



<p style="text-align: center;"><b>City of Marco Island</b></p> 	<b>ADMINISTRATIVE POLICIES AND PROCEDURES MANUAL</b>		<b>SUBJECT: PUBLIC RECORDS POLICY AND PROCEDURES</b>	
	<b>NUMBER PER-17</b>	<b>REVISIONS 0</b>	<b>EFFECTIVE DATE: January 11, 2024</b>	<b>PAGE 1 OF 4</b>
	<b>APPROVED BY:</b>		 <b>Michael A. McNees, City Manager</b>	

## PURPOSE

To provide 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.

## DEFINITIONS

**FLORIDA STATUTES, CHAPTER 119, SECTION 07 (§119.07 F.S.).** The statutory obligation of the City is to provide access to, or copies of, the public records being requested.

**PUBLIC RECORDS .** Documents, papers, letters, notes, 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.

**ACTUAL COST OF DUPLICATION -** The cost of the material and supplies used to duplicate the public record but does not include labor costs associated with such duplication.

**EXTENSIVE RESOURCES.** Requires more than 30 minutes of resources (City of Marco Island's standard) to locate, review for exempt/confidential information, copy and refile the requested material.

**CUSTODIAN -** The elected or appointed City officer charged with the responsibility of maintaining the office having public records, or his or her designee. The custodian of records for the City of Marco Island is:

**Joan Taylor, City Clerk, Custodian of Records**  
**City Hall, 50 Bald Eagle Dr., Marco Island, FL 34145**  
**publicrecords@cityofmarcoisland.com**  
**Telephone: 239-389-5010**

## POLICY AND PROCEDURES

The State of Florida has determined that providing access to public records is a statutory duty imposed by the Legislature upon all record custodians and should not be considered a profit-making or revenue-generating

Records custodians or clerical staff members are 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.

Records custodians or clerical staff members are not required to produce records in a particular form or format as demanded by the requestor, nor tailored to the requestor's specific needs, if the records are not ordinarily created, filed, produced, maintained, or used in that form by the City.

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.

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.

## **FEES**

### **Uniform fees for copies, per page, are as follows:**

14" x 8 1/2" or less, one-sided .....	\$0.15
14" x 8 1/2" or less, two-sided .....	\$0.20
Flash drive/ USB .....	\$5.00
Certified copies, per page, in addition to copy fee .....	\$1.00 + duplication fee
Audio and Video Recordings.....	\$ Actual Cost of Duplication plus administrative fees.
Outside Reproduction.....	\$ Actual Cost of Duplication plus administrative fees.

Admin Fee plus the actual cost incurred by the City for the reproduction if outside production is required for duplication of larger, specialty records.

## **EXTENSIVE CLERICAL OR SUPERVISORY ASSISTANCE**

There shall be no charge to the public for the first 30 minutes of work. The word "extensive" has been defined by Florida State Statute 119.07(4)(d).to mean longer than 15 minutes. The City of Marco Island has defined "extensive" as 30 minutes.

A custodian must produce the records requested regardless of the number of documents involved or possible inconvenience. 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 use of information technology, or supervisory assistance required of such