



AGENDA REPORT

Meeting Date: November 13, 2007
Item Number: F-13
To: Honorable Mayor & City Council
From: David Snowden, Chief of Police
Subject: A RESOLUTION OF THE COUNCIL OF THE CITY OF BEVERLY HILLS AUTHORIZING THE DESTRUCTION OF VIDEO AND ELECTRONIC IMAGES MAINTAINED BY THE POLICE DEPARTMENT
Attachments: 1. Resolution

RECOMMENDATION

Staff recommends that the City Council adopt the resolution delegating authority to the Chief of Police to approve the destruction of videotape recordings and/or digital/electronic recordings.

BACKGROUND

The attached resolution delegates to the Chief of Police the authority to destroy recordings of video monitoring and/or digital/electronic recordings.

DISCUSSION

Government Code Section 34090.6 provides that a city may, after one year, destroy recordings of routine video monitoring maintained by a city department. Destruction is to be approved by the legislative body and with the written consent of the city attorney. In the event that the recordings are evidence in any claim filed or any pending litigation, the recordings shall be preserved until pending litigation is resolved. In order to provide for a systematic and efficient procedure for the destruction of videotape recordings and digital videos, the City has adopted an Administrative Regulation that sets forth the procedures for such destruction. The procedures includes review by the City Risk Manager, City Manager and the City Attorney to ensure that recordings that are evidence in any claim filed or any pending litigation are preserved as required by the Government Code.

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The proposed resolution will delegate to the Chief of Police the authority to destroy the videotape recordings and or digital/electronic recordings. This is similar to the authority the Chief of Police already has for tape recordings.

FISCAL IMPACT

There is no fiscal impact related to the adoption of this Resolution.



David Snowden, Chief of Police

RESOLUTION NO 07 - _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
BEVERLY HILLS AUTHORIZING THE DESTRUCTION OF
VIDEO AND ELECTRONIC IMAGES MAINTAINED BY THE
POLICE DEPARTMENT

The City Council of the City of Beverly Hills hereby resolves as follows:

Section 1. Government Code Section 34090.6 provides that a city may, after one year, destroy recordings of routine video monitoring maintained by a city department. Destruction is to be approved by the legislative body and with the written consent of the city attorney. In the event that the recordings are evidence in any claim filed or any pending litigation, the recordings shall be preserved until pending litigation is resolved.

Section 2. To provide for a systematic and efficient procedure for the destruction of videotape recordings and digital videos, the City has adopted an Administrative Regulation that sets forth the procedures for such destruction. The procedures includes review by the City Risk Manager, City Manager and the City Attorney to ensure that recordings that are evidence in any claim filed or any pending litigation are preserved as required by the Government Code.

Section 3. In order to implement the above referenced Administrative Regulation, the City Council hereby delegates to the Chief of Police the authority to approve the destruction of video and/or digital/electronic recordings maintained by the Police Department after 13 months of recording such images; provided further, where such recordings are evidence in any claim filed or any pending litigation, such recordings shall be preserved until pending claim or litigation is resolved as determined by the Rick Manager and/or City Attorney.

Section 4. Prior to destruction, the Chief of Police shall have the written approval of the City Manager and the City Attorney to destroy video and/or digital/electronic recordings more than 13 months old in accordance with the Administrative Regulation adopted by the City.

Section 5. This resolution shall be a continuous authorization to destroy all such recordings, subject to the time requirements and litigation exceptions as stated herein.

Section 6. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and the City Clerk's certification to be entered in the Book of Resolutions of the Council of this City.

Adopted:

CITY OF BEVERLY HILLS
A municipal corporation

JIMMY DELSHAD
Mayor of the City of
Beverly Hills, California

ATTEST:

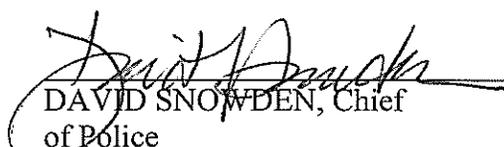
BYRON POPE (SEAL)
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER

APPROVED AS TO CONTENT:



DAVID SNOWDEN, Chief
of Police