

RESOLUTION NO. 28-12-15

**A RESOLUTION OF THE BOARD OF COMMISSIONERS
OF THE KEY LARGO WASTEWATER TREATMENT
DISTRICT, ESTABLISHING A SCHEDULE OF FEES AND
CHARGES FOR COPYING AND PROVIDING PUBLIC
RECORDS; AND PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the Key Largo Wastewater Treatment District (“District”) is subject to Chapter 119 of the Florida Statutes; and

WHEREAS, s. 119.07(1)(a), F.S., provides that public records of the District are open for inspection and copying by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records; and

WHEREAS, s. 119.07(4) F.S., provides that the District may charge certain fees for copying requested public records; and

WHEREAS, s. 119.07(4)(d) F.S., provides that when the nature or volume of public records requested to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by District personnel, or both, the District may charge, in addition to the actual cost of duplication, a special service charge, which must be reasonable and must 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 District or is attributable to the District for the clerical and supervisory assistance required, or both; and

WHEREAS, the District has determined that it would be in the best interest of the District and its ratepayers and residents to establish a schedule of fees and charges for copying and providing public records.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF
COMMISSIONERS OF THE KEY LARGO WASTEWATER TREATMENT DISTRICT
AS FOLLOWS:**

Section 1. Recitals. The above recitals are true and correct and are incorporated into this Resolution by reference.

Section 2. Fees and Charges

- A) Unless specifically stated otherwise in the laws, rules, or regulations of the State of Florida, the following charges shall apply to public records requests (whether a single request or multiple requests) from the same requestor during any 30-day period.

COPYING CHARGES

MATERIAL REQUESTED	AMOUNT	CHARGES
Single sided page of not more than 14 inches by 8.5 inches	1 - 25 pages	No Charge
	After 25 pages	\$0.15 per page
Double sided page of not more than 14 inches by 8.5 inches	1 - 25 pages	No Charge
	After 25 pages	\$0.20 per page
Certified copies of public records	Any amount	\$1.00 per page
All other materials, including but not limited to: Maps, Aerial Photographs, Large Format Photos and Documents	Any amount	Actual cost of materials and supplies used.

SPECIAL SERVICE CHARGES

TIME SPENT (DURING ANY 30-DAY PERIOD)		SPECIAL SERVICE CHARGE (APPLIED IN ADDITION TO COPYING CHARGES)
From:	To and Including:	
0 minutes	.5 hour	No Charge
.5 hour	2.5 hours	Lesser of: (1) actual cost incurred as per s. 119.07(4)(d) F.S., or (2) \$50.00 per hour
2.5 hours	unlimited	Actual cost incurred as per s. 119.07(4)(d) F.S.

- B) Special service charges based upon actual costs incurred for extensive use of information technology resources and/or extensive clerical or supervisory assistance shall be calculated in accordance with s. 119.07(4)(d) Florida Statutes.
- C) Where there will be a charge for responding to a records request, and especially where there will be a special service charge imposed, the District shall prepare a cost estimate for the requestor.
- i. This cost estimate shall represent the District’s best estimate of the work and materials required and the cost for that work and materials.
 - ii. The cost estimate shall not be, and shall not be construed as, a guarantee or an unconditional commitment of the cost to provide the requested materials.
- D) A requestor who is not satisfied with the cost estimate can ask that it be reviewed by the General Manager, who shall make a decision and findings in writing. If the requestor is not satisfied with the decision of the General Manager, he or she can ask for a formal hearing and review by the District’s Board of Commissioners. The requestor may appear before the Board, but is not required to do so.
- E) The District shall require prepayment of the cost estimate amount before the requested materials shall be copied.
- F) The District shall require payment in full of all required fees, costs, and charges (including the special service charge, if any) before the requested materials shall be provided to the requestor.

G) The District shall have the option to waive any or all of the above costs, fees, and charges where, in the sole judgment of the General Manager and/or the Board of Commissioners, it would be fair, equitable, and appropriate to do so.

Section 3. Authorization. The General Manager and/or District Clerk be and are authorized to collect the fees and charges in accordance with Section 2, above.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption by the Board of Commissioners and shall govern any pending public records requests.

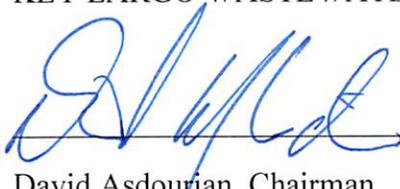
RESOLVED AND ADOPTED THIS 15th DAY OF DECEMBER, 2015

The foregoing RESOLUTION was offered by Commissioner Gibbs, who moved its approval. The motion was seconded by Commissioner Tobin, and being put to a vote, the result was as follows:

	AYE	NAY
Chairman Asdourian	<u>✓</u>	___
Commissioner Gibbs	<u>✓</u>	___
Commissioner Higgins	<u>✓</u>	___
Commissioner Majeska	<u>✓</u>	___
Commissioner Tobin	<u>✓</u>	___

The Chairman thereupon declared Resolution No. 28-12-15 duly passed and adopted the 15th day of December, 2015.

KEY LARGO WASTEWATER TREATMENT DISTRICT



David Asdourian, Chairman

ATTEST:



Katherine Jackson, District Clerk

Approved to as to form and legal sufficiency



Ray Giglio, General Counsel



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