



"Bry Myown"  
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10/12/2004 02:17 PM

To: <district1@longbeach.gov>, <dan.baker@longbeach.gov>, <district3@longbeach.gov>, <district4@longbeach.gov>, <kell@longbeach.gov>, <district6@ci.long-beach.ca.us>, <district7@ci.long-beach.ca.us>, <district8@ci.long-beach.ca.us>, <district9@ci.long-beach.ca.us>  
cc: <mayor@longbeach.gov>, <cityattorney@longbeach.gov>, <auditor@longbeach.gov>, <cityclerk@longbeach.gov>  
Subject: Item 13, City Auditor Records Destruction Request

October 12, 2004

Long Beach City Council  
Long Beach City Hall  
333 W. Ocean Boulevard, 14<sup>th</sup> Floor  
Long Beach CA 90802

Re: Recommendation Concerning the Destruction of Records  
City Council Agenda, October 12, 2004, Item 13

04 OCT 12 PM 3:00  
CITY CLERK  
LONG BEACH, CALIF.

Members:

We are writing to thank you for your vote last week to lay over the referenced item.

We believe that some of the records scheduled for destruction may pertain to financial matters in which the public has a legitimate interest and others may be specifically responsive to outstanding public records requests made by Traci Wilson-Kleekamp that are currently the subject of litigation.

Pursuant to the California Public Records Act, California Government Code Sections 6250 *et. seq.*, we hereby request production of the referenced documents and ask you to stay their destruction until we have had an opportunity to examine them.

If you determine that any or all of the information qualifies for an exemption from disclosure, please note whether the exemption is discretionary and if so, whether it is necessary in this case. If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, please redact it for the time being and make the remainder available as requested. In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

If we can provide any clarification that will expedite your attention to our request, please contact us. We appreciate your prompt attention to this matter and look forward to your response within the 10-day period required by State statute.

We would like to take this opportunity to remind you that a similar request regarding Community Development records approximately one year ago confirmed to us that certain items slated for destruction were not within the time period described in the Council Letter and/or pertained to open litigation. Additionally, many documents were non-sensitive, publicly funded items of general historical interest. By copy of the attached correspondence, we again urge the Council to adopt new archival policies including, but not limited to lengthier City retention via electronic media, adding records to the Library's collection or making records available to publicly accessible historical research organizations.

Thank you for your attention to our request.

Sincerely,

Bry Laurie Myown Don May

cc: Beverly O'Neill, Mayor  
Members, City Council  
Robert E. Shannon, Esq  
Gary Burroughs, City Auditor  
Larry Herrera, City Clerk



California First Amendment Coalition Item 13.doc Records Policy.doc

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RECEIVED  
CITY CLERK  
LONG BEACH, CALIF.

OCT 12 PM 3:06

October 12, 2004

Long Beach City Council  
Long Beach City Hall  
333 W. Ocean Boulevard, 14<sup>th</sup> Floor  
Long Beach CA 90802

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City Council Agenda, October 12, 2004, Item 13

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Long Beach City Council  
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Page Two

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Sincerely,

Bry Laurie Myown

Don May

cc: Beverly O'Neill, Mayor  
Members, City Council  
Robert E. Shannon, Esq  
Gary Burroughs, City Auditor  
Larry Herrera, City Clerk  
California First Amendment Coalition

RECEIVED  
CITY CLERK  
LONG BEACH, CALIF.

**Bry Laurie Myown Traci L. Wilson-Kleekamp**

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OCT 12 PM 3: 06

December 1, 2003

Long Beach City Council  
Long Beach City Hall  
333 W. Ocean Boulevard, 14<sup>th</sup> Floor  
Long Beach CA 90802

Re: Records Retention and Archive Policies

Honorable Members:

On Oct. 13, 2003 we sent the enclosed letter to the RDA board, Mayor, City Council and City Attorney asking that item #55 on the October 14, 2003 council agenda be removed due to our misgivings concerning the destruction of numerous Redevelopment, Community and Economic Development records. We were particularly concerned about the potential destruction of “**Redevelopment Project Files, 1988-1995**,” because the City Council had recently approved an impartial analysis of City redevelopment practices. Our requested was honored and the item was pulled from the agenda.

In the interim, we have been given the opportunity inspect the records and in so doing, we noted some records slated for destruction are not what was described in the council memorandum. As yet, we have seen no indication that the Redevelopment Agency Board approved or had an opportunity to review those records that are under their statutory control. Additionally, we noted the following:

- Although the document destruction memorandum described records dating from 1999 and prior years, we inspected documents dating as recently as 2002 and 2003.
- We inspected original documentation, including trust deeds, correspondence and other records pertaining to currently outstanding and/or litigated loans.
- We saw numerous, non-sensitive records of historical value, such as news clippings and economic reports (often funded with federal and/or state grant dollars), that we believe should serve as public information on file with the library and/or the City Clerk.
- We viewed numerous performance evaluations, critical memorandums, and historical files

related to economic and redevelopment policies that might serve as supporting documentation for any impartial analysis of Redevelopment, Economic and Community Development policies; spending practices and effectiveness.

In conclusion, we feel it would be timely to undertake a review of the city's records retention and archival policies to ensure that both currently useful and historic data are available to decision-makers and the general public and to comply with federal and state guidelines. We are excited about your recent appointment of Larry Herrera as City Clerk and about new possibilities afforded by electronic media storage, and we respectfully request that you refer these matters to Mr. Herrera's attention.

With respect to the specific referenced documents, Director of Economic Development Roger Haley has assigned Graham Brooks to oversee our inspection of the records. To conserve on staff time and photocopying costs; Mr. Haley approved our taking one copy where duplicate reports existed and provided a duplicate for the City Clerk per Mr. Haley's request. We also compiled a stack of news clips and a variety of economic and financial reports funded with federal and state grant dollars that might be considered an asset for public information on file in the Long Beach Public Library. Lastly; we provided documents for which we have requested copies and are waiting for feedback from the City Attorney's office. Upon his review and agreement, we would like to copy the records ourselves using our own equipment. Finally, we request that these documents not be destroyed until they have been inspected by whatever contractor the City selects to perform an impartial analysis of Redevelopment practices.

Sincerely,

Bry Laurie Myown

Traci L. Wilson-Kleekamp

cc: Beverly O'Neill, Mayor  
Members, City Council  
Robert E. Shannon, Esq  
Redevelopment Agency Board  
Larry Herrera, City Clerk