

RESOLUTION NO. 2025-063

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
SOUTHWEST RANCHES, FLORIDA, ADOPTING A PUBLIC RECORDS
RETENTION POLICY CONSISTENT WITH FLORIDA LAW;
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the purpose of a records retention policy is to establish a clear framework for Town staff and representatives to effectively manage the retention, destruction, and provision of public records of the Town; and

WHEREAS, it is the policy of the Town of Southwest Ranches to maintain public records in accordance with Article I, Section 24, Constitution of the State of Florida; Section 257.36(5), Florida Statutes; Chapter 119, Florida Statutes; Rule 1B-24, Florida Administrative Code; and Rule 1B-26, Florida Administrative Code, as all may be amended from time to time; and

WHEREAS, the Town of Southwest Ranches currently does not have a records retention policy to govern the management, retention, and disposal of public records; and

WHEREAS, the Town Council has determined that it is necessary to establish guidelines for preserving Town records, consistent with Florida law; and

WHEREAS, the records retention policy sets standards for ensuring compliance with applicable laws, maintaining transparency, and promoting efficient management of Town records; and

WHEREAS, the Town Council deems that it is in the best interest of the residents to enact a records retention policy;

NOW, THEREFORE BE IT RESOLVED by the Town Council of the Town of Southwest Ranches, Florida as follows:

Section 1: Recitals. The above-referenced recitals are true and correct and are incorporated herein by reference.

Section 2: Adoption. The Town Council hereby approves the adoption of the Town of Southwest Ranches records retention policy attached hereto as "Exhibit A" and authorizes the Town Administrator and Town Clerk to implement these changes as needed.

Section 3: Severability. If any one or more provisions of this Resolution shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited or against public policy, or shall for any reason whatsoever be held invalid, then such provision shall be null and void and shall be separate from the remaining provisions, and shall in no way affect the validity of all other provisions of this Resolution.

Section 4: Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED by the Town Council of the Town of Southwest

Ranches, Florida, this 12th day of June, 2025, on a motion by

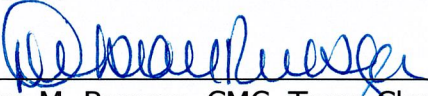
VICE MAYOR HARTMANN and seconded by COUNCIL MEMBER KUCZENSKI.

Breitkreuz	<u>YES</u>
Hartmann	<u>YES</u>
Allbritton	<u>YES</u>
Jablonski	<u>YES</u>
Kuczenski	<u>YES</u>

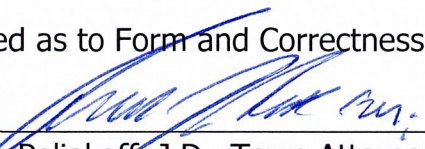
Ayes	<u>5</u>
Nays	<u>/</u>
Absent	<u>/</u>
Abstaining	<u>/</u>


Steve Breitkreuz, Mayor

ATTEST:


Debra M. Ruesga, CMC, Town Clerk

Approved as to Form and Correctness:


Keith M. Poliakoff, J.D., Town Attorney
1001.048.2025

Town of Southwest Ranches
Records Retention Policy
Effective Date February 17, 2024

I. Introduction

The records that the Town of Southwest Ranches employees and agents keep and generate in the course of their duties and responsibilities are public records. Florida Law requires public records to be readily available and accessible to the public and requires all employees to maintain the public records in their custody. Only records designated by Florida Statutes as confidential, or exempt, can be withheld from public disclosure.

II. Purpose

The purpose of this policy is to provide Town of Southwest Ranches employees and agents with information and guidance to properly manage public records, to establish standards for meeting legal requirements, and to outline procedures for proper retention and destruction of public records, in accordance with Florida Statutes.

III. Scope

This policy applies to all Town of Southwest Ranches employees, elected officials, publicly created advisory boards, and public or private entities that have been contracted with the Town to perform governmental functions. This policy applies to all public records of the Town, regardless of the medium.

IV. Authority

- a. Sections 257.36, 119.07, 119.011, and 119.021, Florida Statutes.
- b. Rules 1-2.0031, 1B-24, 1B-26.003, and 1B-26.0021, Florida Administrative Code.

V. Statement of Policy

It is the policy of the Town of Southwest Ranches to ensure that public records in the custody of the Town are managed and maintained as required by Florida Public Records Law.

The Town's Records Retention Policy applies to all records, regardless of physical form, characteristics, or means of transmission that are created or received by the Town in connection with the transaction of official business.

VI. Definitions

- a. Confidential - public records that have been identified in the Florida Statutes as confidential. The information in these records is not subject to inspection by the public and may be released only to the persons and entities designated in Florida Statutes.
- b. Disposition of Records - Section 257.36(6), Florida Statutes, states that "a public record may be destroyed or otherwise disposed of only in accordance with retention schedules established by the division." This means that all records, regardless of access provisions, must be scheduled before disposition can occur.
- c. Exempt - public records that have been identified in Chapter 119 or other applicable Florida Statutes as exempt from public disclosure.
- d. General Records Retention Schedule - establishes retention requirements for records documenting administrative and program functions common to several or all government agencies, such as personnel, accounting, purchasing and general administration. General records schedules can cover a significant proportion of an agency's record series. *** The General Records Schedule GS1-SL for State and Local Government Agencies can be used by all state and local agencies in determining their records retention requirements.
- e. Individual Records Retention Schedule - establishes retention requirements for records that are unique to the Town. These schedules are used for records that are not in a general schedule. *** Individual records schedules may only be used by the agency for which they were established. To establish an individual records schedule, an agency must submit a Request for Records Retention Schedule to the Florida Department of State Records Management Program for review and approval.
- f. Public Record - as defined by Section 119.011(12), Florida Statutes, 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.

- g. Record Copy - as defined in Rule 1B-24.001(3)(j), Florida Administrative Code, means the public records specifically designated by the custodian as the official record.
- h. Records Liaison – the designated employee responsible for the coordination of public record activities as appointed by the Department Head.
- i. Records Management Liaison Officer (RMLO) – serves as the point of contact between the Town and the Florida Department of State's Division of Library and Information Services' Records Management Program.
- j. Records Series - as defined in Rule 1B-24.001(3)(k), Florida Administrative Code, means a group of related documents arranged under a single filing arrangement or kept together as a unit because they consist of the same form, relate to the same subject, result from the same activity, or have certain common characteristics.

VII. Record Retention

Public records controlled by the Town shall be retained and preserved in accordance with the State of Florida's General Records Retention Schedules, as applicable, with the most current version provided by the Florida Department of State, Division of Library, and Information Services.

Public records with a retention period longer than one year shall be properly placed and retained in the Town's Electronic Content Management System (ECM) until it has met its retention timeframe and can be properly destroyed. This will be designated as the record copy and all other versions will be deemed duplicate records and may be destroyed as they are deemed Obsolete, Superseded, or their Administrative Value (OSA) is lost in accordance with Florida Department of State, Division of Library, and Information Services rules.

Records shall be organized using a record filing system that is easily understood by all users, easily accessible to all users, and appropriate to the nature, purpose, and use of the record. Naming/filing conventions for all records should include date record was created and/or inclusive dates in consistent manner (ex: 01/31/2024 or 01/31/2024 – 06/30/2024).

All records shall be stored as an appropriate media format to ensure their preservation for the entire length of the required retention period.

Any records not covered by the general records schedules must have an individual records retention schedule, as established by the Department of State.

Each department of the Town must maintain a current inventory of all record series under their control with the Town's Records and Administrative Coordinator.

VIII. Records Disposition

All public records shall be destroyed once they have met their required retention period with the exception of:

- Records designated by the Records Management Liaison Officer as having archival value. (Exhibit A)
- Any records that have not met audit requirements, are pending litigation, or are part of an open public records request.
- A department director may request in writing that certain records be retained past the state-mandated retention requirement. Such request must have a "compelling interest" to be retained by the Town. Such a request may only be granted by the Town Administrator and may not extend the retention period more than one year, unless legally required to do so.

Records shall be disposed of only after authorization from the Records Management Liaison Officer.

Record Liaisons shall identify and document specific information relating to the disposition/destruction of public records using the Town's or State's Record Disposition Form. This information includes: Retention Schedule number, record series title, inclusive dates of records, identifiable description of records, volume (cubic feet for paper records, if electronic, the number of bytes and indicate that the disposed records were in electronic form), and disposition action.

Physical destruction of public records must be in accordance with the provisions set forth in Rule 1B-24 of the Florida Administrative Code.

The Records Management Liaison Officer or their designee, must permanently retain the completed records disposition forms, in accordance with its required retention schedule.

The Records Management Liaison Officer shall submit the Records Management Compliance Statement form to the State's Records Management Program on an annual basis.

Exhibit A

Designated Archival Records

Appraisals (Physical Copies) currently in the Town's possession– Item 172 - Real Property Records: Property Acquired. – Designated as Permanent

Deeds (Physical Copies) currently in the Town's possession – Item 172 – Real Property Records: Property Acquired. – Designated as Permanent

Easements (Physical Copies) currently in the Town's possession – Item 172 – Real Property Records: Property Acquired. – Designated as Permanent

Minutes (Physical Copies) currently in the Town's possession – Item 32 – Minutes: Official Meetings – Designated as Permanent

Ordinances (Physical Copies) currently in the Town's possession – Item 228 – Ordinances – Designated as Permanent

Resolutions (Physical Copies) currently in the Town's possession – Item 297 – Resolutions – Designated as Permanent