January 5, 2021

C-7

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to approve the destruction of records for the Office of the City
Prosecutor 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, elected
officials and appointed offices 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
Office of the City Clerk has worked with the department listed to review the records
destruction (Exhibit A).

The City Attorney and the Office of the City Prosecutor concur in the above
recommendation.

FISCAL IMPACT

Appropriations have been budgeted in FY 21 for the operation of the City Records Center.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

MONIQUE DE LA GARZA
CITY CLERK

MD:lb

1   RESOLUTION NO.

2

3   A RESOLUTION OF THE CITY COUNCIL OF THE

4   CITY OF LONG BEACH APPROVING AND AUTHORIZING

5   THE DESTRUCTION OF CERTAIN RECORDS, PAPERS,

6   AND WRITINGS BY THE CITY PROSECUTOR

7   DEPARTMENT

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

10   Section 1.   Pursuant to and in accordance with the provisions of Section

11   34090 of the Government Code of the State of California and Chapter 1.28 of the Long

12   Beach Municipal Code relating to the destruction of City records, and the City Attorney

13   having heretofore given his written consent, the City Council of the City of Long Beach

14   does hereby approve and authorize the destruction by the City Prosecutor Department of

15   any and all of the records, documents, instruments, books, papers, and writings as set forth

16   in the documents attached hereto and marked Exhibit "A" and by reference thereto made

17   a part hereof, which records are under its charge and are no longer required for use in its

18   respective office, said records being no less than two (2) years old unless otherwise

19   authorized by law.

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

21   A.   Affect the title to real property or liens thereon;

22   B.   Constitute official court records;

23   C.   Constitute records which are required to be kept by

24   statute;

25   D.   Constitute the original or record copies of the minutes,

26   ordinances or resolutions of the City of Long Beach or

27   any City Board or Commission.

28   Section 3.   This resolution shall take effect immediately upon its adoption

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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 _____, 20__, by the following vote:

Ayes: Councilmembers: _____

_____

_____

_____

Noes: Councilmembers: _____

_____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

_____
City Clerk

SEG:db A20-06902
01218252.DOCX

EXHIBIT "A"

Date*	Department*		Bureau, Division, and/or Section
12/4/2020	City Prosecutor		

RECORDS DESTRUCTION APPROVAL

Department Head Approval	City Clerk Approval	City Attorney Approval
Douglas Haubert	Monique DeLaGarza	Sarah Green

Department Head Approval Date	City Clerk Approval Date	City Attorney Approval Date
12/8/2020	12/8/2020	12/8/2020

DEPARTMENTAL RECORDS

Retention Schedule Item No*	Record Title*	Description	Years Involved*	Box No. On-Site*	Box No. Off-Site*
NA	Misdemeanor Cases	2009 9LT06433 - 9LT06433	2009-2015	NA	NA
NA	Misdemeanor Cases	2010 0LT00015 - 0LT10500	2010-2015	NA	NA

Remarks

All Misdemeanor cases were closed on or before 11/01/2015. Statute is Government Code Section 34090, requires 2 year retention after case is closed.