

POLICY AND PROCEDURE COMMITTEE MEETING

AUGUST 27, 2019 7:00 PM

RECREATION CENTER

1. Review of Public Records Policy
2. Review of agenda policy and procedure to define the 7/8 days.....
3. Additional agenda items as needed.

**BAYSHORE GARDENS PARK AND RECREATION DISTRICT
PUBLIC RECORDS POLICY**

1034 PR

It is the intent of the Bayshore Gardens Board of Trustees that our records be maintained and managed as required in connection with official business of the district and open and available to the public with reasonable notice.

The purpose of this policy is to provide Bayshore Gardens employees with the information and procedures necessary to understand and carry out their responsibilities under the Florida Public Records Law, including the way public records requests are processed.

Florida Statute Chapter 119.01 General state policy on public records.—

- (1) 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.
- (c) An agency may not enter into a contract for the creation or maintenance of a public records database if that contract impairs the ability of the public to inspect or copy the public records of the agency, including public records that are online or stored in an electronic recordkeeping system used by the agency.
- (f) Each agency that maintains a public record in an electronic recordkeeping system shall provide to any person, pursuant to this chapter, a copy of any public record in that system which is not exempted by law from public disclosure. An agency must provide a copy of the record in the medium requested if the agency maintains the record in that medium, and the agency may charge a fee in accordance with this chapter. For the purpose of satisfying a public records request, the fee to be charged by an agency if it elects to provide a copy of a public record in a medium not routinely used by the agency, or if it elects to compile information not routinely developed or maintained by the agency or that requires a substantial amount of manipulation or programming, must be in accordance with s. 119.07(4).

119.011 Definitions.—As used in this chapter, the term:

- (1) "Actual cost of duplication" means the cost of the material and supplies used to duplicate the public record, but does not include labor cost or overhead cost associated with such duplication.
- (2) "Agency" means any state, county, district, authority, or municipal officer, department, division, board, bureau, commission, or other separate unit of government created or established by law including, for the purposes of this chapter, the Commission on Ethics, the Public Service Commission, and the Office of Public Counsel, and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any public agency.
- (8) "Exemption" means a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of s. 119.07(1), s. 286.011, or s. 24, Art. I of the State Constitution.
- 9) "Information technology resources" means data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training.
- (4) The custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law. If a fee is not prescribed by law, the following fees are authorized:
- (d) If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical

or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both.

PROCEDURES

REQUEST MAY BE IN WRITING OR VERBAL

The requestor does not have to identify themselves, or explain the reason for their request. The Office staff shall note the information requested, but shall not identify the requestor, but may assign a number to the request to monitor the progress and date delivered to requestor. The notes made by staff are a public record.

IDENTIFY RECORDS SUBJECT TO REQUEST

Requester must identify records that are being requested to view or copy. If requestor is not able to identify, they may review documents in the category they are requesting. The official documents of the District must be in view of the Custodian or their designee at all times. Official documents shall leave the District Office. The District does not create reports nor does it read thru documents/minutes to satisfy a request. The requestor may review the documents in the District Office with supervision.

BIDS

Section 119.071(1)(b) FS. Provides an exemption for "sealed bids, proposals, or replies received by an agency pursuant to a competitive solicitation" until such time as the agency provides notice of an intended decision or until 30 days after opening, whichever is earlier.

EMAILS

The District Office may print and store copies of all emails received at the District Office by date or may provide a computer at the front counter for residents to use to read emails received by the District. Residents may request and receive paper copies of any email at the District published rates.

FEE SCHEDULE

- 15 cents per page or 20 cents for two sided copy.
- Actual cost to District for other documents, such as maps, blue prints, or other oversized documents. Cannot charge for clerical hours unless duplication must be made off sight.
- Video recordings actual cost to district for DVD or Flash Drive
- Audio recordings actual cost to district for CD or Flash Drive
- The charge for sending a fax shall be \$1.00 per page
- The charge for receiving a fax shall be \$1.00 per page
- Notary charges shall be \$5.00 per document.
- A receipt shall be written for all payments received.

REASONABLE TIME TO FULFILL A REQUEST

1. Within one week for a request to inspect/copy records created within the past 5 years with at least a 5 year retention schedule.
2. Within two weeks for a request to inspect/copy documents created and required by Retention Schedule to maintain over 5 years old

3. If fulfilling request will exceed two weeks we will notify the requestor by US Mail or email and the reason for the delay.

CHARGES FOR STAFF TIME

1. Records identified by the requestor and created within the past two years, no charge
2. Records identified by the requestor and created beyond the two years in 1 above and retrieved in ½ hour, no charge, after the first ½ hour the requestor will be charged at rate of \$3.25 per ¼ hour.
3. All records must be viewed in the District Office under the supervision of the Office staff.
4. No fee will be charged for viewing records.

TRUSTEE REQUESTS FOR RECORDS

Trustee request documents to fulfill their obligations to the District and their requests for documents are not public record requests pursuant to this policy. Trustees may have copies of requested documents and their request is a priority.

Date approved _____
Revised _____
Effective _____

BAYSHORE GARDENS PARK AND RECREATION DISTRICT
SWIMMING POOL POLICY RESIDENTS

1010 P

CHARTER 2002-365

Section 3 Use of district facilities—Persons entitled to use the district facilities and property of the district shall be limited to residents within the district, their family members and guests, and such other persons and groups as the trustees may authorize from time to time, The property of the district shall consist of real or personal property and improvements now or hereafter acquired, erected, or purchased by the trustees for the district. For the purposes of this act, each parcel of property in said district is hereby declared to be uniformly and generally benefited by the provisions hereof.

The swimming pool shall be for the use of residents and their guests and others as approved by the Board of Trustees on a case by case basis.

At least one Lifeguard and one pool attendant shall be on duty when pool is open to the public.

The residents and their guests shall sign a waiver and obtain a pool FOB before using the pool. A guest may come to the pool with the resident. There shall be no cost to the residents or their guests.

The pool shall be closed 8:00AM until noon daily to the public unless one lifeguard and one pool attendant is on duty. The Board may authorize Bayshore Gardens Clubs and Organizations the use the pool during the 8:00AM until Noon (or until lifeguards and pool attendant are present) for Lap swimming / organized exercise. The time for lap swimming/exercise may be extended if Lifeguards and pool attendants are not available after noon. No one under the age of 10 will be admitted to the pool for lap swimming without a lifeguard and a pool attendant on duty unless accompanied by an adult.

Public Pool hours shall be for the month of May, 4:00 to 8:00PM Monday thru Friday and noon until 8:00PM Saturday and Sunday. Must be closed ½ hour before dusk.

Summer months while school is not in session, Noon until 8:00PM, at least one Lifeguards and one pool attendant must be on duty. October until the end of the season, noon until 6:00PM Monday thru Sunday, lifeguards must be on duty. Should the District experience a shortage of lifeguards the pool will be closed to the Public during the hours that Lifeguards and pool attendants are not on duty.

Should the Board of Trustees authorize non-residents the use the pool, the charges per swim will be set by the Board at the time approval is granted to non-resident/s group. The non-resident/s shall sign a waiver before entering the pool area. The non-resident events shall have a certified lifeguard on duty at their expense.

Approved 5/15/2018 Sharon Denson
Revised 6/19/18 Sharon Denson Revised 11/21/18 Revised 3/19/19
ffective 5/15/2018

