

RESOLUTION 2018-19

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DEFUNIAK
SPRINGS, FLORIDA FORMALIZING ITS EXISTING POLICY FOR
CHARGING COSTS TO COMPLETE REQUESTS FOR PUBLIC
RECORDS**

WHEREAS, under §119.07(4) Fla. Stat., the City may require payment of the costs of duplicating public records and, if the nature or volume of public records requested to be inspected, examined, or copied pursuant to the provisions of Chapter 119 of Florida Statutes is such that it requires extensive use of information technology resources or extensive clerical or supervisory assistance by City personnel, or any combination of such extensive efforts, the City may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based upon the labor cost actually incurred by the City personnel providing the service, and

WHEREAS, the City of DeFuniak Springs has followed a practice of charging costs and service charges for public records requests in accordance with existing Florida law; and

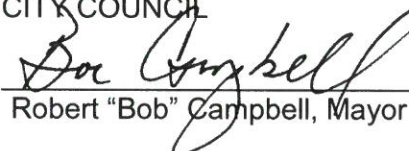
WHEREAS the City Council finds that it is in the best interest of the public to formally adopt said policy, with the additional clarifications herein, to implement § 119.07(4), Florida Statutes,

NOW THEREFORE, BE IT RESOLVED that the City Council adopts the following policy:

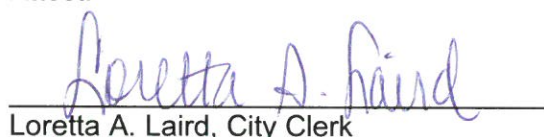
1. A charge of \$. 15 per page for standard single sided legal or letter size copies shall be imposed on all requests for duplication of records, or if special equipment or paper is required, including but not limited to, digital media storage devices in any format, the City shall charge the estimated actual cost of making the copies. Double sided copies shall be charged at a rate of \$. 20 per page.
2. In addition to the actual cost of materials and supplies, a special service charge will be assessed for providing information when the nature or volume of the records requested requires extensive use of information technology resources or extensive clerical or supervisory assistance by City personnel.
3. For the purposes of this policy "extensive" means that it will take more than thirty (30) minutes to locate, review for confidential information, redact as necessary, copy, and recompile/re-file the requested material. The special service charge will be computed to the nearest half hour, including the initial thirty (30) minutes, based on the current rate of pay, plus benefits and other labor costs, for the pay grade of each employee who performs the service and will be assessed regardless of the number of individual copies made.
4. The special service charge will also be assessed for the inspection of records when it requires oversight in excess of 30 minutes and prevents the employees who are doing the oversight from performing their regularly assigned duties.
5. Payment of estimated costs assessed pursuant to paragraphs 2 and 3 above must be received before a records search is begun and before copies will be provided. When the precise amount of the service charge or copy charge cannot be calculated in advance, the charge will be assessed incrementally as needed.
6. City staff, shall, at the time of acknowledgment of the receipt of a request pursuant to Chapter 119 of Florida Statutes, attempt to prepare a cost estimate, and provide that to the requestor, who shall be given the opportunity to proceed with the original request, make amendments thereto, or cancel the request. No cost estimate provided hereunder shall be deemed binding, and costs may exceed that estimate.
7. This Resolution shall be effective immediately upon execution.

ADOPTED this 13th day of August, 2018.

CITY OF DEFUNIAK SPRINGS, FLORIDA
CITY COUNCIL


Robert "Bob" Campbell, Mayor

Attest:


Loretta A. Laird, City Clerk