

RESOLUTION 16-13789

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, AMENDING THE PUBLIC RECORDS FEE SCHEDULE; PROVIDING FOR PLACEMENT INTO APPENDIX A, FEES AND CHARGES SCHEDULE OF THE CODE OF ORDINANCES, CITY OF NAPLES; REPEALING RESOLUTION 13-13241; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes Chapter 119.07(b) establishes certain fees for public records, but authorizes the City Council to establish reasonable charges and fees for providing certain public records; and

WHEREAS, the City of Naples receives requests for various types of public records; and

WHEREAS, additional costs are occasionally incurred in providing open access to a wide array of public records and in producing public records; and

WHEREAS, the City Council desires to have such costs borne by persons requesting records to the extent allowed by law;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

Section 1. That the City Council hereby amends the fees for public records requests as set forth in the Public Records Fee Schedule, in Exhibit A, attached hereto and made a part hereof.

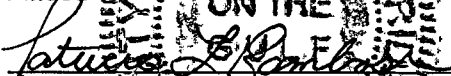
Section 2. That the said Fee Schedule shall be placed in Appendix A, Fees and Charges Schedule, of the Code of Ordinances.

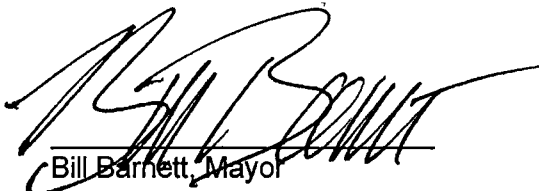
Section 3. That Resolution 13-13241 is hereby repealed.

Section 4. This resolution shall take effect immediately upon adoption.

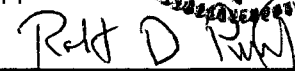
PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS 4TH DAY OF MAY, 2016.

Attest


Patricia E. Rambos, City Clerk


Bill Barnett, Mayor

Approved as to form and legality:


Robert D. Pritt, City Attorney

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Date filed with City Clerk: 5-4-16

EXHIBIT A

CITY OF NAPLES
FEES FOR PUBLIC RECORDS

In accordance with S. 119.07 (4), Florida Statutes, the following fees shall be charged for public records. If no fee is otherwise prescribed by law, then the custodian of the public record shall furnish a copy or certified copy of the record upon payment of the applicable fee.

The following terms apply:

“Actual cost of duplication”: 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. (119.011(1) F.S.)

“Duplicating”: The process of reproducing an image or images from an original to a final substrate through the electrographic, xerographic, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without re-handling the original. (119.011(7) and 283.30 (13) F.S.)

- a. Each one-sided copy of each page of not more than 8½ inches by 11 inches ... \$0.15
- b. Each two-sided copy of each page of not more than 8 ½ inches by 14 inches. ...\$0.20

(Small public records requests up to \$5.00 of copying charges per day..... No Charge)

- c. All other copies.....Actual cost of duplication
- d. Each certified copy of a public record\$1.00

e. Special Service Charge – 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 City, or both, the City 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.

~~f. Where provision of another room or place is necessary to photograph public records, the expense of providing the same shall be paid by the person desiring to photograph the public records. The City will charge the person making photographs for supervisory services at a rate of compensation to be agreed upon by the person desiring to make the photographs and the custodian. If they fail to agree, the custodian of the public records shall determine the charge.~~

~~g.f.~~ The special service charge under e. will not be charged unless the estimated time for fulfilling the request exceeds ~~30~~ 60 minutes.

~~h.~~ The technology resource charge for the special service charge will be based upon the cost of software and time involved in fulfilling the request.

~~i.g.~~ Such charges shall be based upon the actual labor (the hourly salary plus benefits of the lowest paid employee capable of performing the task).

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j. ~~The City may also charge for a City employee to sit with the requestor during the course of the inspection to safeguard and protect the City's records from being stolen, amended or destroyed. "Extensive" shall be interpreted to mean anything in excess of 30 minutes including time to locate, review for confidential information, retrieve, monitor, inspect, copy, and re-file the requested material.~~

k.h. The City may require a deposit in advance for cost of estimated number of copies, mailing (if requested), and estimated special service charge, where applicable.