



AGENDA

MEMORANDUM

TO: Honorable Mayor & City Commissioners

VIA: Michael E. Jackson, City Manager

FROM: Office of the City Clerk

SUBJECT: Public records exemption for municipal clerks and employees who perform municipal elections work or have any part in code enforcement functions of a city

DATE: February 5, 2025

GENERAL SUMMARY/BACKGROUND:

Many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings related to neglect or abuse, or other activities that could lead to a criminal prosecution are exposed to serious threats and other acts of violence. The potential risks they face are significant and should not be underestimated.

Municipal Clerks often administer elections. Some election workers have been targeted for threats and violence due to the nature of materials they are responsible for. Further, Clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances. Occasionally, these proceedings have led to retaliation and threats by defendants.

It is crucial to note that there are currently 27 public record exemptions for specific roles, one of which applies to Code Enforcement Officers. The exemption covers Code Officers, but not Municipal Clerks. There is a pressing need to include language referencing code enforcement work in the resolution template to cover Municipal Clerks and employees who perform work related to code enforcement proceedings as part of the public record exemption.

The FACC Board of Directors is taking a proactive stance in considering how to pursue state legislation to provide a public records exemption for the personal information of current Municipal Clerks and employees who perform municipal elections work. FACC is reaching out to municipalities, urging them to adopt a resolution that will prompt the Florida State Legislature to enact legislation for this public records exemption.

BUDGET IMPACT:

N/A

LEGAL NOTE:

Defer to the City Attorney.

STAFF RECOMMENDATION:

Staff recommends approval of the item.

ATTACHMENTS:

Resolution 2025-11