

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA APPROVING

WHEREAS, pursuant to Government Code Section 34090, a resolution of the City Council must be prepared for the destruction of certain records; and

WHEREAS, Penal Code Section 832.5(b) which requires that Internal Affairs files, Citizen Complaints and findings be maintained for at least five years; and

WHEREAS, Internal Affairs files 2016-0005, 2016-0007, 2016-0009, 2016-0011, which the Police Department feels meet the criteria of the Government and Penal Codes and are no longer necessary for use; and

WHEREAS, Citizen Complaints 17-001 through 17-003 inclusive and 17-005 through 17-009 inclusive which the Police Department feels meet the criteria of the Government and Penal Codes and are no longer necessary for use; and

WHEREAS, all such original records to be destroyed are five (5) years old or older; and

WHEREAS pursuant to Government Code section 34090, a resolution of the city Council must be prepared for the destruction of certain records; and

WHEREAS pursuant to the City of Eureka Policy and Procedure no. 1.10 which sets the retention periods of City records; and

WHEREAS attached to this resolution is an accurate listing of the records relating to the Police Department which that department has determined meet the criteria of the Government Code and the City's Records Retention Policy, and are no longer necessary for their use; and

WHEREAS all such records to be destroyed are two (2) years old or older,

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, that Internal Affairs files 17-001 through 17-003 inclusive and 17-005 through 17-009 inclusive be destroyed and all records shown in the attached listing be destroyed.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 7th day of February, 2023 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Kim Bergel, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Miles Slattery, City Manager

Autumn Luna, City Attorney