



**CITY OF SEBASTIAN
RECORDS MANAGEMENT
POLICIES AND PROCEDURES MANUAL
2014**

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Listed below are links to current State laws and administrative codes all City personnel should become familiar with as well as information provided regarding records management best practices provided by the Florida Department of State Division of Library and Information Services.

Florida Department of State – Division of Library and Information Services – Information for Records Managers

http://dliis.dos.state.fl.us/index_RecordsManagers.cfm

Chapter 119 Florida Statutes (Public Records)

<http://www.flsenate.gov/Laws/Statutes/2013/Chapter119>

Section 257.36 Florida Statutes (Records and Information Management)

<http://www.flsenate.gov/Laws/Statutes/2013/Chapter257>

Chapter 1B-24.001 Florida Administrative Code (General Public Records Scheduling/Dispositioning) and Chapter 1B-24.003 Florida Administrative (Records Retention Scheduling and Dispositioning)

<http://dliis.dos.state.fl.us/barm/rules/1B24FAC.cfm>

Chapter 1B-26.003 Florida Administrative Code (Electronic Recordkeeping)

http://dliis.dos.state.fl.us/barm/rules/1B26_003FAC.cfm

The Basics of Records Management

<http://dliis.dos.state.fl.us/barm/handbooks/basics.pdf>

State of Florida Records Schedules

GS1-SL (State & Local Government Agencies)

http://dliis.dos.state.fl.us/barm/genschedules/GS1-SL-2013_Final.doc

GS2 (Law Enforcement)

<http://dliis.dos.state.fl.us/barm/genschedules/GS2-2008-Rev2010.doc>

GS3 (Elections)

http://dliis.dos.state.fl.us/barm/genschedules/GS3_2012.doc

City Retention List (provided under separate cover)

Introduction to Records Management - Overview of Florida Statutes and Administrative Code (FAC) Provisions

Florida Statutes Chapter 119 provides that records of public agencies are open to public inspection and defines public records as *“all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency”*.

Florida's records management program promotes the efficient, effective, and economical management of public records. Proper records management ensures that information is available when and where it is needed, in an organized and efficient manner, and in an appropriate environment.

Records management is more than retention, storage, and disposition of records; it entails all record-keeping requirements and practices that allow an organization to establish and maintain control over information flow and administrative operations. Florida's records management program is authorized by Section 257.36, Florida Statutes and applies to public records as defined in 119.011(12), F.S.

Records management seeks to control and manage records throughout their life cycle, from their creation through active use, inactive storage, and final disposition. Managing records provides space savings, reduced expenses for filing equipment, increased efficiency of information retrieval, compliance with records retention requirements, identification and protection of vital and historical records, and control over creation of new records. FS 119, FS 257.36 and FAC rules provide the following:

- Access to public records is a right of any individual and providing access to public records is a duty of each public agency
- Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records
- Establishes maximum fees for public records requests charged by public agencies
- Anonymity is the right of any requestor of public records and public agencies may not require written requests for public records
- Certain records as set out in FS 119.071 may be considered confidential or exempt and may not be disclosed except to designated individuals/agencies or may need to be redacted prior to disclosure
- Electronic records (email, text, message) must be treated in the same manner as paper records and based on content of the message
- Each Agency shall appoint a Records Management Liaison Officer (RMLO)
- All public records must be maintained in the building in which they are ordinarily used
- Insofar as practicable, a custodian of public records of vital, permanent, or archival records shall keep them in fireproof and waterproof safes, vaults, or rooms fitted with noncombustible materials and in such arrangement as to be easily accessible for convenient use
- The State of Florida Division of Library and Information Services of the Department of State provides rules to establish retention schedules and a disposal process for public records
- The record (master) copy of a public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division.
- Duplicate copies of all records, called OSA (obsolete, superseded, or administrative value lost) by the State, can be destroyed without documentation.

City of Sebastian Records Management Policies and Procedures

Policy 1: Appointment of Records Management Liaison Officer

The City shall appoint a Records Management Liaison Officer (RMLO) in accordance with Florida law, and the RMLO shall serve as the agency contact with the State of Florida, coordinate the City’s Records Management Program, coordinate and accommodates public records requests, and file annual compliance reports to the State of Florida.

Procedure:

The City in Chapter 2.2 of the Code of Ordinances has appointed the City Clerk as RMLO for general administration and the Chief of Police as the RMLO for law enforcement records.

Policy 2: Records Management Committee

A Records Management Committee consisting of at least one representative of each department shall be formed and meet periodically to coordinate records management practices and to disseminate records management information back to each of their respective department’s staff and new hires.

Procedure:

Each department will assign a staff member as the department’s “Records Management Liaison.” This staff person shall be a member of the Records Management Committee. Members of the Records Management Committee will meet on an as-needed basis to review records laws and best management practices as well as formulate new procedures. The Records Management Committee members will educate other personnel within their departments on the importance of records management and they shall administer their department’s records through the City Clerks Office.

Records Management Committee Members

GENERAL ADMINISTRATION		
CITY CLERK		Sally Maio (RMLO)
		Jeanette Williams
		Records Clerk
ADMINISTRATION SERVICES	FINANCE DIVISION	Nancy Veidt
		Jennifer Smith
	HUMAN RESOURCES DIVISION	Vaunette Davis
	MIS DIVISION	Barbara Brooke-Reese
CITY MANAGER		Jean Tarbell
COMMUNITY DEVELOPMENT	AIRPORT DIVISION	Joe Griffin
	BUILDING DIVISION	Linda Lohsl
	PLANNING DIVISION	Jan King
GOLF COURSE		Joy Green
PUBLIC WORKS	GENERAL PW	Linda Kinchen
	FLEET MANAGEMENT	Debbie Abreu
LAW ENFORCEMENT	PD ACCREDITATION	Chief Michelle Morris (RMLO)
	PD PERSONNEL	Debra Curry
	PD 911-AUDIO REQUESTS	Gloria Brown
	PD RECORDS	Qwontrae (Shawn) Sands
	CODE ENFORCEMENT	Susan Lorusso

Policy 3: Citywide Inventory – Location of Record (Master) Copy

The Records Committee members will inventory the records in their department and then meet to determine which department is maintaining the record (master) copy of each record type, and what departments are maintaining duplicates of that record, and then determine if retention of duplicates is necessary. The ultimate goal will be a citywide records inventory.

The Committee will also determine whether record (master) copies are being maintained too long in accordance with established Records Retention Schedules. Maintaining certain documents that have archival value beyond the State specified retention time may be important to City management and it is then appropriate to maintain the records, however, if the agency retains those records and there are public records requests for those records, the agency must provide them if and when requested.

Creating a good inventory will assist in all agency personnel knowing where a record can be obtained and will assist with best management practices for public records requests.

Policy 4: Public Records Requests and Fees

City personnel shall provide public records in accordance with Florida law in a reasonable time to the very best of our ability. The City will establish a fee schedule in accordance with Florida law, including imposition of a special charge if the nature or 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 Charter office involved, in addition to the actual cost of duplication.

The City is not required by law to generate or create documents in response to requests for records. If there are records that in total will satisfy the request, provide them, but you are not required to consolidate information into a report to satisfy a request for public records. In certain circumstance it may be the directive of the City Manager to do so to satisfy an inquiry.

Whenever feasible and a request is not extensive, we will provide records which are stored in Laserfiche or other electronic format by e-mail at no cost or advise requestors where they can locate the record on-line.

Procedure: All public records requests whether written or verbal (*EXCEPT those that are simple requests for copies of documents which a department has in their possession and knows without question contain no confidential or exempt information*) shall be initiated through the City Clerk's office via the RMLO, i.e. City Clerk for general administration or Chief of Police for Law Enforcement matters or Law Enforcement personnel or their designees. Public Records requests will be forwarded by email to the appropriate department(s), and the RMLO will keep the City Manager and City Attorney informed as appropriate. If a request is verbal and the individual has requested anonymity, the name shall remain confidential.

If a department is asked for a copy of something that they keep in their office and can provide it immediately and the department liaison is sure there is no confidential or exempt information in the document, provide it. If a department is asked for records and it is deemed to be beyond something described above, forward the request to the City Clerks office or PD as appropriate. The RMLO or designee will prepare a written request to department(s) seeking the requested information, with cc to the City Manager and City Attorney, with or without the name of the requestor as disclosed or not disclosed. The records held by any of those departments should be forwarded to the City Clerks office for compilation to provide to the requestor. If a department

does not have any of the records requested they should acknowledge that as well. The records will then be reviewed for confidentiality or exemption, redacted accordingly, and provided to the requestor in a reasonable time with the fee as set out in our fee schedule. Copies of records provided through records request shall be retained for one year in accordance with FL law.

If someone asks for information that would require you to create a record in response to the request or asks questions in regard to the requested records, you are not required by law to create a new record to meet the request and you are not required by law to answer questions about records being requested. The City Manager may direct that a report be compiled to comply with a public records request, but State law does not require it.

Fees for Public Records: Florida Statutes Section 119.07 sets out appropriate fees for records inspection, examination and duplication which includes extensive use of technology, resources or extensive clerical or supervisory assistance by personnel of the agency. Please become familiar with FS 119.07 (1) (a) and (b).

In keeping with FS 119.07 (1), the City has adopted the following fees and extensive use policy.

PAPER COPIES	
One-sided copy of 8 ½ x 11 or 8 ½ x 14 or 11 x 17	\$.15
Two-sided copy of 8 ½ x 11 or 8 ½ x 14 or 11 x 17	.20
Certification of Record	1.00
Large Maps (per page)	5.00
ELECTRONIC COPIES	
Emails, Data Files that can be emailed to requestor	No charge
Audiotapes	3.00
DVDs or CDs	5.00
Shipping & Handling	Actual Cost
EXTENSIVE USE OF INFORMATION TECHNOLOGY RESOURCES	
Over 30 minutes (see policy below)	Actual Cost of lowest paid staff

If the nature or volume of public records requested is 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 Charter office involved, in addition to the actual cost of duplication, a special service charge may be imposed. The actual charge shall be reasonable and based upon the labor costs actually incurred or attributable to the City for the clerical and supervisory assistance required of such personnel providing the service.

The amount to be charged shall reflect the actual hourly rate of the individual providing the service. In keeping with the City of Sebastian's commitment to provide open access to public records, there will be no special service charge for requests requiring thirty (30) minutes or less in actual labor. However, when a person requests public records which require more than thirty minutes in actual service to locate, review for confidential information, copy and re-file requested public records, the person will be charged for all time expended above thirty minutes. Based upon the length of time estimated to provide the service and the cost of copying, a reasonable deposit may be collected prior to the cost actually being incurred. Monies collected exceeding the actual cost of assistance and copying shall be returned to the person requesting the public records.

Nothing herein shall prohibit the City from providing free copies of public records to the news media,
03-20-2014

government agencies, and public service groups for purposes of disseminating information to the public, such as, copies of City newsletters, City Council and other City board agendas, and press releases. Whenever feasible and the request is not extensive, we will provide records which are stored in Laserfiche or other electronic database by e-mail at no cost or advise requestors where they can locate the record on-line.

Policy 5: Electronic Records and Media (Laserfiche, Databases, Emails, Texts)

All records scanned onto electronic media will be tested periodically by City Clerk staff and MIS. MIS will run a system backup and store the backup off site. This supersedes State law requirement to test all imaged documents every 10 years. (This does not include audio and video tapes)

As much as is reasonably possible, permanent and long term records will be scanned to Laserfiche or any other approved database which is a part of the City's network, and the electronic version may become the record (master) copy. All departments will be encouraged to begin using Laserfiche as soon as reasonably and financially able.

Each department will maintain and update their Outlook emails routinely and in a timely manner to move them to Outlook public folders set up by the MIS Division so they can be retained in accordance with retention laws and to make them available to public view on the public computer located in the Clerks' Office. Emails do not have a separate retention type, but are based on their content. If an email is personal and contains no city business, it is not public record and should be destroyed and not moved to Outlook public folders. If an email is considered OSA (obsolete, superceded, or administrative value lost) it may be deleted as soon as it becomes OSA. (*Example – email to invites someone to a seminar, meeting, lunch, etc. and contains no other content that would make it meet any other description in State Retention Schedules, can be deleted*)

City Cell phones issued to staff and Council do not currently have text capability. When and if that changes, a policy on retaining text messages will need to be established.

Policy 6: Records Retention Schedules – City Retention List

The State of Florida provides retention schedules for use by various agencies. The City shall utilize Retention Schedules GS1-SL for general administration, GS2 for Law Enforcement, and GS3 for Election Records. Any retention schedule that deviates from the established State retention schedules has to be approved by the State of Florida.

Procedure: All City personnel shall become familiar with retention schedules and in an effort to provide easier access and knowledge of proper retention of various records, there has been created a City Retention Schedule that complies with the State retention schedules but sets out the familiar name by which the City personnel refers to records, matches them with the State name, and lists the departments which may keep those record types. This list will be provided to Departments in word format for searching and updated as State retention schedules are updated.

Policy 7: Records Storage, Disposition & Destruction, Annual Compliance

In 2001, Florida Law was changed to provide that agencies need not seek State approval for destruction of individual records, as was the past process, but we must still comply with Florida records law relative to disposition and destruction which is covered in the Florida Administrative Code as follows:

1B-24.003(10) Agencies shall ensure that all destruction of records is conducted in a manner that safeguards the interests of the state and the safety, security, and privacy of individuals. In destroying records containing information that is confidential or exempt from disclosure, agencies shall employ

destruction methods that prevent unauthorized access to or use of the information and ensure that the information cannot practicably be read, reconstructed, or recovered. The agency shall specify the manner of destruction of such records when documenting disposition. Where possible, recycling following destruction is encouraged.

(a) For paper records containing information that is confidential or exempt from disclosure, appropriate destruction methods include burning in an industrial incineration facility, pulping, pulverizing, shredding, or macerating. High wet strength paper, paper mylar, durable-medium paper substitute, or similar water repellent papers are not sufficiently destroyed by pulping and require other methods such as shredding or burning.

(b) For electronic records containing information that is confidential or exempt from disclosure, appropriate destruction methods include physical destruction of storage media such as by shredding, crushing, or incineration; high-level overwriting that renders the data unrecoverable; or degaussing/demagnetizing.

(c) For other non-paper media containing information that is confidential or exempt from disclosure, such as audio tape, video tape, microforms, photographic films, etc., appropriate destruction methods include pulverizing, shredding, and chemical decomposition/recycling.

(d) Agencies shall not bury confidential or exempt records since burying does not ensure complete destruction or unauthorized access.

Procedures: All records disposition forms will flow through the City Clerk, RMLO for general administration or Chief of Police, RMLO for Law Enforcement records or their designees. Records destruction is handled through the City Clerks office via a recycling contractor which provides on-site shredding services.

All records transmitted for storage in the Clerks office must be in a 1.5 cubic foot box and include a completed “*Records Transfer Form*” and a “*Records Disposition Form*” with a box label affixed to the front of the box indicating records description, date range, records series and number, destruction date and volume. A records volume guide is at the back of this manual in FORMS.

Electronic records, prior to destruction (deletion) which have retention must also have a completed “*Records Disposition Form*” indicating records description, date range, records series and number, and destruction date,. before they can be deleted.

No record (master) copy shall be destroyed without a completed disposition form submitted to the City Clerk’s office and which includes all required information and the signatures of the Department Head, Department Liaison, RMLO and witness, and has been reviewed and determined to meet retention.

In addition to records that have met retention and are properly documented, duplicate paper records and other OSA paper records shall be destroyed only by utilizing the recycling bins located in four locations in City Hall and PD for monthly on-site recycling. Please do not use waste receptacles since Florida law prohibits this method of records destruction. Records destruction for documented records shall be witnessed by City Clerk staff.

Records disposition forms are considered permanent records in accordance with State law and MUST be retained permanently. The City Clerks office has scanned all records disposition forms.

State law requires that each RMLO shall file an annual Records Disposition Compliance Form with the State of Florida Department of State, Division of Library and Information Services. The City Clerk (general administration) and Chief of Police (law enforcement records) are provided

with and submit those forms annually.

Policy 8: Vital Records

Vital records are an integral part of the Records Management Program for the City of Sebastian. Vital records are those records which are critical to the continuation of government under crisis or emergency conditions, and to allow us to return to normal operations in a post-emergency situation.

The City should establish a Vital Records Program as part of its Emergency Management Plan.

Some examples of vital records are, but not limited to, the following:

Computer Backups

Personnel Records

Payroll Records

Financial Records

Accounts Payable/Receivable

Agreements

Permanent Records of the City

Cemetery Records

Property Deeds

Policy 9: Exempt and Confidential Records and Requirement to Establish a Social Security Number Collection Policy

FS 119.071 General Exemptions provides for exemptions and confidential status for many records held by a public agency, and all City personnel who deal with public records dissemination should become familiar before they release any record to any requestor. The Government in the Sunshine Manual produced by the First Amendment Foundation, goes into great detail on Exempt and Confidential Records or you can simply refer to FS 119.071. Portions of certain records must be redacted where there is exempt or confidential information included in the record and some records may not be able to be disclosed at all under certain circumstances.

The State of Florida set out a specific policy on collection and disclosure of social security numbers in 2007, requiring agencies to adopt a policy. The City of Sebastian recognizes that an individual's social security number is a unique form of identification that can be utilized to obtain sensitive information regarding that particular individual, however, the City must collect social security numbers under certain circumstances in order for the City to be able to properly perform its duties and functions as a municipal corporation and in order to ensure that such duties and functions are performed accurately and efficiently.

City of Sebastian Social Security Collection Policy:

THE CITY OF SEBASTIAN COLLECTS YOUR SOCIAL SECURITY NUMBER ONLY FOR THE FOLLOWING PURPOSES:

- **PERSONNEL MATTERS:**
 - New Hire Processing for Identification and Tax Purposes
 - Volunteer Processing
 - Benefits Processing
- **BUSINESS TRANSACTIONS:**
 - Vendor Credit and Qualification
 - Tax Reporting
- **REGULATORY MATTERS**
 - Contractor Licensing
 - Business Tax Receipts
- **PUBLIC SAFETY**
 - Police Investigations
 - Security Card ID Verification

Each individual who provides a social security number to the City of Sebastian shall be provided with a copy of this statement in compliance with 119.071(5) FS (2013). Additional copies of this social security policy statement may be obtained by contacting City Hall, 1225 Main Street, Sebastian, FL 32958.



CITY OF SEBASTIAN - SOCIAL SECURITY NUMBER REQUEST FORM

Florida Statutes 119.071 (5) (a) 7. a. (I) and (II) and 7.b. provide regulations for agencies to provide commercial entities (any corporation, partnership, limited partnership, proprietorship, sole proprietorship, firm, enterprise, franchise, or association that performs a commercial activity in this state) with social security numbers for specific commercial activities (verification of the accuracy of personal information received by a commercial entity in the normal course of its business; use for insurance purposes; use in identifying and preventing fraud; use in matching, verifying, or retrieving information; and use in research activities, but does not include the display or bulk sale of social security numbers to the public or the distribution of such numbers to any customer that is not identifiable by the commercial entity) when requested in writing by the commercial entity, and report same annually to the State of Florida.

Commercial entity name (corporation, partnership, limited partnership, proprietorship, sole proprietorship, firm, enterprise, franchise, or association that performs a commercial activity in this state):

Commercial entity business mailing address:

Commercial entity business location address:

Commercial entity telephone number:

Statement of specific purpose for which you need the SSNs and how the SSNs will be used in the performance of your commercial activity (see above for legitimate purposes set out by FS 119.071) Any person who makes a false representation in order to obtain a social security number pursuant to this paragraph, or any person who willfully and knowingly violates this paragraph, commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083. [FS 119.071 (5) (a)]

Under penalties of perjury, I swear or affirm that the facts stated herein by me in this document are true.

Legible signature of AUTHORIZED officer, employee or agent of commercial entity and title Date

Printed Name: _____

State of Florida
County of Indian River

Before me personally appeared _____ who provided _____ as identification or is personally known to me and who signed the above document on _____.

Notary Public
State of Florida

SEAL

My Commission Expires:

FORMS FOR RECORDS STORAGE:

BOX LABEL

PAPER RECORDS DISPOSITION FORM

ELECTRONIC RECORDS DISPOSITION FORM

VOLUME GUIDE