



EXHIBIT 16-A

**DRAFT
MPWMD RESOLUTION NO 2019-01**

**A RESOLUTION ADOPTING A RECORDS RETENTION SCHEDULE
AND AUTHORIZING DESTRUCTION OF CERTAIN DISTRICT RECORDS**

WHEREAS, the State of California and the Federal Government have specified time periods in which public records are required to be retained; and

WHEREAS, it is necessary for the efficient operation of the Monterey Peninsula Water Management District (District) to follow a procedure for the retention of certain vital District documents and other records; and

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period of time for the effective and efficient operation of the government of the District; and

WHEREAS, the systematic destruction of records that are no longer required expedites the filing and retrieval of documents needed for current operations, is cost-effective, and reduces an agency's potential liability regarding destruction of records; and

WHEREAS, Section 60200 of the California Government Code provides that the legislative body of a special district may authorize at any time the destruction or disposition of any duplicate record, paper, or document, the original or a permanent photographic record of which is in the files of any officer or department of the District; and

WHEREAS, Section 60201 of the California Government Code provides that District records which have served their purpose, which are not expressly required by law to be filed and preserved, and which will not adversely affect any interest of the District or public may be destroyed where the District, by resolution, adopts a record retention schedule that complies with guidelines provided by the Secretary of State pursuant to Section 12236, that classifies all of the District's records by category, and that establishes a standard protocol for destruction or disposition of records;

WHEREAS, In 1992, the Board of Directors approved Resolution 1992-13 establishing a policy for document retention, and specified documents that should be retained permanently. The resolution authorized the General Manager or designee to establish other classes of records and designate retention and disposition for the same.

WHEREAS, In November 2005, the General Manager expanded the list of classes of records to be retained and established retention periods. In 2006 the General Manager instituted a policy for retention of email.

WHEREAS, District staff, in conjunction with Gladwell Governmental Services, Inc. and District Counsel has prepared the District's Records Management and Records Retention Schedule that classifies records by category and establishes a standard protocol for disposition; and

WHEREAS, this action does not constitute a "Project" as that term is defined under the California Environmental Quality Act (CEQA) Guideline Section 15378, as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT DOES RESOLVE AS FOLLOWS:

Section 1. The District Board of Directors hereby approves the Records Retention Schedule **Attachment 1**, attached hereto and incorporated herein by this reference.

Section 2. The records of the District, as set forth in the Records Retention Schedule (**Attachment 1**) are hereby authorized to be destroyed as provided by Section 60201 et seq. of the California Government Code, and in accordance with the provision of said schedule in accordance with District policies and procedures, without further action by the District Board of Directors.

Section 3. With the consent of the District Counsel and General Manager, updates are hereby authorized to be made to the Records Retention Schedule and implementing policies without further action by the Board of Directors of the Monterey Peninsula Water Management District.

Section 4. The term "records" as used herein shall include documents, instructions, books, microforms, electronic files, magnetic tape, optical media, or papers; as defined by the California Public Records Act.

Section 5. The California attorney general further defines a record as any writing or recording of an event or information which is kept in the custody of a public officer, either because a law requires it to be kept or because it is necessary or convenient to the discharge of the public officer's duties and was made or retained for the purpose of preserving its informational content for future reference.

Section 6. This resolution shall become effective immediately upon its passage and adoption.

On a motion of _____ and second by _____ the foregoing resolution is duly adopted this 18th day of March 2019 by the following vote.

AYES: Directors

NOES: Directors

ABSENT: Directors

I David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, do hereby certify that the foregoing Resolution No. 2019-01 was duly adopted on the 18th day of March, 2019.

Witness my hand and seal of the Board of Directors this _____ day of March, 2019.

David J. Stoldt, Secretary to the Board of Directors