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**CITRUS COUNTY MOSQUITO CONTROL DISTRICT**  
**Board of Commissioners**

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**ADMINISTRATIVE DIRECTIVE #21**

**SUBJECT: Public Records Request Policy**

**EFFECTIVE DATE: October 10, 2019**

**Purpose:**

Set policy concerning Public Records Requests.

**Scope:**

This policy will apply to all Citrus County Mosquito Control employees.

**Responsibility:**

The District Director shall ensure that all District employees follow this policy.

**Policy:**

See Attached Policy.

Approved by:   
Chairman of the Board

Date: 10/10/19

**CITRUS COUNTY MOSQUITO CONTROL DISTRICT  
ADMINISTRATIVE POLICY  
CONCERNING  
PUBLIC RECORDS REQUESTS**

**Effective October 10, 2019**

**I. PURPOSE:**

This policy establishes the Citrus County Mosquito Control District (CCMCD) guidelines and procedures on responding to a public records request from any entity making such request and ensure the District complies with its duties under Chapter 119, Florida Statutes, also known as the "Public Records Act".

**II. POLICY:**

It is the policy of the District to permit the public records of the District to be inspected by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the Custodian of Records or his or her designee, absent statutory exemption providing otherwise. Further, it is the policy of the District to provide copies of the Public Record to any person requesting them, within a reasonable time after such request, absent statutory exemption providing otherwise.

**III. DEFINITIONS:**

"Cost of Production" is the actual cost associated with fulfilling a public records request. It includes duplication charges pursuant to Section VII of this Policy, if applicable, and charges for staff time expended in fulfilling a request that requires extensive usage of information technology or staff resources. The charge for staff time is calculated by multiplying the number of hours expended by a District employee or employees in fulfilling a public records request by the hourly rate of pay plus hourly value of benefits of the employee or employees who expended time in fulfilling the request. Charges will be calculated in quarter hour increments.

"Extensive usage of information technology or staff resources," means a request that requires extensive usage of information technology or staff resources when more than fifteen (15) minutes of time is required, using information technology, resources, or clerical labor to locate records, review confidential material, remove confidential material, or copy and re-file the requested material, or any combination thereof.

"Public Record" 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 any agency.  
119.011(12), FS.

“Requesting party” means a person who has made a request for inspection or duplication of public records of the District.

“Exempt” means public records that have been identified in Chapter 119 or other applicable Florida Statutes as exempt from public disclosure.

#### **IV. PROCEDURES FOR RESPONDING TO A RECORDS REQUEST:**

The following procedures shall apply regarding requests made to the District for inspection and/or duplication of the District’s records.

- a. Upon receipt of a public records request, an employee of the District shall immediately notify the Custodian of Records of the request and provide the Custodian of Records with a copy of the request, if written, along with any materials accompanying the request.
- b. Upon being notified of a public records request, the Custodian of Records shall determine (1) whether the requesting party is seeking an inspection of records or duplication thereof, and (2) whether the request is likely to require extensive usage of information technology or staff resources.
- c. Should the Custodian of Records determine that the request is unlikely to require extensive usage of information technology or staff resources, he or she should notify the requesting party of the duplication charges, if duplication is requested, and inform the requesting party that the documents will be provided upon receipt of payment for the duplication cost. Alternatively, if inspection is requested, the Custodian of Records should coordinate a time for inspection with the requesting party that will allow for compliance with Section VI, below. The Custodian of Records is not required to reformat records, create a new record in response to a request, or answer questions about the contents of the record.
- d. Should the Custodian of Records determine that the request is likely to require extensive usage of information technology or staff resources, he or she shall, prior to beginning the task of producing the public records, provide an estimate of the cost of production to the requesting party, and notify the requesting party that the District will begin the production process once payment of the estimate is received. Once payment of the estimate is received, the Custodian of Records or his or her designee shall begin the process of production.

In the event that the estimate is less than the actual cost of production, the requesting party must pay the amount exceeding the estimate before release of the record. Payment must be made by Certified Check, Money Order or Cash. Cash payment must be exact amount of invoice.

Conversely, if the cost of production is less than the estimate, the requesting party shall be refunded the difference between the cost of production and estimate.

- e. All documents requested to be inspected or duplicated shall be reviewed for exempt information and any such exempt information shall be redacted prior to inspection of records or dissemination of duplicated records. The District shall state the basis of the exemption that is applicable to the record, including statutory citation to any exemption afforded by statute. Guidelines for this review are found in Section V of this Policy.

f. Records will be made available during normal District business hours.

#### V. CONFIDENTIAL OR EXEMPT RECORDS:

Public records of the District may contain information that is exempt from Disclosure under Chapter 119, Florida Statutes. As such, all records which are to be disclosed in response to a public records request shall be reviewed for and redacted of such exempt information prior to inspection by or dissemination to a requesting party.

- a. Once all potentially responsive documents have been marshalled and duplicated, the Custodian of Records or his or her designee shall review the duplicated records for potentially exempt information and mark any information which he or she believes may be exempt.
- b. Should there be any question as to whether information in a public record is exempt, it should be brought to the attention of the Attorney for the District.

#### VI. CONDUCT OF INSPECTIONS OF RECORDS:

- a. Inspections shall only take place at the District Office.
- b. Inspections shall only be scheduled during the normal office hours of the District Office.
- c. Inspections shall be supervised at all times by the Custodian of Records or his or her designee.
- d. An inspecting party shall not remove records from a file, nor remove a file from the District office.
- e. An inspecting party may not make copies of records themselves. If an inspecting party wishes to obtain copies of records after an inspection, he or she shall make a request for such copies, and such request will be subject to charges as outlined in this policy.

#### VII. FEE SCHEDULE FOR PUBLIC RECORDS DUPLICATION:

The following fees shall be charged for requests for copies of public records.

<b>Type of Record</b>	<b>Charge</b>
One sided photocopy	\$0.15 per page
Two-sided photocopy	\$0.20 per page
Certification	\$1.00 per document
Maps, plans or oversized documents	Actual cost of duplication by third party vendor
Audio tapes, disks, CDs, or other media used to record or duplicated date	Actual cost of purchase of item from retail office supply store

- a. If the nature or volume of the public records requested to be inspected or copied is such that it requires extensive use of information technology resources or extensive clerical or



supervisory assistance by personnel, or both, in addition to actual cost of duplication, a special service charge may be assessed as defined in Section III.

- b. When records can be sent by email, the District will do so in the interest of efficiency and to minimize costs. In these cases, the District will charge only for extensive time if applicable.
- c. In those cases where legal review is necessary, the charge will be at the lowest attorney rate charged by the CCMCD attorney.
- d. If the cost for providing paper or electronic copies of records is less than \$5.00, the records will be provided at no charge.

#### **VIII. GENERAL GUIDELINES FOR DISTRICT EMPLOYEES:**

- a. Chapter 119, Florida Statutes, allows a reasonable time for the records custodian to retrieve the requested public records and redact those portions that are exempt from public disclosure. The law does not require the normal course of business to be halted or interrupted to immediately produce public records. All requests should be handled as quickly as possible, but may require one or more days to prepare, depending on the type of records requested and their volume.
- b. Persons making public records requests are not required to identify themselves, but if they do not intend to physically come into the office to receive the record once complete, should provide a mailing address or email address for coordination and response purposes.
- c. Public records requests may be made to any employee of the District, but employees should inform a person requesting public records that they may make the request directly to the Custodian of Records.
- d. A public records request may be made verbally or in writing.
- e. A District employee receiving a verbal records request should endeavor to reduce such a request to writing.
- f. A District employee receiving any public records request should immediately notify the Custodian of Records of the request and should provide to the Custodian of Records any written materials accompanying the request.

**In the event of conflict between this policy and Florida Statutes, the provisions of Florida Statutes shall govern.**