b>General provision: Upon petition, records of agency must be sealed and destroyed in accordance with the provisions set by court record; exceptions.</b>
<b>Juvenile</b>	<b>Manda-tory Destruc-tion upon and pursu- ant to court order</b>	<b>WIC 826 (a) &amp; (b) WIC 781 (a)</b>	<b>Upon petition, local laws enforcement records within WIC 826(b) may be destroyed as ordered by the court, if related probation and juvenile court records have been destroyed by the probation officer. Records involving arrests, detention and/or petitioning juvenile before juvenile court</b>
<b>Subpoenas (Duplicate)</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Tapes Audio, Telephone and Radio Communications</b>	<b>CU + 180 days</b>	<b>GC34090.6</b>	<b>Exception: Recordings used as evidence in a criminal prosecution or claim filed or litigation or potential claims and litigation shall be preserved for 100 days after conclusion of the court action</b>
<b>Surveillance/Se curity Video (Jail)</b>	<b>CU + 13 mos.</b>	<b>GC34090.6</b>	
<b>Use of Force Supervisory Review Files</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Includes review forms, arrest report copies, logs</b>
<b>Warrants Felony</b>	<b>Recall after 10 years. Excep-tion: Murder/ Escape</b>		<b>Recommended by the California Law Enforcement Warrant Officer's Association</b>
<b>Misdemeanor Criminal</b>	<b>Recall after 5 years</b>		<b>Recommended by the California Law Enforcement Warrant Officer's Association</b>
<b>Served</b>	<b>CU</b>		<b>Includes Warrant Service Information Card, alpha index card</b>
<b>Unserved (Local)</b>	<b>Until served, recalled or purged</b>		
<b>PATROL</b>			
<b>Cards Dispatch</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Field Interview</b>	<b>CL + 2</b>	<b>GC34090</b>	
<b>Citations 11357(e), Juvenile</b>	<b>CL + 2</b>	<b>11361.5 H&amp;S</b>	
<b>11357b H&amp;S, 11357c H&amp;S, 11360b H&amp;S Violations</b>	<b>CL + 2</b>	<b>11361.5 H&amp;S*</b>	<b>*CA Admin Code, Chapter 1, Title II, Sec. 708</b>
<b>Cite and Release</b>	<b>CL + 2</b>	<b>GC34090</b>	

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
California Vehicle Code Infractions (Duplicates)	CU + 90 days	GC34090	Original is forwarded to court.
Parking/Traffic, Duplicates	CU + 2	GC34090.7	Originals are forwarded to court after agency processing; includes citations electronically created
Transmittals	CU + 2	GC34090	Listing of citations forwarded to court, filed for reference
Equipment Radio Logs (Communication)	CU + 2	GC34090	Documents problems, malfunctions, resolution to provide equipment performance history
General Orders	P		
Patrol Requests (Correspondence)	CU + 2	GC34090	From citizens for patrol presence
Radar Calibration Records	T + 2	GC34090	Documentation of Radar instruments retained during use/ownership
Reports Accident	CL + 2	GC34090	Non-Jury
Traffic Collision Fatalities	P		
Vehicle Assignment Reports	S		Record of assignments
Down Reports	CU + 1		Printouts reporting which vehicles are down for repair, maintenance, etc.
Repossession/Private Impounds	CU + 2	GC34090	
Service Schedules	S	GC34090	
Vests, Bulletproof Letters	CU + 2	GC34090	Authorization to purchase
Warrants Parking	Recall after 1 year		Recommended by the California Law Enforcement Warrant Officer's Association
Traffic	Recall after 5 years		Recommended by the California Law Enforcement Warrant Officer's Association
Weapons, Database	P		Departmentally-owned weapons, personal weapons, alternate weapons, secondary handguns; produces inventory reports
<b>SERVICES</b>			
Chemicals/Film Inventories	S		
Equipment Inventory/Sign-out Cards- Photo Lab	T		
Operations Files - Photo Lab	T		Retain until equipment no longer owned/used by department; Manuals, instructions, procedures for use/operations of photographic equipment

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Grievance Files	CL + 2	GC34090	Grievance filed by employees, supporting documentation
Investigations, Background	CL + 2	GC34090	Non hired
Background Hired	P		Include original reports re: PC 832.5 investigations
Parades & Special Events File	CL + 2	GC34090	Reports, memos, correspondence, scripts, supplier information, assignments, deployments, supporting documentation
Permits Alcoholic Beverage Control License	L + 2	GC34090	Approval process
Concealed Weapons	CL + 2	GC34090	
Photographs Personnel	S + 2	GC34090	
Negative Log	CU + 2	GC34090	
Negatives, Misc.	CU + 2	GC34090	Not case-related (Public relations, promotions, events, ceremonies, staff photos)
Press Releases	CU + 2	GC34090	
Press, Video Programs (Community Relations)	CU + 2	GC34090	Collection of videos of programs and events; outside press coverage of department
Property Files	CU + 2	GC34090	Original reports and supplemental documentation (Lost, Found, Safekeeping)
Property, Pawn Broker/Secondhand	CU + 2	GC34090	Sales, slips. Dealer required to file duplicate with agency
Reports Dealer of Gun Sales, Duplicate	CU + 6 mos.	GC34090.7	Original maintained by DOJ. Dealer required to file duplicate with agency
Restraining Orders, Emergency Protective Orders, Temporary Restraining Orders, Legal Stipulations, Orders After Hearing	CU (See descriptor)		Destroy after law enforcement actions described in PC 273.5, 273.6, 646.9, 12028.5, 13700 and Family Code Sections 6380-6383 are fulfilled and effective date of restraining order has expired.
Rosters (Divisional)	S + 2	GC34090	Personnel assigned to division.
Schedules Daily	CU + 2	GC34090	Schedules of Officers on duty
Watch Assignment/ Timekeeping Records	CU + 2	GC34090	
Speaker Requests	CU + 2	GC34090	Community and business requests for public appearances, speakers
Tests, Densitometer Results (Photo Lab)	T + 2	GC34090	Daily tests of development chemicals/processes for quality control.

**PUBLIC SAFETY (CONTINUED)**

Record Series	Retention	Citation	Descriptor
Training Bulletins	P		
Event Files	CU + 2	GC34090	Correspondence, brochures, promotional materials, info on speakers, guests, supporting documents
Lesson Plans, Range	CL + 15		Scope, content, time period of courses
Personnel (by name)	T + 7	GC34090	Paperwork documenting officers' internal and external training
Schedules, Range	CU + 2	GC34090	Daily, weekly, monthly schedules of training events at range
Volunteer Card Files	T + 2	GC34090	Volunteers' identification, contact information

**Note 1: The destruction of felony, misdemeanor and infraction Crime/Supplemental Reports is permitted providing:**

1. They do not relate to an unadjudicated arrest except for H&S 11357 or H&S 11360 violations;
2. They do not relate to unserved warrants;
3. They do not involve identifiable items which have not been recovered;
4. They do not relate to PC 290, PC 457.1, or H&S 11590 registrants;
5. They do not relate to violations listed in PC Sections 799 and 800;
6. The cases are not presently involved in either a civil or criminal litigation.

**PUBLIC WORKS**

Record Series	Retention	Citation	Descriptor
<b>PARKS</b>			
Agendas, Board	CU + 2	GC34090	
Grants (refer to Admin.)			
Inventory, Equipment	AU + 2	GC34090	Warranties, purchase orders
Landscape	CU + 2	GC34090	Drawings, contracts, complaints, specifications, photos, reports
Maintenance/ Operations	C + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps	P	GC34090	Irrigation, plot plans
Minutes, Board	P	GC34090	
Photographs	S + 2	GC34090	
Plans, Proposed	CU + 2	GC34090	Future plans, new sites, expansions
Policies and Procedures	S + 2	GC34090	Includes rules and regulations
Railroad Right-of-way	CL + 3	36 CFR 64.11	Land acquisitions, correspondence, improvements, statutory records
<b>Reports</b>			
Accident	CL + 2	GC34090	Patrons, employees
Others	CL + 2	GC34090	
Studies	CL + 2	GC34090	Future sites, expansions
Resolutions, Board	P	GC34090	
Schedules, Class & Events	CU + 2	GC34090	Enrollment, liability releases, evaluations, attendance, flyers
<b>SANITATION/ SOLID WASTE/ WASTEWATER</b>			
Collections/Landfill	CU + 2	GC34090	Daily records, usage
Facilities	CU + 2	GC34090	Correspondence, maps, patron list
History, Sanitation	P	GC34090	Where City-owned
Incineration Plants, Sludge	CU + 2	40 CFR 61.54	Sludge, sampling, charging rate to measure mercury content
Incinerator Operations, Treatment Plant	CU + 2	40 CFR 60.153	Gas flow through wet scrubbing, oxygen content of exhaust gas, sludge rate, temperatures, fuel flow, total solids and volatile solids
Maintenance and Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints
Maps, Septic Tank	P	GC34090	Location maps
Rates	CU + 2	GC34090	
Recycling Programs	S + 2	GC34090	
Regulations	S + 2	GC34090	Includes legislation
<b>Reports</b>			
Studies	CL + 2	GC34090	
Tonnage	CU + 2	GC34090	

**PUBLIC WORKS (CONTINUES)**

Record Series	Retention	Citation	Descriptor
<b>STREETS/ALLEYS</b>			
Abandonment/ Vacations	P	GC34090	
Closures	P	GC34090	
Easements, Dedications, Rights-of- Way	P	GC34090	
Field Books	P	GC34090	
Grants (see Admin.)			
Intersection Records	CU + 2	GC34090	Includes correspondence, volume counts, accident history
Inventory, Traffic Control Device	S + 2	GC34090	Signs, lights
Landscaping	CU + 2	GC34090	Plants, tree maintenance, work orders
Lighting	CU + 2	GC34090	Maintenance, work orders
Maintenance/ Operations	CU + 2	GC34090	Includes work orders, inspection, repairs, cleaning, reports, complaints, signals, striping
Maps	P	GC34090	Fire hydrants, lighting districts, wheel chair ramps, storm drains, streets, sidewalks, sewers
Master Plans	CU + 2	GC34090	Copies
Parking			
Lots	CU + 2	GC34090	
Regulations	S + 2	GC34090	
Reports/Studies	CL + 2	GC34090	
Permits			
Encroachment	P	GC34090	
Improvement	CL + 2	GC34090	May include curbs, sidewalks; Applications for excavation, fill, alterations
Oversize Load	CL + 2	GC34090	
Parking	CL + 2	GC34090	Residential
Paving	CL + 2	GC34090	
Use (Temporary)	CU + 2	GC34090	Includes Special Events
Photographs	S + 2	GC34090	Includes aerials
Plans, Capital Improvement, Projects	P	GC34090	Streets, curbs, gutters, sidewalks, storm drains
Policies and Procedures	S + 2	GC34090	Includes rules, regulations, standards
Naming and numbering	P	GC34090	



**PUBLIC WORKS (CONTINUES)**

Record Series	Retention	Citation	Descriptor
<b>Speed Limits</b>	<b>S + 2</b>	<b>GC34090</b>	
<b>Programs</b>			
<b>Federal Aid Urban</b>	<b>CL +</b>	<b>23 CFR 633 (a) &amp; (c)</b>	
<b>Traffic Safety</b>	<b>S + 2</b>	<b>GC34090</b>	<b>Drivers Education, Pedestrian Safety, Bicycle Lanes</b>
<b>Reports</b>			
<b>Bridges &amp; Overpasses</b>	<b>L</b>	<b>GC34090</b>	<b>Life of structure</b>
<b>Inspection</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Includes intersection, sidewalks. Bridges and Overpasses, keep life of structure</b>
<b>Studies</b>	<b>CL + 2</b>	<b>GC34090</b>	<b>Traffic volume, accident history, requests, statistics, drawings supporting traffic devices</b>
<b>Traffic Count</b>	<b>CL + 2</b>	<b>GC34090</b>	<b>Evaluation of traffic volume</b>
<b>Vehicle Accident</b>	<b>CL + 2</b>	<b>GC34090</b>	
<b>Routes, School Bus &amp; Truck</b>	<b>S + 2</b>	<b>GC34090</b>	<b>Truck routes, access ramps, rest areas</b>
<b>Signage</b>	<b>L + 2</b>	<b>GC34090</b>	<b>Log books, Index register cards, inventory lists, records of traffic signs</b>
<b>Traffic Signals</b>	<b>L</b>		<b>Logs, drawings, wiring diagrams, codes, circuit numbers, installation records, testing and maintenance.</b>
<b>Welgh Scales</b>	<b>S + 2</b>	<b>GC34090</b>	
<b>UTILITIES</b>			
<b>Facilities</b>	<b>T + 2</b>	<b>GC34090</b>	<b>If city owned</b>
<b>Gas &amp; Electric Rates</b>	<b>S + 2</b>	<b>GC34090</b>	
<b>Underground</b>	<b>P</b>	<b>GC34090</b>	<b>GC4003, GC4004; H&amp;S 19850</b>
<b>WATER</b>			
<b>Billing/Customer Records</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Billings, correspondence, complaints</b>
<b>Connection Records</b>	<b>P</b>	<b>GC34090</b>	<b>Maps, water line connections</b>
<b>Flood Control</b>			
<b>Drainage Facilities</b>	<b>P</b>	<b>GC34090</b>	<b>Includes dams, lakes, basins, creeks</b>
<b>Flood Zones</b>	<b>P</b>	<b>GC34090</b>	<b>Includes flood maps</b>
<b>Insurance Programs</b>	<b>S + 2</b>	<b>GC34090</b>	<b>Includes copies of policies, rules, programs</b>

**PUBLIC WORKS (CONTINUES)**

Record Series	Retention	Citation	Descriptor
<b>Policies/ Procedures</b>	<b>S + 2</b>	<b>GC34090</b>	<b>Rules and Regulations</b>
<b>Reports/ Studies</b>	<b>CL + 2</b>	<b>GC34090</b>	
<b>Grants (see Admin.)</b>			
<b>Inventory, Equipment</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Locations</b>	<b>P</b>	<b>GC34090</b>	<b>Mains, valves, hydrants, wells</b>
<b>Maintenance and Operations</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Includes work orders, inspection, repairs, cleaning, reports, complaints</b>
<b>Service</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Includes work orders, entry cards, manholes, service to property owners</b>
<b>Well &amp; Pumping</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Times operational, power used and quantity</b>
<b>Maps</b>	<b>P</b>	<b>GC34090</b>	<b>Line location; easements</b>
<b>Master Plans</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Copies</b>
<b>Meter Operations</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>Reader reports, orders, tests Maintenance Reports</b>
<b>Permits</b>			
<b>National Pollutant Discharge Elimination System NPDES)</b>	<b>P</b>	<b>40 CFR 122.28</b>	<b>Municipalities of 100,000/more, compliance with Clean Water Act re: pollutants</b>
<b>Others</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>May depend on terms of state or federal agency</b>
<b>Policies and Procedures</b>	<b>S + 2</b>	<b>GC34090</b>	<b>Includes rules and regulations</b>
<b>Rates</b>	<b>S + 2</b>	<b>GC34090</b>	
<b>Reclamation</b>	<b>CU + 5</b>	<b>40 CFR 122.41</b>	<b>Daily operations including sewage flow, grit removal, chlorine usage, lab analysis results, etc.</b>
<b>Reports</b>			
<b>Conservation</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Consumption</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Corrosion Control</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation</b>
<b>Discharge Monitoring</b>	<b>CU + 5</b>	<b>40 CFR 122.41</b>	<b>Average amount of pollution discharged into waters of municipality.</b>
<b>Drinking Water Corrections</b>	<b>CU + 10</b>	<b>40 CFR 141.33</b>	
<b>Hydrograph</b>	<b>P</b>	<b>GC34090</b>	<b>Daily flow of streams</b>
<b>Lead Service Line</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation</b>

**PUBLIC WORKS (CONTINUES)**

<b>Record Series</b>	<b>Retention</b>	<b>Citation</b>	<b>Descriptor</b>
<b>Public Education</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation</b>
<b>Quality Parameters</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation</b>
<b>Sanitary Surveys</b>	<b>CU + 10</b>	<b>40 CFR 141.33</b>	<b>Statistics, reports, correspondence</b>
<b>Source Water</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation, e.g. lead &amp; copper</b>
<b>State Certification</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation</b>
<b>Variances, Water System</b>	<b>CU + 5</b>	<b>40 CFR 141.33</b>	
<b>Well Level</b>	<b>CU + 2</b>	<b>GC34090</b>	
<b>Sources</b>	<b>CU + 2</b>	<b>GC34090</b>	<b>May include wells, rivers, lakes, districts</b>
<b>Surveyor Field Notes</b>	<b>P</b>	<b>GC34090</b>	<b>Notes preparatory to maps of water installations</b>
<b>Surveys, Water System Sanitary</b>	<b>CU + 10</b>	<b>40 CFR 141.33</b>	<b>Statistics, reports, correspondence</b>
<b>Tests</b>			
<b>Bacteriological Analysis</b>	<b>CU + 5</b>	<b>40 CFR 141.33</b>	<b>Compliance records include location, date, method and results; corrections, analysis of bacterial content</b>
<b>Chemical Analysis</b>	<b>CU + 10</b>	<b>40 CFR 141.33</b>	<b>Compliance records include location, date, method used and results; corrections, analysis of chemical content</b>
<b>Quality</b>	<b>CU + 12</b>	<b>40 CFR 141.91</b>	<b>Compliance documentation including sampling data, analysis, reports, surveys, documents, evaluation, schedules, valves, etc.</b>
<b>Valve Main Records</b>	<b>P</b>	<b>GC34090</b>	
<b>Violations, Drinking Water</b>	<b>CU + 3</b>	<b>40 CFR 141.33</b>	<b>Retention applies to each violation</b>

**TRANSPORTATION**

Record Series	Retention	Citation	Descriptor
<b>ADMINISTRATION</b>			
Agreements	T + 4	CCP 337	Including concessionaire, slip rental, facility storage
Applications Aircraft Storage Parking Slip Rentals	T + 2	GC34090	Payment Invoices, inventory listings, billing correspondence and other related documents
Special Events	CU + 2	GC34090	Permits, correspondence, related documents re use of rights of way
Fueling	AU + 3	CCP 337	Meter readings, fuel consumption reports, invoices, receipts and records pertaining to refueling operations
Hazardous Waste Disposal	CU + 10	CAL OSHA; 40 CFR 122.21	Documentation re: the handling and disposal of hazardous waste
Inventory, Equipment Parts & Supplies	L + 2		Includes vehicles, aircraft, vessels and related documents re repairs
Inventory, Vehicle Ownership and Title	L + 2		Owners manual, warranty documents, Department of Motor Vehicle title and registration, and related documents
Licenses, Permits	CU + 2		Forms, related documentation re: licenses and permits required by federal and state agencies
Maintenance/ Operations	L + 2	GC34090	Related to requests for service and work orders for fuel, vehicle and equipment maintenance and repairs
Report, Accident (Copies)	CU + 2	GC34090	Memos and working documents
Vehicle Assignment	CU + 2	GC34090	Log books, request forms, lists
<b>AIRPORT</b>			
Airport Certification	P	14 CFR 139.207b & 171.13- 171.213	Federal Aviation Administration (FAA) required manuals
Airport Noise Monitoring and Complaint	CU + 10		Correspondence, studies, memos, reports, log books, documents related to assessment of noise levels at airports and resolution of complaints
Inspection, Runway	CU + 10		Maintenance including inspection reports, work orders and related records
Inspection, Safety Self	CU + 2	CFR 139.327	Safety inspection and related document include reviews and analysis of all aspects of airport operation
Maintenance, FAA	P	14 CFR 171.13 - 171.213	Forms and reports required by FAA including Forms FAA-198, -418, -6030-1, -6790-4

**TRANSPORTATION (CONTINUED)**

<b>Record Series</b>	<b>Retention</b>	<b>Citation</b>	<b>Descriptor</b>
<b>Reports</b>			
<b>Accident and Incident (Aircraft)</b>	<b>CL + 8</b>		<b>Accidents, injuries, property damages, general conditions re pilot and aircraft</b>
<b>Airport Operational (Regulatory)</b>	<b>P</b>		<b>Annual and special reports to federal and state regulatory agencies.</b>
<b>Airport Operational (Administrative)</b>	<b>CU + 2</b>		<b>Logs, statistical summaries; administrative records</b>
<b>NOTAM (Notice to Airmen)</b>	<b>CU + 3</b>		<b>Reports re: conditions affecting airport maintenance/operations</b>
<b>GROUND TRANSPORTATION</b>			
<b>Auto for Hire</b>	<b>T + 4</b>	<b>GC34090</b>	<b>License, permits for Taxicabs, shuttles, etc</b>
<b>HARBOR</b>			
<b>Registers, Transient Vessel Reservation</b>	<b>AU + 3</b>		<b>Reservation applications, receipts, and index registers relating to boats in transit, temporarily moored</b>
<b>Slip Rental Index</b>	<b>CU + 5</b>		<b>Annual and periodic reports of slip renters</b>
<b>Slip Rental Permits</b>	<b>CL + 2</b>		<b>Applications, statement of rental conditions, vessel inspection check sheets, copy of DMV registration, boat owner information, and other documents re: dock slip spaces</b>
<b>Slip Rental Waiting List</b>	<b>CU + 2</b>		

## Records Retention Policy

### EXHIBIT B

The following sections of the California Government Code are incorporated into Article 3 of the District's records retention policy:

**60203. Records, papers, or documents not required to be filed; conditions.**

(a) Notwithstanding [Government Code] Section 60201, the District's Board of Directors] may authorize the destruction of any record, paper, or document that is not expressly required by law to be filed and preserved if all of the following conditions are complied with:

(1) The record, paper, or document is photographed, micro-photographed, reproduced by electronically recorded video images on magnetic surfaces, recorded in the electronic data processing system, recorded on optical disk, reproduced on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document in compliance with Section 12168.7 [below] for recording of permanent records or non-permanent records.

(2) The device used to reproduce the record, paper, or document on film, optical disk, or any other medium is one that accurately reproduces the original thereof in all details and that does not permit additions, deletions or changes to the original document images.

(3) The photographs, micro-photographs, or other reproductions on film, optical disk, or any other medium are placed in conveniently accessible files and provision is made for preserving, examining, and using the files.

(b) For the purposes of this section, every reproduction shall be deemed to be an original record and a transcript, exemplification, or certified copy of any reproduction shall be deemed to be a transcript, exemplification, or certified copy, as the case may be, of the original.

**12168.7 Standards for Recording Permanent and Nonpermanent documents in electronic media; trusted system.**

(a) The California Legislature hereby recognizes the need to adopt uniform statewide standards for the purpose of storing and recording permanent and nonpermanent document in electronic media.

## Records Retention Policy

- (b) In order to ensure that uniform statewide standards remain current and relevant, the Secretary of State, in consultation with the Department of General Services, shall approve and adopt appropriate standards established by the American National Standards Institute or the Association for Information and Image Management.
- (c) The standards specified in subdivision (b) shall include a requirement that a trusted system be utilized. For this purpose and for purposes of Sections 25105, 26205, 26205.1, 26205.5, 278322.2, 34090.5, and 60203, Section 102235 of the Health and Safety Code, and Section 10851 of the Welfare and Institutions code, "trusted system" means 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.
- (d) In order to develop statewide standards as expeditiously as possible, and until the time that statewide standards are adopted pursuant to subdivision (b), state officials shall ensure that microfilming, electronic data imaging, and photographic reproduction are done in compliance with the minimum standards or guidelines, or both, as recommended by the American National Standards Institute or the Association for Information and Image Management for recording of permanent records or nonpermanent records.



## Helendale Community Services District

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**DATE:** August 2, 2018  
**TO:** Board of Directors  
**FROM:** Kimberly Cox, General Manager  
**SUBJECT:** Item # 8:  
Discussion and Possible Action Regarding Adoption of Resolution 2018-20: A Resolution of the Board of Directors of the Helendale Community Services District Approving Award of Sole Source Contract to High Desert Underground for Helendale Park Sewer System Project

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### **Staff Recommendation**

Staff requests approval of the proposed resolution.

### **Staff Report**

During the preparation and adoption of the FY19 budget the Capital Improvement Plan was discussed on more than one occasion. The Wastewater CIP includes both a septic option and a sewer option for the park bathrooms. The septic option is budgeted at \$35,000 and the sewer option is estimated at \$350,000. The sewer option was selected by the Board at the July 19 board meeting as the preferred option. The sewer option will allow other buildings to be tied into the Smithson Lift Station that are now on septic. In addition, by installing sewer on the property it would eliminate the potential for the nitrates present in septic leach fields from influencing the results of the new monitoring wells that the Regional Board is requiring that we install for the expanded irrigation area.

The Board has given clear directions that the bathrooms and sewer line need to be completed for the upcoming soccer and football seasons. With the myriad of old irrigation pipe systems and new potable infrastructure located on the Park property and the desire to complete the complicated project in a relative short timeframe, the proposed project meets the legal criteria for a sole source contract with a firm familiar with the District's infrastructure who employs competent and highly trained staff. High Desert Underground has installed potable water infrastructure on the park and sewer infrastructure in close proximity to the alignment for the new sewer collection line contemplated by this proposed resolution.

The attached resolution provides reference to legal requirements of awarding a sole source contract and references the District's Purchasing Policy dated 10/21/2010.

Fiscal Impact: \$323,765 from Wastewater reserves for new sewer system.



# High Desert Underground Inc.

GENERAL ENGINEERING PIPELINE CONSTRUCTION

13355 Osage Court

Apple Valley, CA 92308

Office (760) 247-8999 Fax (760) 247-2777

[www.hdupipeline.com](http://www.hdupipeline.com)

Date: 7/30/2018

Company: Helendale CSD

Submitted To: Alex

Project No:

Project Description: Design Build Sewer System for all Existing Needs at The Ranch  
See Attached Plan

**PROPOSAL**

Quantity	Description	Price	Total
2020	6" Gravity Main	\$ 63.00	\$ 127,260.00
5	Connect to Existing	\$ 2,500.00	\$ 12,500.00
4	Remove and abandon existing septic systems	\$ 6,500.00	\$ 26,000.00
2280	4" Force Main	\$ 45.00	\$ 102,600.00
1	Lift station with 2 Macerateing Pumps	\$ 16,855.00	\$ 16,855.00
1	Standard Drop Manhole	\$ 16,500.00	\$ 16,500.00
1	Tie In to Existing Manhole with interior drop	\$ 9,650.00	\$ 9,650.00
1	Street Crossing	\$ 2,500.00	\$ 2,500.00
11	6" Clean Outs with 3' Concrete Rings	\$ 900.00	\$ 9,900.00
			\$ -
			\$ -
<b>TOTAL</b>			<b>\$ 323,765.00</b>

**NOTICE:**

This project was bid using industry standard tools and equipment. Should underground conditions require special equipment, we will notify the owner and reconsider the proposal.

**EXCLUSIONS**

**INCLUDE**

(BUT ARE NOT LIMITED TO):

\*\*Exclusions Include but are not limited to: Permits, Fees, Surveying, Compaction Tests, Job Water

Thank you for the opportunity to submit this Proposal

**RESOLUTION NO. 2018-20**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
HELENDALE COMMUNITY SERVICES DISTRICT  
APPROVING AWARD OF SOLE SOURCE CONTRACT  
TO HIGH DESERT UNDERGROUND FOR  
HELENDALE PARK SEWER SYSTEM PROJECT**

WHEREAS, the Helendale Community Services District (“District”) is a Community Services District organized and operating pursuant to California Government Code Section 61000 et seq.;

WHEREAS, the District is subject to Public Contracts Code Section 20682.5(b), which provides that “[a]ll contracts for the construction of completion of any building, structure, or improvement, when the cost exceeds \$25,000 shall be contracted for and let to the lowest responsible bidder after notice”;

WHEREAS, it is well-settled that exceptions to the competitive bidding requirement exist in the event that the specific facts and circumstances surrounding the particular work is such that the services sought for the proposed project are unique to a single contractor and the public agency must use such specialized services for efficient and effective completion thereof [see, e.g., Hiller v. City of Los Angeles (1962) 197 Cal. App. 2d 685, 17 Cal. Rptr. 579], or that engaging in the process would be undesirable or impracticable as a matter of public interest because a delay would result that would operate to undermine the public benefits to be gained by the proposed project [see, e.g., Graydon v. Pasadena Redevelopment Agency (1980) 104 Cal. App. 3d 631, 164 Cal. Rptr. 56];

WHEREAS, on October 21, 2010, the District’s Board of Directors (“Board”) adopted Resolution No. 2010-12 establishing Purchasing Policies and Procedures for the District (“the Purchasing Policy”) which created bidding and contract procedures as part of the District’s Rules and Regulations so as to provide guidance and direction to the District’s staff in obtaining outside services for projects initiated by the District;

WHEREAS, Section 5 of the Purchasing Policy provides that the District must comply with the competitive bidding requirements of Public Contracts Code Section 20682.5 with respect to the construction of completion of any building, structure, or improvement when the cost exceeds \$25,000;

WHEREAS, pursuant to legally-recognized exceptions to competitive bidding requirements, Section 6(D)(4) of the Purchasing Policy provides that the District may procure services on a negotiated basis “when competitive bidding would fail to produce an advantage and/or when the advertisement for Competitive Bidding would be undesirable, impractical, or impossible”;

WHEREAS, pursuant to legally recognized exceptions to competitive bidding requirements, Section 6(D)(3) of the Purchasing Policy also provides that the District may procure services on a negotiated basis for any project in which a “Sole Source Contractor” has been designated;

WHEREAS, for purposes of Section 6(D)(3) of the Purchasing Policy, the term “Sole Source Contractor” is defined in Section 2(O) thereof as “a contractor or consultant that has been evaluated to provide unique or specialized Services or Supplies that cannot be obtained from other contractors or consultants,” which designation must be approved by the Board;

WHEREAS, the facts, circumstances, and challenges surrounding the proposed installation of the new Sewer Collection Line at Helendale Community Park (“the Project”), as described in the staff report attached hereto and incorporated herein (“the Staff Report”), supports a determination by the District’s Board of Directors that imposing a formal competitive bidding requirement for the construction of the proposed Project would be undesirable or impracticable because the process could potentially not be timely completed given all the intervening factors outlined in the staff report specifically the public health and safety risk that could occur if another force main break occurs; and

WHEREAS, as further described in the Staff Report, High Desert Underground possesses unique background and knowledge of the District's water and wastewater systems and existing infrastructure that would be impacted and utilized in connection with the proposed Project, and High Desert Underground has performed all prior pipeline installation and repair services for the District in a timely manner and with high-quality workmanship that has been accepted by both the District and other local governmental agencies possessing regulatory oversight.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Helendale Community Services District that, based upon the unique facts and circumstances described in the Staff Report and other evidence presented to the Board, the Board hereby finds and determines that expedited construction of the Project is exempt from any otherwise-applicable formal competitive bidding requirement pursuant to Section 6(D)(4) of the Purchasing Policy because compliance therewith would be undesirable and impracticable as a matter of public interest since engaging in the process would cause a delay that could result in the Project not achieving satisfactory completion prior to another force main break.

BE IT FURTHER RESOLVED that the Board hereby finds and determines that High Desert Underground be designated as a sole source contractor for the Project pursuant to Section 6(D)(3) of the Purchasing Policy. The Board reserves the right to withdraw this designation in its entirety, or to suspend this designation on a project-by-project basis, in the exercise of its sole discretion.

BE IT FURTHER RESOLVED that the Board hereby approves construction of the Project, and authorizes the award of a contract for the construction thereof to High Desert Underground for a price not to exceed \$323,765.00, based upon the recommendations of the District's General Manager in the Staff Report, as well as the oral and written statements presented to, and considered by, the District's Board of Directors prior to adoption of this Resolution.

**ADOPTED** this 2nd day of August, 2018.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Ron Clark, President, Board of Directors

ATTEST:

\_\_\_\_\_  
Sandy Haas, Secretary, Board of Directors