



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA  
February 5, 2014**

**TO:** Mayor and City Council  
**FROM:** Mercy G. Cabral, Deputy City Clerk  
**SUBJECT:** Records Destruction  
**DATE:** January 28, 2014

**RECOMMENDATION:**

By resolution, authorize destruction of City files pertaining to the Police Department.

**BACKGROUND:**

Under Title 2, Section 2.76.030, of the Martinez Municipal Code, the City Clerk is responsible for the administration of the City's Records Management Program. As part of this program, the Clerk's Office reviews records to determine the need for retention of the original record, conversion of records by laserfiche, or destruction of original without retention of copies.

The records listed in Exhibit "A" have been retained as required Government Code 12946, are not permanent records and can be destroyed. The records have been reviewed and approved for destruction by the City Attorney's Office.

**FISCAL IMPACT:**

No impact to the General Fund.

**ACTION:**

Adopt resolution authorizing destruction of City records.

Attachment:  
Resolution – Exhibit A

**APPROVED BY:**   
Interim City Manager

**RESOLUTION NO. -14**

**AUTHORIZING DESTRUCTION OF FILES SPECIFICALLY PERTAINING  
TO THE POLICE DEPARTMENT**

**WHEREAS**, Government Code Section 34090 provides that certain City records, documents, or instruments may be destroyed, with the approval of the City Council by resolution and with the written consent of the City Attorney; and

**WHEREAS**, the Martinez Municipal Code, Title 2, Section 2.76.030 gives the City Clerk the responsibility for the administration of a Records Management Program; and

**WHEREAS**, the records indicated in Exhibit "A", are not considered permanent records and can be destroyed without duplication.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Martinez that the files listed in Exhibit "A" have been managed in accordance with the City's records retention schedule and Government Code and will be destroyed.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 5<sup>th</sup> day of February, 2014, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ

**EXHIBIT "A"**  
**RESOLUTION NO. - 14**

DESCRIPTION OF RECORDS:

IA 2007 Log (Internal Affairs Investigations – Citizen’s Complaints in 2007)

IA# 1-07

IA# 2-07

IA# 3-07

IA# 4-07

IA# 5-07

IAI 2007 Log (Internal Affairs Investigations –Internally Generated in 2007)

IAI# 1-07

IAI# 2-07

IAI# 3-07

IAI 2006 Log (Internal Affairs Investigations –Internally Generated in 2006)

IAI# 7-06

Background Files: applicants who were not hired (1/2010-1/2011)

*(Names are being withheld due to the confidential nature)*

Prepared by:

Approved by:

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Mercy G. Cabral  
Deputy City Clerk

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Gary Peterson  
Chief of Police

Approved by:

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John Abaci  
Assistant City Attorney