

# Public Records Request: Government in the Sunshine

The City of Jacksonville, its departments and its independent agencies support the Florida 'Government in the Sunshine' laws, designed to provide transparency and openness in government operations.

The Florida law on 'Public Records' may be found in its entirety in [Chapter 119 of the Florida Statutes](#).

## Public Records May be Inspected by Anyone

*'It is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency.'* [Chapter 119.01 (1)]

## Definition of a Public Record

*'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 any agency.'* [Chapter 119.011 (12)]

## How to File a Request for Public Records

It is important to note that all requesters may remain anonymous when asking for public records and they do not have to put their request in writing or state why they want the record. To ensure that records are provided in the most efficient manner possible, requests will be fulfilled through the methods outlined below.

### Media-Generated Requests:

Requests from members of the media should be facilitated by the appropriate member of the Media Relations team. Contact Craig Feiser, Esq., Office of Public Accountability, (904) 630-1840, [CFeiser@coj.net](mailto:CFeiser@coj.net).

### Public/General Citizenry Requests

Here are some ways to request a public record:

- Call 630-CITY (904-630-2489) to file the request. The requester will be provided a tracking number to allow them to check the status of their request.
- File the request using the [online system](#) for 630-CITY. The requester will be provided a tracking number to allow them to check the status of their request.

- Fax the request to (904) 255-4968.

### **Public records requests related to a lawsuit:**

Please submit records requests related to a lawsuit or pending litigation to the Office of General Counsel for handling by calling (904) 630-1700.

### **Requests for Public Records Related to City Council**

Requests for records related to City Council will be facilitated by the City Council Secretary at (904) 630-1452 or [CLBrown@coj.net](mailto:CLBrown@coj.net).

### **Costs of Public Records**

Florida law authorizes the city to charge for the production of documents deemed to be public records. Providing more than a few documents for free, however, places a financial burden on the city that necessitates charging statutorily-authorized fees.

In light of the extremely high volume of requests, and due to current budget restraints, a standardized policy regarding the processing of public records and the related statutory fees is necessary. Outlined below is the city policy for providing copies of public records to a member of the public or the media.

Typically, public documents fall into two categories-- hard copy documents and electronically-stored information. If a request includes a combination of both hard-copy and electronic documents, the processing cost will include both components.

### **Hard Copy Requests**

- *For requests to review but not copy documents:* The documents will be made available for the requester by a stated date, time and location communicated with the requester.
- *For requests of copies of existing documents of 10 pages or less:* The documents will be provided free of charge.
- *For requests in excess of 10 pages:* There will be a charge of \$.20 per page for two-sided copies (\$.15 per copy for one-sided copy) of documents not more than 8 ½ by 14 inches for every page greater than 10. This includes printed booklets, including Annual Budget books, Comprehensive Annual Financial Reports, etc.
  - The requester will be made aware of the anticipated cost associated with document production. The requester must agree to the estimate and authorize the city to proceed with document reproduction before reproduction will begin.
  - Once document production is complete, an invoice will be provided to the requester reflecting the final cost. The requester must provide payment at the time they wish to pick up the requested documents.
- Should the request require more than one-half hour (30 minutes) of employee time (to gather documents and copy them, for instance) the requester will also be charged for that time at the hourly rate of compensation for each employee involved, rounded down to the nearest half hour. Every effort should be made to ensure that the work is conducted by a qualified employee with the lowest hourly rate. The requester will be made aware of any anticipated costs related to document collection before the employee begins the process. The requester must agree to the

estimate of charges and authorize the city to proceed with gathering documents before this process will begin. Once all documents are prepared, a final invoice will be provided to the requestor reflecting the actual amount of time it took and the associated cost. The requestor must provide payment in full at the time they wish to pick up the documents.

- Should the documents require redaction of information exempt from Florida Statutes 119 prior to providing them for review, and the time to do this exceeds more than one-half hour (30 minutes of employee time, the requestor will also be charged for that time at the hourly rate of compensation for each employee involved, rounded down to the nearest half hour. The requestor will be made aware of any anticipated costs related to redaction before an employee begins the process. The requestor must agree to the estimate of charges and authorize the city to proceed with gathering documents before this process will begin. Once all documents are prepared, a final invoice will be provided to the requestor reflecting the actual amount of time it took and the associated cost. The requestor must provide payment in full at the time they wish to pick up the documents.
- Should the request require documents or files to be retrieved and transferred from off-site storage, the requestor will be responsible for the cost of retrieving those items. The requestor will be made aware of the costs related to document retrieval before an employee actually has the files sent over. A final invoice will be provided to the requestor reflecting the actual associated cost of retrieval. Payment should be made at the time the documents are provided for review.

## **Electronic Information Requests**

IMPORTANT: The City of Jacksonville Information Technology Department (ITD) is budgeted as an Internal Service Fund. An Internal Service Fund is a fund used to account for the financing of goods or services provided by one department to other departments or agencies of the city, other governments or by the requestor, on a reimbursable basis. In short, every action taken by ITD must be paid for by the organization or individual utilizing that service. Therefore, all electronic data will be provided utilizing prescribed costs outlined by ITD, which accounts for the *actual* cost of performing that service.

## **Exporting data from City of Jacksonville software applications/operating systems/databases**

- A great deal of data resides in a variety of software applications and operating systems that require training to use. In order to provide such data, it must be exported by ITD using prescribed, SPECIFIC parameters in coordination with the department/division that maintains the data.
- When such data is exported from an application, there is a possibility that the data may be inadvertently manipulated by pushing it into a new format (Example: data maintained in financial software that is exported to Excel). Therefore, following the export of the data by ITD, the information must be reviewed for accuracy by the department/division that maintains that data.
- Records will be provided in PDF or hard copy format. An attempt will always be made to e-mail the data to the requestor to avoid additional charges.
- *Cost:*
  - For each request requiring ITD resources, the cost is determined by the following

factors:

- Analyst time
  - Media (DVD, CD, etc.)
  - Paper Copies
  - System resource charge
- Should the request involve more than one-half hour (30 minutes) of employee time (to validate raw data, or redact exempt information, for instance), then the requester will also be charged for that time at the hourly rate of compensation for each employee involved, rounded down to the nearest half hour, in addition to any ITD-related system processing charge.
  - The requester will be made aware of any anticipated costs associated with information production.

## Emails

- Most emails to and from city officials are considered public records. In years past, when a request was received, employees were able to conduct searches within their own Outlook email systems to comply with the request. As server capacity has become strained, ITD now has a policy of archiving messages in an electronic vault storage system. Because of this process, an employee's search of his or her Outlook system may not produce all emails responsive to a request.
- As such, to ensure a complete and accurate response to public records requests for emails, it is advised that requests for email records be recovered by ITD. The exception to this is if the email account holder can attest that all e-mails responsive to the request are available to him or her and can produce the documents without the assistance of ITD.
- When requesting that ITD pull information from the vault storage email system, the requester should specify if the search is related to key word or date periods. If they are requesting a key word search, the requester should provide the key words.
- If the response to the request results in a large quantity of emails, files will be saved to a CD/DVD to avoid unnecessary paper usage. However, e-mails may also be provided in hard copy format. (See applicable costs in 'Hard Copy Requests' and 'CDs/DVDs'.)
- *Cost:*
  - For each request requiring ITD resources, the cost is determined by the following factors:
    - Analyst Time
    - Media (DVD, CD, etc)
    - Paper Copies
    - System Resource Charge
  - Should the request involve more than one-half hour (30 minutes) of non-ITD employee time (to redact exempt information, for instance), then the requester will also be charged for that time at the hourly rate of compensation for each employee involved, rounded down to the nearest half hour, in addition to any ITD-related system processing charge.
  - The requester will be made aware of any anticipated costs related to redaction before an employee begins the process. The requester must agree to the estimate of charges and authorize the city to proceed gathering documents before this process will begin. Once all documents are prepared, a final invoice will be provided to the requestor reflecting

the actual amount of time it took and the associated cost. The requester must provide payment at the time they wish to pick up the documents.

## CDs/DVDs

- *Cost:*
  - For requests of one copy of a CD or DVD, the item should be provided free of charge. For additional copies, there should be a charge of \$2 per CD and \$5 per DVD.
  - Should the request involve more than one-half hour (30 minutes) of employee time (to locate an old file or transfer video from a VHS tape to DVD for instance), then the requester will also be charged for that time at the hourly rate of compensation for each employee involved, rounded down to the nearest half hour.
  - The requester will be made aware of any anticipated costs related to redaction before an employee begins the process. The requester must agree to the estimate of charges and authorize the city to proceed gathering documents before this process will begin. Once all documents are prepared, a final invoice will be provided to the requestor reflecting the actual amount of time it took and the associated cost. The requester must provide payment at the time they wish to pick up the documents.

## Photos

- Many photos taken by the City of Jacksonville photographer may be obtained by visiting the city's photo sharing site on [Flickr](#).
- This site allows visitors to obtain both high and low resolution photos for electronic and print purposes.
- There is *no charge* for using this service.

## Fulfillment Time

The records should be provided to the requester in a reasonable time frame. The amount of time needed to retrieve and compile requested records should be communicated to the requester and all efforts to adhere to this time frame should be made.

## Payment, Receipts and Handling of Money

Payment **MUST** be made in the form of cash (exact change) or exact money order amount. While personal checks cannot be accepted, the city is able to process checks from businesses.

630-CITY will facilitate the monetary transaction and provide a receipt.

Payments should be brought to the Ed Ball Building, First Floor, 214 North Hogan St.

## What if I have a question about the process or a problem with obtaining Public Records?

For public records related to City Council, please contact Cheryl Brown at [CLBrown@coj.net](mailto:CLBrown@coj.net) or 904-630-1452. For media public records requests related to the city's executive branch, please contact Craig Feiser, Esq. at [CFeiser@coj.net](mailto:CFeiser@coj.net) or (904) 630-1840. For non-media public records requests related to the city's executive branch, please contact Angie Wilson at [PRR@coj.net](mailto:PRR@coj.net) or (904) 630-CITY (2489).

## **Footer**

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