




BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

ORGANIZATION: County Administrator's Office

FROM: Robert R. McLaughlin, County Administrator 

DATE: January 12, 2010

ISSUE: Adoption of a Resolution Establishing a Public Records Fee Schedule and Amending the Photocopying Fees Policy

RECOMMENDATION:

That the Board adopt the Resolution establishing a Public Records Fee Schedule; amending Section II, Part B.4 , Photocopying Fees, of the Escambia County Board of Commissioners Policy Manual; providing that with respect to public records, to the extent that there is a conflict with prior Fee Resolutions, this Resolution shall govern and providing for an effective date upon adoption.

BACKGROUND:

The County Administrator's Office has worked with the County Attorney's Office and all of the Bureaus/Offices under the Board of County Commissioners to develop a Resolution establishing a Public Records Fee Schedule and amending the Photocopying Fees Policy that accurately reflects the current legislative fee mandates and practices for responding to public records requests.

BUDGETARY IMPACT:

The revised Policy and Fee Schedule will provide an updated, uniform mechanism for all Bureaus/Offices under the Board of County Commissioners to address all charges associated with public records requests submitted to them for response.

LEGAL CONSIDERATIONS/SIGN-OFF:

All aspects of this Recommendation and accompanying documents have been reviewed and developed with the assistance of the County Attorney's Office

PERSONNEL: N/A

CW: 01-14-2010

RE: Photocopying Fees Policy, Fee Schedule, and Resolution

Date: January 12, 2010

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POLICY/REQUIREMENT FOR BOARD ACTION/DISCUSSION:

This recommendation is in compliance with Section I, Part A.1. of the Board's Policy Manual which requires that revisions or additions of policies be submitted to the Board for approval/adoption by a majority vote of the Board present.

IMPLEMENTATION REQUIREMENTS:

Upon adoption/approval by the Board of County Commissioners, the County Administrator's Office will distribute the revised Policy and related documents as appropriate.

COORDINATION WITH OTHER AGENCIES/PERSONS:

This recommendation has been coordinated with the County Attorney's Office and all Bureaus/Offices under the Board of County Commissioners.

RESOLUTION NUMBER R2010-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS ESTABLISHING A PUBLIC RECORDS FEE SCHEDULE; AMENDING SECTION II, PART B.4., PHOTOCOPYING FEES, OF THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS POLICY MANUAL; PROVIDING THAT WITH RESPECT TO PUBLIC RECORDS, TO THE EXTENT THAT THERE IS A CONFLICT WITH PRIOR FEE RESOLUTIONS, THIS RESOLUTION SHALL GOVERN AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Escambia County, as a political subdivision of the State of Florida is required to comply with the Florida Public Records laws set forth in the Florida Statutes in Chapter 119 and elsewhere; and

WHEREAS, Section 119.07, Florida Statutes, authorizes the establishment of fees for the cost of providing copies of public records; and

WHEREAS, the Board of County Commissioners wishes to establish a uniform procedure for the photocopying of public records for the general public at a reasonable cost.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

- Section 1.** That the Board of County Commissioners finds the above recitals to be true and correct and incorporates them herein by reference.
- Section 2.** That the Board of County Commissioners of Escambia County hereby approves and adopts the “Escambia County Public Records Fee Schedule” attached as Exhibit A and incorporated herein.
- Section 3.** That the Board of County Commissioners of Escambia County hereby amends Section II, Part B.4., Photocopying Fees, of the Escambia County Board of County Commissioners Policy Manual, as attached in Exhibit B;
- Section 4.** That with respect to public records requests, to the extent that the provisions of this resolution are in conflict with any preceding fee resolution, the provisions of this resolution shall govern.

Section 5. That this resolution shall take effect immediately upon its adoption by the Board of County Commissioners of Escambia County.

ADOPTED this _____ day of _____, 2010.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: _____
Grover C. Robinson, IV, Chairman

By: _____
Deputy Clerk

BCC Approved _____

EXHIBIT A
ESCAMBIA COUNTY PUBLIC RECORDS FEE SCHEDULE

Fee Name	Description	Category (from above)	Cost	Unit (per hour, per quantity, per page, flat fee)
Audio Tapes	Audio tapes of public meetings	Materials	Actual Cost	Per cassette tape
Bubble Envelope	Cost of Bubble Envelope for packaging/shipping CD's	Materials	Actual cost	Per envelope
CD	Cost for Single CD used for recording information/data pertaining to public records request	Material	Actual cost	Per CD
CD-Single PVC Case	Cost of a single PVC case for CD	Material	Actual cost	Per case
CD-Twin PVC Case	Cost of a twin/double PVC case for CD's	Material	Actual cost	Per case
Certification	Certification expense for copies	Material/Special Service	\$1.00	Per page
Collection	The fees charged for duplication of public records shall be collected, deposited, and accounted for in the manner prescribed for other operating funds of the County.			
Copies- Single Sided	For single-sided copies not exceeding 8.5 x 14 inches in size	Materials	.15	Per page
Copies- Two Sided	For two-sided copies not exceeding 8.5 x 14 inches in size	Materials	.20	Per page
Copies-11x17- Single Sided	For single-sided copies 11 x 17 inches in size	Materials	Actual cost	Per page
Copies-11x17- Two sided	For two-sided copies 11 x 17 inches in size	Materials	Actual cost above + \$.05	Per page
Copies-18x24	For copies 18 x 24 inches in size	Materials	Actual cost	Per page
Copies-24x36	For copies 24 x 36 inches in size	Materials	Actual cost	Per page
Copies-30x42	For copies 30 x 42 inches in size	Materials	Actual cost	Per page

EXHIBIT A
ESCAMBIA COUNTY PUBLIC RECORDS FEE SCHEDULE

Fee Name	Description	Category (from above)	Cost	Unit (per hour, per quantity, per page, flat fee)
Deposits-Copies	The person or agency requesting the photocopies will be provided an estimate of the charges to be assessed and required to pay a deposit of 50% of the estimated charge prior to completing the duplication.	Materials/Labor	50% of the estimated charge	Per copy/ per hour (15 minute increments)
DVD	Cost for Single DVD used for recording information/data pertaining to public records request	Material	Actual cost	Per DVD
Labor (Research and Re-filing Fee)	If the nature or volume of public records requested to be inspected, examined, or copied requires extensive information technology resources, as defined in Florida Statutes 119.07 (4)(d), or <u>in excess of 15 minutes</u> clerical or supervisory assistance, or both, a special service charge shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personal providing the service that is actually incurred by the department or attributable to the department for the clerical and supervisory assistance.	Labor	Hourly wage plus benefits	<u>Labor cost shall be based on the hourly wage and benefits of the lowest paid employee within the department having the knowledge and expertise to perform the task.</u>
Postage	Pre-paid or billed to requestor's account for actual charges (US Mail (Parcel Post/Regular/Certified), Federal Express, UPS (overnight/standard/weekend)	Postage	Actual cost	
Remote Electronic Access	Fee, granted under a contractual arrangement with requestor, which includes the direct and indirect costs of providing such access	Material/Labor	TBD	Flat Fee

**EXHIBIT A
 ESCAMBIA COUNTY PUBLIC RECORDS FEE SCHEDULE**

Fee Name	Description	Category (from above)	Cost	Unit (per hour, per quantity, per page, flat fee)
Scan- Single Sided	Cost for scanning single-sided documents into electronic format for transmission via email or recording onto CD not exceeding 8.5 x 14 inches in size	Labor	.15	Per page
Scan- Two Sided	Cost for scanning two-sided documents into electronic format for transmission via email or recording onto CD not exceeding 8.5 x 14 inches in size	Labor	.20	Per page
VHS Tape	VHS recording of meeting	Materials	Actual cost of tape	Per VHS Tape
Waiver- Governmental Agencies	Other County Bureaus or Offices under the Board of County Commissioners are excluded from the fees noted in this policy and shall be provided these services at no charge.	Materials/Labor/ Misc		
Waiver- Minimum # of Copies	For copy requests totaling five pages or less, the copy fee will be waived. If the total request for copies is in excess of five pages, the copy fees as noted above will apply to all pages copied from the first to the last.	Materials		

EXHIBIT B

**Board of County Commissioners
Escambia County, Florida**

Title: Photocopying Fees – Section II, Part B.4.
Date Adopted:
Effective Date:
Reference: Ch. 119.07, F.S.
Policy Superseded: August 5, 2004; March 24, 1981 as amended June 26, 1990 (previously known as “Clerical and Supervisory Charges for Duplicating Services)

As authorized under Section 119.07 of the Florida Statutes, custodians of public records are authorized to charge costs for duplication of those records when the public requests copies. It shall be the policy of the Board of County Commissioners of Escambia County, Florida, that:

- A. For duplicated copies not exceeding 8.5 x 14 inches in size, a fee is established of fifteen cents (\$.15) per one-sided duplicated copy and twenty cents (\$.20) for each two-sided duplicated copy. For copy requests totaling five pages or less, the copy fee will be waived. If the total requests for copies is in excess of five pages, the copy fees as noted above will apply to all pages copied from the first to the last.
- B. The fee for copies of county maps or aerial photographs which are incurred as a result of a public records request will be the actual cost of material, supplies, and reasonable charges for labor and overhead associated with such duplication as set forth in the public records fee schedules adopted by the Board of County Commissioners. If these copies are requested in the normal course of business of the Bureau, the Bureau's fee schedule adopted in prior resolutions of the Board of County Commissioners shall govern.
- C. The person or agency requesting the photocopies will be provided an estimate of the charges to be assessed and required to pay a deposit of 50% of the estimated charge prior to completing the duplication.
- D. The fees charged for duplication of public records shall be collected, deposited, and accounted for in the manner prescribed for other operating funds of the County.

EXHIBIT B

- E. If the nature or volume of public records requested to be inspected, examined, or copied requires extensive information technology resources, as defined in Florida Statutes 119.07 ~~(+)(b)(4)(d)~~, or in excess of ~~one hour~~ fifteen minutes clerical or supervisory assistance, or both, a special service charge shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personal providing the service that is actually incurred by the ~~department~~ Bureau or attributable to the ~~department~~ Bureau for the clerical and supervisory assistance. Labor cost shall be based on the hourly wages and benefits of the lowest paid employee within the ~~department~~ Bureau having the knowledge and expertise to perform the task.
- F. Other County ~~departments~~ Bureaus or Offices under the Board of County Commissioners, local, state, and/or federal governmental agencies are excluded from the fees noted in this policy and shall be provided these services at no charge.