



## CITY COUNCIL STAFF REPORT

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**TO:** Honorable Mayor and City Council      **DATE:** March 8, 2021  
**FROM:** Matthew Bronson City Manager  
**PREPARED BY:** John Peters, Chief of Police  
**SUBJECT:** Records Destruction Authorization

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### **RECOMMENDATION**

Adopt the Resolution authorizing the destruction of certain City records in specified departments.

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### **BACKGROUND**

The City has an adopted City-wide Records Retention Schedule which establishes specified time periods to retain public records. Periodically each department reviews their respective department files and prepares a list of those records that are no longer needed in the normal course of business and may legally be destroyed. Departments included in this requested authorization are the Police, Community Development, and Public Works departments.

### **FISCAL IMPACT**

There is no significant fiscal impact anticipated from the Council taking action on this item. The specific department budgets have sufficient funds to cover the costs of a professional document shredding firm.

### **ALTERNATIVES**

The Council has the following alternatives to consider:

1. Adopt the Resolution authorizing the destruction of certain City records; or
2. Provide alternative direction to staff.

### **PUBLIC NOTIFICATION**

The agenda was posted in accordance with the Brown Act.

### **Attachments**

1. Resolution No. 21-\_\_, with Exhibit "A"

**RESOLUTION NO. 21-XX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVER BEACH, CALIFORNIA ACCEPTING THE STAFF REPORT AND RECOMMENDATIONS FOR CITY-WIDE RECORDS DESTRUCTION**

**WHEREAS**, Government Code Section 34090 provides that the head of a city department may destroy certain city records, documents, or instruments under his/her charge, without duplication, with the approval of the City Council by Resolution and with the written consent of the City Attorney; and

**WHEREAS**, in compliance with the City-wide retention schedule, it has been determined that certain records are no longer required for retention and accumulation of police records has become unduly cumbersome.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Grover Beach does hereby authorize the destruction of those City records specified in Exhibit "A" which is attached hereto and incorporated herein as part of this document.

On motion by Council Member \_\_\_\_\_, second by Council Member \_\_\_\_\_, and on the following roll call vote, to wit:

AYES: Council Members -  
NOES: Council Members -  
ABSENT: Council Members -  
ABSTAIN: Council Members -

the foregoing Resolution was **PASSED, APPROVED, and ADOPTED** at the Regular Meeting of the City Council of the City of Grover Beach, California, this 8th day of March, 2021.

**\*\*DRAFT\*\***

\_\_\_\_\_  
JEFF LEE, MAYOR

ATTEST:

\_\_\_\_\_  
WENDI SIMS, CITY CLERK

EXHIBIT "A"

POLICE DEPARTMENT

- A. The following records that have been retained for 180 days and dated prior to July 1, 2020 will be destroyed;
1. CLETS teletypes. All incoming and outgoing teletypes not connected with a GBPD case.
  2. Department of Justice and Federal Bureau of Investigation Rap Sheet.
  3. Transmittal Forms (DA/GBSC/Juvenile Probation/SLOSC).
- B. The following records that have been retained for two (2) years and dated prior to December 31, 2018 will be destroyed;
1. Financial Reports, checking accounts and canceled checks.
  2. Receipt and Petty Cash information.
  3. Parking Citations.
  4. Repossession reports.
  5. E-911 printouts (CLETS).
  6. Payroll slips; overtime, time-off, sick leave.
  7. Switers accident reports and DOJ printouts.
  8. Holding Cell Logs.
  9. Checking account records and canceled checks.
  10. Monthly reports, both State and City.
  11. Officer statistics, computer generated.
  12. Property Cards - After disposition of case.
  13. Employee Eligibility Lists.
  14. Employee Recruitment Files (Not Hired).
- C. The following records that have been retained for three (3) years and are dated prior to December 31, 2017 will be destroyed;
1. Expired bicycle license and related log checks.
  2. Daily activity records and logs.
  3. Field interview cards.
  4. Traffic Citations (NTA).
  5. Dealers Record of gun sales.
  6. Stored/Impounded vehicle reports.
  7. Firearm Voluntary Registration.
  8. Pawn reports.
  9. Lost/Found Reports.
  10. Misdemeanor citations.
  11. Injury/Overdose attempt suicide reports not resulting in death.

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12. All complaint reports which do not describe resulting criminal action.
  13. Missing Persons Reports which have been cleared.
  14. Runaway reports, where the subject has returned or has reached his/her eighteenth birthday.
  15. Citizen on Patrol Hold Harmless agreement and critiques.
  16. Dispatch radio logs.
  17. Misdemeanor crime reports including investigative working files, photos and corresponding documents, providing that:
    - a. There is no property, no outstanding warrant related to the report.
    - b. There is no property outstanding in DOJ and NCIC.
    - c. There is no death connected with the report.
    - d. They are not involved in civil or criminal litigation.
    - e. They do not involve a Grover Beach Police employee.
    - f. They do not relate to an arrest.
  18. Traffic accident investigation reports including investigative working files, where no fatality occurred, providing that:
    - a. There is no outstanding warrant related to the report.
    - b. They are not involved in a civil or criminal litigation.
    - c. They do not involve a Grover Beach City/Police employee.
- D. The following records that have been retained for seven (7) years and dated prior to December 31, 2013 will be destroyed;
1. Felony crime reports including investigative working files, providing that:
    - a. There is no outstanding warrant related to the report.
    - b. There is no property outstanding in CII or NCIC.
    - c. There is no death connected with the report.
    - d. They are not classified under Section 799, 800, 290PC, 11850 H&S.
- E. The following records that have been retained for five (5) years and dated prior to December 31, 2015, will be destroyed;
1. Criminal Intelligence Reports.
  2. Citizen initiated complaints against Department employees, together with any investigations, reports and/or findings providing such documents are not evidence in any claim filed or pending litigation (or potential litigation), in which case, such documents shall be preserved for five years after the conclusion of litigation.
  3. Personnel complaints initiated by the Police Department against Department employees, together with any investigations, reports and/or

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findings providing such documents are not evidence in any claim filed or pending litigation (or potential litigation), in which case such documentation shall be preserved for five (5) years after the conclusion of litigation.

4. Subpoena logs.
5. General Correspondence.
6. Citizen contact forms.
7. Environmental file reports.
8. Pursuit reports.
9. Use of force reviews.
10. Fleet safety reviews.

The following records will never be destroyed:

- A. Suspected Child Abuse.

SECTION 2. The records specified in Section 1 of this Exhibit "A" do not include any documents relating to capital crimes, embezzlements of public funds, bribery of public officials, reports involving Grover Beach City employees or any prisoner arrest files of child abuse reports, except as noted.

SECTION 3. This Resolution shall not grant any authority for the destruction of any records or file where a claim against the City has been filed and that claim is subject to adjudication.

SECTION 4. The City Council finds that the City Attorney has given his/her written consent to the destruction of the records described in Section 1 of this Exhibit "A", and the Chief of Police is authorized to destroy the police records described in Section 1 of this Exhibit "A".

## COMMUNITY DEVELOPMENT AND PUBLIC WORKS DEPARTMENTS

- A. The following records shall be retained for **two (2) years** and may be subsequently destroyed. It is requested approval be given to destroy records in this category which are dated prior to January 1, 2019.

Underground Service Alert (USA) Notices  
General/Miscellaneous/Interoffice Correspondence  
Department Budget Working Documents

- B. The following records shall be retained for **three (3) years** and may be subsequently destroyed. It is requested approval be given to destroy records in this category which are dated prior to January 1, 2018.

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Encroachment Permits  
Contractor's Insurance Certificates

- C. The following records shall be retained for **five (5) years** and may be subsequently destroyed. It is requested approval be given to destroy records in this category which are dated prior to January 1, 2016.

Log of Issued Building Permits  
Monthly Building Reports  
Building Inspection Schedule/Log  
Studies  
Subject/Project Work Files  
General Plan Update Working Files  
Ordinance Working Files

- D. The following records shall be retained for **ten (10) years** and may be subsequently destroyed. It is requested approval be given to destroy records in this category which are dated prior to January 1, 2011.

Census Report of Building Permits  
CDBG Files  
Demographic/Statistical Data  
Deposit Account Transactions  
Annual Water Reports  
Water Analysis Reports

- E. The following records shall be retained for **180 days after project completion** and may be subsequently destroyed. It is requested approval be given to destroy records in this category with building permit final dates dated prior to June 30, 2020.

Building Plans for single or multiple family residential dwellings not more than two stories and basement in height  
Building Plans for garages or other accessory structures to the above single or multiple family residential dwellings  
Building Plans for any single-story non-steel-framed or concrete structure where the span between bearing walls does not exceed 25 feet  
Building Plans for any structure that has been demolished.

CITY ATTORNEY'S WRITTEN CONSENT:

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David Hale  
City Attorney

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Date