

## **RESOLUTION 2008-001**

### **RESOLUTION OF THE BEAUMONT BASIN WATERMASTER ESTABLISHING A PUBLIC RECORDS ACT POLICY**

#### **Section 1: Public Access**

Public records are open to inspection at all times during regular office hours. The office hours of the Watermaster are from 9:00 a.m. to 4:00 p.m., Monday through Friday, except state and federal holidays.

#### **Section 2: Request in Writing**

Request to inspect public records should be directed to:

J. Andrew Schlange  
Chief of Watermaster Services  
Beaumont Basin Watermaster  
C/o Beaumont Cherry Valley Water District  
560 Magnolia Avenue  
Beaumont, CA 92223

#### **Section 3: Response to Request**

Within 10 calendar days from the receipt of a written request for public records, the Watermaster's contact person or his designee will respond to the requester by letter, stating whether the Watermaster will comply with the request. In unusual circumstances, the time limit prescribed may be extended by up to 10 additional business days by written notice from the Watermaster setting forth the reasons for the extension and the date upon which a determination is expected to be mailed.

"Unusual Circumstances" means (a) the need to search for and collect the records from other offices; or (b) the request seeks voluminous records or (c) the need to consult with another agency having a substantial interest in the subject matter of the request.

If the Watermaster decides that certain information will not be disclosed, written notification will be provided to the requester stating the reasons for the decision, accompanied by the name and title of the person making the decision. The Watermaster shall justify withholding any record by showing that the record in question is exempt under an express provision of the California Public Records Act, or that, under the facts of a particular case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

#### **Section 4: Copy Charge**

Copies of any specifically-described and identified public record not exempt from disclosure will be made for a charge of 25 cents per page, 11" x 14" or smaller, black and

white. Larger documents (e.g. maps) and color documents will be reproduced at actual cost.

Recordings of public meetings, whether by tape or compact disk recording, are made only for the convenience of the Secretary in preparing the Official Minutes of the meetings. Such recordings are not maintained and are disposed of as soon as the minutes have been approved. The Watermaster does not have an in-house capability of reproducing such recordings. As a courtesy, the Watermaster will arrange for the preparation of a duplicate recording, at the actual cost thereof. A written request for a duplicate recording shall be accompanied by a fee of \$25.00 to cover the costs incurred in producing the duplicate recording. All such requests and payment must be received within three business days of the meeting to ensure that the recording will still be available for reproduction. It is highly recommended and the public is encouraged to bring their own sound recording equipment to public meetings of the Watermaster. In order to ensure a quality sound recording, the Watermaster will assist any member of the public in situating the recorder to ensure a quality recording.

#### **Section 5: Limits on Disclosure**

Under the California Public Records Act, there are various categories of records that the Watermaster is not required to disclose, including:

- a) Raw draft documents;
- b) Records relating to pending litigation;
- c) Records comprised of personnel, medical or similar files;
- d) Records containing an individual's Social Security number, driver's license number or home telephone number;
- e) Records protected by the attorney-client privilege.

#### **Section 6: Destruction of Public Records**

Certain records of the Watermaster are maintained indefinitely, and others are maintained for a limited period of time and then are destroyed.

- a. **Records Which Shall Be Retained Indefinitely:**
  - 1) Records affecting title to real property;
  - 2) Court records;
  - 3) The minutes, ordinances and resolutions of the Watermaster.
- b. **Records Which May Be Destroyed:** Subject to the provisions of Subsection c below, the following records may be destroyed, as follows:
  - 1) **After a minimum of 2 years:** basic time and earnings cards, wage rate tables and work time schedules, agendas, meetings folders and packets, general correspondence, press releases and outdated policies and procedures.
  - 2) **After a minimum of 3 years:** personnel records and files, job descriptions.

- 3) **After a minimum of 4 years:** payroll records, income tax withholding records, federal unemployment tax records, and FICA contributions records.
  - 4) **After a minimum of 5 years:** budget preparation files, expired service and construction contracts, claims against the Watermaster, expired leases.
  - 5) **After a minimum of 6 years:** audit reports
  - 6) **After a minimum of 8 years:** Statements of Economic Interest.
- c. **Destruction Procedures:** After the minimum period of time has passed, records may be destroyed in accordance with one of the following two methods:
- 1) Method No 1 – destruction without making copy: the Chief of Watermaster Services may, with the written consent of the Watermaster’s Legal Counsel, destroy any authorized Watermaster record, document; instrument, book or paper without making a copy thereof, after the same is no longer required.
  - 2) Method No 2 – destruction after making a copy: the Chief of Watermaster Services may, without the written consent of the Watermaster’s Legal Counsel, cause to be destroyed any and all of the records, documents, instruments, books and papers authorized hereunder if a copy thereof is made and stored electronically and capable of being reproduced accurately and legibly, is accessible for public reference as the original record was, and a true copy of the record is maintained on a compact disk or other medium and kept in a safe and separate place for security purposes. For purposes of this policy, every reproduction of a document therefore shall be deemed an original record.

**MOVE, PASSED AND ADOPTED** this 8<sup>th</sup> day of January, 2008

By C. J. Butcher  
C.J. Butcher, Secretary to the Watermaster