



CITY OF MENIFEE

SUBJECT: Menifee Police Department Records Retention Schedule

MEETING DATE: July 17, 2024

TO: Mayor and City Council

PREPARED BY: Heriberto Gutierrez, Police Captain

REVIEWED BY: Chris Karrer, Police Chief

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Adopt a resolution, amending the City's existing records retention schedule to incorporate the Menifee Police Department.

DISCUSSION

On April 2, 2014, the City Council adopted Resolution No. 14-360, approving the City's first Record Retention Schedule. Additionally, the City Council adopted the most recent update to the City's retention schedule on May 1, 2019, by Resolution No. 19-783, prior to the incorporation of the Police Department. Per the adopted Resolutions, updates and amendments to the City of Menifee's Records Retention Schedule do not require further action by the City Council. However, due to the proposed retention schedule being the first of its kind, specifically addressing records management and retention for the Menifee Police Department (MPD), it is appropriate to bring the proposed retention schedule update to the City Council for review and approval.

The purpose of the proposed MPD records retention schedule is to establish policy and procedure for the management, preservation, and protection of the MPD's permanent, vital, and archival records; and to assign retention periods to records currently under the department's charge.

The proposed police department retention schedule reflects retention periods outlined within the Government Code, California Codes, federal laws, and is consistent with all legal requirements. The proposed retention schedule provides specific descriptions of records, retention periods, and applies current law, current and future standards and policies, and technology to the management group of the MPD's records. The proposed retention schedule encompasses the current and future needs of the Department's records. The attached MPD Retention Schedule reflects the proposed comprehensive approach to managing various MPD records.

The retention of records created and maintained by police departments and their respective cities is generally addressed by Government Code Section 34090, et seq. The statute establishes the authority of the City Council to adopt retention terms for records or copies of records. To implement the provisions of Government Code 34090, et seq., the legislative body must adopt a resolution to approve the disposition of records, with the consent of the City Attorney, as identified in the proposed schedule.

Staff will follow all applicable laws, including any changes, updates or revisions to State mandates to ensure that the MPD is in compliance with its schedule. The resolution requires updates and amendments to be approved by the City Manager, City Attorney, and City Clerk.

The proposed Menifee Police Department retention schedule would increase operational efficiencies and the City may realize potential cost savings related to the management of City and Department records. The proposed retention schedule identifies the terms for retention and related statutory references that support staff's recommendations. The proposed retention schedule has been reviewed by the City Attorney and conforms to the legal requirements set forth by California law.

No document described in the proposed retention schedule shall be destroyed if the police department has received correspondence pertaining to a complaint in a civil action. However, immediately following the final resolution of the civil action, records subject to the action may be destroyed.

STRATEGIC PLAN OBJECTIVE

Safe and Vibrant Community

FISCAL IMPACT

There is no fiscal impact associated with the recommended action. Any potential cost savings related to increased operational efficiencies are not able to be estimated at this time.

ATTACHMENTS

1. Resolution
2. Retention Schedule