

CITY OF LONG BEACH

C-14

DEPARTMENT OF CITY CLERK

333 West Ocean Boulevard

Long Beach, CA 90802

562/570-6101

FAX 562/570-6789

February 5, 2013

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to approve the destruction of records for Long Beach Police Department, Internal Affairs Division as shown in Exhibit A; and adopt the resolution.

DISCUSSION

Pursuant to Section 34090 of the California Government Code and Chapter 1.28 of the Long Beach Municipal Code, records destruction for City Manager departments and elected officials must be submitted to the City Council for approval. The records destruction must comply with each department's records retention schedule.

In its capacity as responsible agent for the operation of the Records Center, the City Clerk Department has worked with the department listed to review the records destruction (Exhibit A).

The City Attorney and Long Beach Police Department concur in the above recommendation.

FISCAL IMPACT

Appropriations have been budgeted in FY13 for the operation of the City Records Center.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

Larry G. Herrera
City Clerk

LH:md

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH APPROVING AND AUTHORIZING
THE DESTRUCTION OF CERTAIN RECORDS, PAPERS,
AND WRITINGS BY THE LONG BEACH POLICE
DEPARTMENT

The City Council of the City of Long Beach resolves as follows:

Section 1. Pursuant to and in accordance with the provisions of Section 34090 of the Government Code of the State of California and Chapter 1.28 of the Long Beach Municipal Code relating to the destruction of City records, and the City Attorney having heretofore given his written consent, the City Council of the City of Long Beach does hereby approve and authorize the destruction by the Long Beach Police Department, of any and all of the records, documents, instruments, books, papers, and writings as set forth in the documents attached hereto and marked Exhibit "A" and by reference thereto made a part hereof, which records are under its charge and are no longer required for use in its respective office, said records being no less than two (2) years old.

Section 2. The City Council hereby finds that none of said records:

- A. Affect the title to real property or liens thereon;
- B. Constitute official court records;
- C. Constitute records which are required to be kept by statute;
- D. Constitute the original or record copies of the minutes, ordinances or resolutions of the City of Long Beach or any City Board or Commission.

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Section 3. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2013, by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

EXHIBIT A

RECORDS DESTRUCTION REQUEST

1. Date 12/01/2012

Honorable Council of the City of Long Beach

2. The The Police Department Internal Affairs

DEPARTMENT

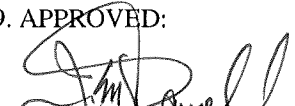
respectfully requests authority to destroy the following Departmental records:

3. RETENTION SCHEDULE ITEM NO.	4. RECORDS TITLE AND DESCRIPTION	5. YEARS INVOLVED	6. BOX NO. ON-SITE	7. BOX NO. OFF-SITE
57-A	Formal investigations sustained with discipline less than a 10-day suspension	2007(Jul-Dec)	N/A	N/A
58	Non-misconduct cases	2007(Jul-Dec)	N/A	N/A
59	Service complaints	2007(Jul-Dec)	N/A	N/A
60	Taped Interviews	2007(Jul-Dec)	N/A	N/A
68	I.A. investigations – not sustained	2007(Jul-Dec)	N/A	N/A
220	Use of Force reviews - Original/electronic data	2007(Jul-Dec)	N/A	N/A

FOR DEPARTMENTAL USE
8. RECOMMENDED: 

CITY ATTORNEY'S CONSENT
Consent is hereby given to destroy the records enumerated above.

14. REMARKS:

9. APPROVED: 
DEPARTMENT HEAD

11. By Glenn J. Anderson
CITY ATTORNEY

12. Title Deputy City Attorney

13. Date January 17, 2013

10. DATE: 1-8-13