
 POLICIES AND PROCEDURES MANUAL	<i>Section:</i> City Clerk	<i>Department Head:</i> Maryanne Schrader, City Clerk
	<i>Subject:</i> Public Records Request Workflow	<i>City Manager Approval:</i> 
Policy Title: Public Records Policy and Procedure	Policy Number: CC- 33 - 02	Effective Date: 1/31/2023

SECTION 1. REFERENCE/DEFINITIONS.

1.1 Florida Statutes, Chapter 119, Section 07 (§119.07 F.S.) The statutory obligation of the City of Crestview is to provide access or copies of a public record.

1.2 Public Records - Documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency, in compliance with Florida Statutes. (Subject to legal interpretation by Florida Courts)

1.3 Actual cost of duplication - Cost of the material and supplies used to duplicate the public record but does not include labor cost or overhead cost associated with such duplication.

1.4 Custodian - The elected or appointed City officer charged with the responsibility of maintaining the public records, or his or her designee. The Records Management Officer for the City of Crestview is:

Maryanne Schrader, MMC, MA, City Clerk
 198 N. Wilson Street, Crestview, Florida 32536
cityclerk@cityofcrestview.org
 850 682-1560 Option 2

SECTION 2. PURPOSE

2.1 To set forth consistent policy and procedure, in compliance with public records laws, to safeguard the integrity of records and provide public access to non-exempt public records.

SECTION 3. POLICIES & PROCEDURES

3.1 The State of Florida has determined that providing access to public records is a statutory duty imposed by the Legislature under Chapter 119, upon all record custodians and should not be considered a profit-making or revenue-generating operation. The supervision and safekeeping of

records is one of the prime duties that custodians assume when they take office, and the law fixes no compensation for such duties.

3.2 Every person who has custody of a public record shall permit the record to be inspected and examined by any person desiring to do so, at any (1) reasonable time, (2) under reasonable conditions, and (3) under supervision by the Records Management Officer or their designee.

a) A waiting period may not be imposed before allowing access to public records. “Reasonable time” is that time allowed the custodian to retrieve the record and redact those portions that are exempt per statute.

b) If satisfying the request immediately would unduly interfere with the operation of the department, the custodian will arrange a mutually satisfactory time for fulfilling the request. This will vary according to the number of records requested, the number of years being reviewed, the department’s filing system, storage of the records, etc.

c) “Reasonable conditions” do not refer to conditions that must be fulfilled before review is permitted, but to reasonable regulations that would permit the custodian of the records to protect them from alteration, damage, or destruction.

3.3 When a request is made to inspect or duplicate a record:

- 1) Individuals are not required to identify themselves or make the request in person, in writing or in any other particular format, nor give a reason for such request.
- 2) Individuals may not be denied access to records due to the lack of specifics of the record they wish to inspect or copy.
- 3) While written requests *are not required*, the City Clerk has developed internal instructions for written requests in the duplication of public records.

a. Public Records Request portal is the convenient method of requesting records utilizing the website at <https://city-of-crestview-fl.nextrequest.com/>. Forms are also available *upon request* in the office of the City Clerk for the convenience of the public and to accurately compile the requested record(s).

b. Requests received by telephone or other verbal communication will be recorded on the Public Records Request form by the clerical staff member receiving the verbal request to ensure the request was received accurately.

- 4) The City is not required to produce a record that does not exist, nor required to produce records in a particular form or format if the records are not ordinarily created, filed, produced, maintained, or used in that form by the City.

- 5) Staff is not required to verbally provide information from records. The statutory obligation of the City is to provide access to, or copies of the public records being requested.
- 6) If any attorney requests the examination or duplication of records or information on which a lawsuit is pending with the City, the City Attorney shall be contacted and advised of same. The City Attorney will determine the City's response to the request.
- 7) A fee may not be imposed for the mere inspection and examination of public records by the general public unless the nature or volume of the public records to be inspected is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance.

SECTION 4. FEES

4.1 Refer to the Comprehensive Fee Schedule, set by resolution.

4.2. For extensive clerical or supervisory assistance:

1) There shall be no charge for the first 30 minutes, as the word “extensive” has been defined to mean if it takes longer than thirty minutes to locate, review, redact, copy and or compile information.

2) If the nature of the volume of public records requested to be inspected, examined, or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the department or division involved, in addition to the actual cost of duplication, a special service charge may be imposed. The charge shall be reasonable and based upon the labor costs actually incurred or attributable to the City for the clerical or supervisory assistance required of such personnel providing the service, including the rate of pay, benefits, for the pay grade of each employee researching and compiling the information.

3) The estimated costs of extensive research and copying must be paid in advance. Any difference will be collected or refunded when materials are picked up by the requestor.