



City of Vero Beach

Records Management Handbook

**Prepared by the City Clerk's Office
December 2013**

City of Vero Beach *Records Management Handbook*

Table of Contents

| | |
|---|---|
| Introduction | 1 |
| What is Records Management? | 1 |
| Benefits of a Good Records Management Program | 2 |
| City of Vero Beach Records Management Policy | 2 |
| Records Management Liaison Officer | 3 |
| General Procedures for Records Management | 3 |
| General Procedures for Record Requests | 4 |
| Fee Schedule | 5 |
| Rules and Procedures for E-Mail | 6 |
| Terms and Definitions | 8 |

Introduction

Florida law establishes a Bureau of Archives and Records Management within the Division of Library and Information Services of the Department of State. The Bureau has the statewide responsibility to promote the economical and efficient management of public records. It oversees the management of state and local government records throughout their life cycle, including creation, use, and final disposition. The Bureau is also responsible for the preservation of records that have permanent or long-term historical research value. Chapter 257 of the Florida Statutes outlines the duties and responsibilities of the Bureau, while Chapter 119 governs the administration of public records in general.

It is the duty of each agency, such as the City of Vero Beach, to cooperate with the Bureau of Archives and Records Management in complying with the provisions of Chapter 257, to designate a Records Management Liaison Officer, and to establish and maintain an active and continuing program for the economical and efficient management of records. The City of Vero Beach has designated the City Clerk as the Records Management Liaison Officer and established a position entitled Records Retention Specialist. This manual has been prepared by the City Clerk's Office to assist all City Departments with the proper management of the City's records in compliance with Florida State Statutes and to set out administrative procedures for the proper handling of all City records received, created, or compiled by City employees.



What is Records Management and Why is it Necessary?

Records Management is a function of administrative management concerned with the creation, processing, maintenance, protection, retrieval, retention, preservation, and disposition of records and recorded information. Records Disposition Management is paperwork management aimed at the systematic, timely, and effective disposal or removal of obsolete or inactive records from expensive office space and the effective, but economical, preservation of records.

Effective record management will allow an agency to maintain records from the time of their creation to their disposition, known as the Information Life Cycle.

Records Management is good business. Public officials are legally responsible for creating and maintaining records that document the transactions of government as it conducts business. These records provide evidence of the operations of government and accountability to its citizens. Public officials must maintain this information according to established retention requirements – regardless of the format in which they are kept (i.e. paper, microfilm, electronic records, magnetic tape, or digital optical disk).

Benefits of a Good Records Management Program

- Compliance with legal, administrative, fiscal, and historical retention requirements.
- Define retention values and allow for a systematic disposition process.
- Reduce the volume of records stored and need for storage space.
- Lower risk and exposure to litigation.
- Provide information and improve service to the citizens of Vero Beach, elected officials, and staff.
- Increased efficiency in retrieval of information.
- Identification and protection of vital records.
- Security for permanent and long-term records.

City of Vero Beach Records Management Policy

It is the policy of the City of Vero Beach that:

- The City Clerk's office will establish proper records disposition procedures and distribute them to all departments.
- The City will utilize the prepared State of Florida Records Retention Schedules for the proper disposition of its records and annually submit a proper compliance form to the Department of State, Bureau of Archives and Records Management.
- The City Clerk's office will coordinate with and educate all City personnel on the importance of public records laws and an efficient records management program.
- The City will have a contract with a records storage facility for the safe storage of permanent (historic/archival) and long-term original paper records.
- The City Clerk's office will maintain a vital records program so that in the event of a disaster, the City will be able to start up again with little trouble.
- The City Clerk's office will provide, as much as possible, an area for storage of boxes. Each department will be designated shelf space in our records warehouse for records with scheduled retentions.
- All Records Disposition Forms will flow through the Records Retention Specialist.

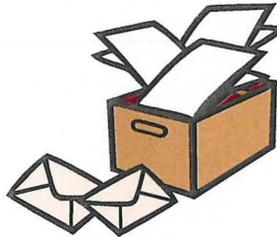
Records Management Liaison Officer (RMLO)

Florida Statutes 257.36(5) requires that governmental agencies appoint a Records Management Liaison Officer (RMLO) to establish and maintain an active and continuing records management program. As the RMLO, the City Clerk is responsible for the development of the City's records management program and making sure that records that are no longer needed are properly disposed.

RMLO Responsibilities:

- Serves as the primary point of contact between the agency and the Bureau of Archives and Records Management.
- Coordinates and accommodates public access requests.
- Conducts the agency's records inventory.
- Coordinates interagency records management training.
- Develops business procedures.

The RMLO assigns interagency coordination and records management practices to the Records Retention Specialist.



General Procedures for Records Management

Each department will be responsible for assuring that their public records are maintained and preserved according to Florida Statutes. They shall coordinate with the Records Retention Specialist to properly administer their departments' records in accordance with the appropriate Records Retention Schedule.

Florida Statutes 257.36(6) states that, "A public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division." Also, agencies must maintain internal documentation of records disposition including retention schedule number, retention schedule item number, records series title, inclusive dates, and volume (in cubic feet) of records destroyed.

Once a department feels their records are no longer needed to be stored in their building, they should forward them to the warehouse for storage or destruction. When records are boxed and ready, labels shall be applied prior to transmittal to the Records Retention Specialist clearly stating what department they are from and any special requests for retention. The Records Retention Specialist shall determine if the records in the box meet the requirements of the General Retention Schedule for either storage or destruction.

If records are needed to be retrieved from storage, the department should contact the City Clerk's office, who will either retrieve the records or arrange to meet someone at the warehouse to inspect the records.

Per City Charter, the City Clerk is the custodian of all the minutes of all the meetings of the City Council, and all the Boards, Commissions, Committees, and agencies of the City. Additionally, the City Clerk has been designated as the appointed position to maintain vital records of the City, including official contracts and agreements, which are kept in a safeguarded fireproof vault as well as off-site.

General Procedures for Record Requests

The City will provide public records in accordance with Florida laws in a timely manner to the best of our ability. All persons, telephone calls, and written correspondence requesting public records from City departments should be referred to the City Clerk, and all such records will be reviewed, picked up, and paid for through the office of the City Clerk.

Department Directors may develop internal instructions for the inspection or copying of records provided they do not conflict with the public records law or this policy. The Department Director will determine when requests for inspection or duplication of records are not routine in nature, and shall advise the City Clerk of said request. The City Clerk shall keep track of the requests, noting when the request came in, what is involved in answering the request, and shall ensure that the request for public inspection or duplication is handled sufficiently and in a timely manner.

Access to public records is a statutory right, and because of this, the City lacks the authority to limit access by a claim of interference with the day-to-day conduct of public business.

The City may not require that a party requesting records submit the request in writing or provide their name or address as a condition of inspecting documents. Also, if a request is verbal and asked to be anonymous, the request shall remain so.

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. The City Clerk's office will submit a request to the appropriate department(s).

The City is not required to generate or create documents if a request asks for documents that do not exist, or to provide them in a different format. Also, although required to provide the document for inspection, neither the City, nor any of its employees are required to answer questions regarding the documents.

Responding to a public records request applies only to the records that are in the City's possession at the time of the initial request. The City will not accommodate a standing records request for the production of records that may be received in the future.

According to Florida Statutes 119.07, 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 reasonable time, under reasonable conditions, and under supervision by the custodian of the public record or the custodian's designee.

Should any person making a request for public records from any department of the City feel that he/she is being restricted or circumvented from right of public access, said person shall make their request to the City Clerk for resolution.

Those individuals who provide copies to the public must be knowledgeable of the records that are exempt or confidential or that contain exempt or confidential information. For this reason, all requests should be referred to the City Clerk's office.

Fee Schedule

The City of Vero Beach follows Chapter 119, Florida Statutes in charging fees for copying the City's public records based on current statute limitations.

The fee for copies to be charged by all departments is as follows:

- | | |
|--|------------------|
| - 8½" x 11" or 8½" x 14" one-sided copies | \$ 0.15 per page |
| - 8½" x 11" or 8½" x 14" two-sided copies | \$ 0.20 per page |
| - Large blue-print size copy | \$ actual cost |
| - Certified Copy | \$ 1.00 |
| - Audio Tapes | \$ 3.00 each |
| - Video Tapes / DVD's | \$ 1.15 each |
| - Custom Map: Based on actual cost of the map, plus employee time to create. | |

Certain limited exemptions apply to copies made for Teamster members. The fee will be waived for up to ten copies. The City Clerk's office must be informed of this at the time the copies are made.

According to Section 119.07 (1)(b) F.S., 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, 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.

Procedures for Implementing Public Records Law and E-Mail

A) How the Law Affects City Employees

If an E-mail falls within the definition of public records, it may not be deleted except as defined in Chapter 119. Unless it falls within one of the specific exemptions described in the Public Records Statute, the City must produce that E-mail message to any person upon request. A person need not have a “legitimate” need for public records to be entitled to inspect them. Employees are not required to compose or create records when they do not currently exist.

B) Exemptions to the Public Records Law

State and Federal law exempts certain categories of documents from disclosure under the public records law. The exemptions that apply most often to City of Vero Beach records include:

- a. Certain documents involving personnel or personnel matters, which are confidential under Florida law.
- b. Attorney work-product and Risk Management files as provided under Florida law.

Before an E-mail is released pursuant to a public records request, any exempt information must be deleted from the E-mail, and the requester informed of the deletion (but not its content.)

C) Responding to a Public Records Request for E-Mail

All requests for E-mail should be forwarded to the City Clerk’s office. E-mail that does not fall within the definition of a public record should not be produced. E-mail that is a public record but contains exempt information should be produced but the exempt information must first be deleted or redacted. If in doubt as to whether an E-mail message is a public record or contains information, the department director or division manager should contact the City Clerk, who will consult with the City Attorney’s Office as necessary. The same fee schedule listed in this guide is applied to E-mail requests.

D) Retention Periods for Public Records

Retention periods for E-mail can be found in the State's General Records Schedule. E-mail files should be a part of the same destruction requirements as all other documents.

Retention of most E-mail records falls within the following two categories:

a) Retain for three fiscal years.

(1) General correspondence, sender's inter-department memoranda, and most fiscal and budget records.

b) Retain until obsolete, superseded, or administrative value is lost.

(1) Routine announcements and information including notices of seminars or workshops, queries regarding processes or ideas and general information regarding programs.

(2) Reference files that are general information files used in daily functions of the administrative area.

(3) Meeting notices, minutes, statistical records, reading files and recipient's inter-department memoranda.

Retention schedules are based on a record's informational content, not its format. E-mail that falls into the category of "retain until administrative purpose is served" may be deleted on a daily basis. E-mail that has a longer retention period (such as correspondence or sender's memoranda) must be kept through the three-year retention period, or other corresponding requirement.

E) Maintaining E-Mail Documents

Florida's public record law offers challenges to maintaining E-mail, mainly because E-mail documents are both informal and efficient. Most E-mail users prefer to reduce or eliminate the handling, filing and archiving tasks often associated with hard copy. Because of the differences in which E-mail and hard copy are used, many E-mail users do not have systems in place for periodically reviewing, storing or deleting E-mail.

Public record E-mail can be deleted after it has been retained for the correct time period as determined by the retention schedules. A public record that is stored and accessible after this time is still a public record and must be produced upon request. A systematic deletion program not only eliminates obsolete documents from the files, but also saves resources by not indefinitely and unnecessarily storing information beyond appropriate time lines.

While methods for reviewing, storing, or deleting E-mail vary, employees need to comply with the retention requirements by doing one of the following:

- a. Print the E-mail and store the hard copy in the relevant subject matter file as you would any other hard copy communication. Printing the E-mail permits you to keep all information on a particular subject matter in one central location, enhancing its historical and archival value. You must determine if incoming E-mail needs to be printed before being deleted from your system; or
- b. Electronically store your public record E-mail according to the conventions of your E-mail system and retain it electronically pursuant to the City's retention schedules.

The technical details and methods of storing, retrieving and printing E-mail depend on the E-mail system. Consult with the Information Systems Division, or your program manager, for details. Periodic backup of E-mail by Vero Beach Information Systems or by individual program managers is done under the City's disaster recovery plan. These backups are for recovery purposes only, not for historical archiving purposes. Starting in January, 2009, all incoming and outgoing City E-mail is archived using an E-mail archiving appliance. The archived E-mail can be searched by the City Attorney's or City Clerk's staff when needed to comply with public records requests and civil law e-discovery.



Terms and Definitions

Active Record – Documents and materials that are referenced frequently and stored in an easily accessible area.

Administrative Value – The usefulness of records for the conduct of current and/or future administrative business.

Archives – 1) Records that are selected for permanent preservation because of their historical value, but are no longer needed for everyday use; 2) The agency responsible for selecting, preserving, and making available records of permanent value; and 3) The place where archival records are kept.

Confidential Record – Record deemed confidential and not subject to public disclosure and may be released only to persons or entities specifically designated in a particular statute.

Cubic Foot – The volume of records, which will fill a space one foot wide by one foot long. This is the basic measurement used for records and archives.

Electronic Records - Refers to various technologies used for the storage and retrieval of e-mails, faxes, and/or other multi-media communications, including voice mail.

Exemption – a record or portion thereof, exempt from mandatory disclosure requirements which may or may not be released at a later time.

Files - A collective term usually applied to all records of an organization.

Filing System - The overall system whereby records are stored, including procedures, physical arrangement, classification system, and equipment.

General Records Schedule - A record retention schedule covering records common to several or all departments of an organization or units of governmental agency. “Retention requirements issued by the Division of Library and Information Services to establish disposition standards for public records common to specific agencies within the State of Florida, which state the minimum time such records are to be kept.”

Historical Records - Records that contain significant information about the past or present and are therefore worthy of permanent preservation and systematic management for research.

Historical Value – The usefulness of records for historical research concerning the agency or organization.

Inactive Records - Records that are used less than once a month, but which have not met their retention requirement. These records are suitable for off-site storage.

Obsolete Superseded or Administrative Value Lost (OSA) – Records that are duplicates or transitory and need not be documented for final disposition.

Permanent Records – Records which have a permanent administrative, legal, fiscal, research, or historical value and should be retained and preserved.

Public Records - According to Section 119.011 (1) of the Florida Statutes: “Public Records means 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 an agency.”

Records Center - A facility designed and constructed to provide low-cost, efficient storage and reference service of inactive records pending their final disposition.

Record (Master) Copy - The official copy of a record, usually created and maintained by the office primarily responsible for the information it contains.

Records Disposition - Planning and analysis to determine when a department's records are no longer needed for the day-to-day conduct of business; such determination to include planning for destruction, transfer to records center, scanning before destruction, and/or transfer to an off-site storage facility.

Records Inventory - A detailed listing of the volume, scope, and complexity of an organization's records in order to evaluate, appraise and organize the collection.

Records Management Liaison Officer (RMLO) - The individual assigned the responsibility within an agency for the full coordination of records management. The Records Liaison Representative coordinates these operations by working in close association with the City's Records Retention Specialist. This person serves as the contact person for the Division.

Records Retention Specialist - The individual within an organization who is assigned the responsibility for systematically and scientifically controlling the recorded information generated and received by the organization.

Records Retention Schedule - Standard guidelines approved by the Division of Library and Information Services that list records series and state what to do with the records, how long to maintain them, any special maintenance instructions, and procedures for disposing of them. The retention schedule informs you of the length of time that records have administrative, legal, fiscal or historical value. The City of Vero Beach utilizes the General Records Schedule GS1-SL, which is for State and Local Government Agencies, as well as GS14 for Public Utilities. General Records Schedule GS2 is used for Law Enforcement.

Records Series - A group of related public records arranged under a single filing arrangement or kept together as a unit because they consist of the same form, relate to the same subject or function, result from the same activity, document a specific type of transaction, or have some other relationship arising from their creation, receipt, or use.

Redact - To conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.

Retention Period - The minimum period of time that records must be kept according to legal, fiscal, administrative or historical requirements.

Retrieval - The recalling of records from storage in a records center or archives.

Transfer Box - A standardized container for the transfer from one Department to the City Clerk's office for off-site storage and/or destruction.

Vital Records - Records which are essential for the continuation of governmental functions and are needed to return to normal operations in a post-emergency situation.