

RESOLUTION NO. 36-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings that could lead to a criminal prosecution, or code enforcement actions are exposed to threats and other acts of violence; and

WHEREAS, municipal clerks often administer elections, and some election workers have been targeted for threats and violence due to the nature of materials they are responsible for during elections; and

WHEREAS, municipal clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances and, occasionally, these proceedings have led to retaliation and threats by defendants; and

WHEREAS, currently public records exemptions in Florida include those for local personnel who either investigate, enforce, or otherwise provide a service that can result in contentious interactions when action is taken and municipal clerks and their staff fall within the need for a window for greater protection; and

WHEREAS, the Florida Association of City Clerks is very concerned for the safety and well-being of the municipal clerks and their staff who serve the public on a daily basis and are, oftentimes, the first contact of citizens with cities; and

WHEREAS, the City of Delray Beach has complied with all requirements and procedures of Florida law in processing and adopting this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The City Commission of the City of Delray Beach hereby adopts the recitals set forth above as the legislative findings of the City Commission of the City of Delray Beach.

Section 2. The Mayor and City Commissioners of the City of Delray Beach, Florida, hereby urge and encourage the Florida State Legislature to enact legislation to provide a public records exemption for municipal clerks and employees who perform municipal elections work or have any part in code enforcement functions of a municipality.

Section 3. The City of Delray Beach is hereby directed and authorized to send a certified copy of this Resolution to Governor Ron DeSantis, Senator Lori Berman, and Representative Kelly Skidmore, the Palm Beach County League of Cities, and the Florida League of Cities (FLC).

Section 4. This Resolution shall become effectively immediately upon its adoption.

PASSED AND ADOPTED in regular session on this ____ day of _____, 2025.

Thomas F. Carney, Jr. Mayor

ATTEST:

Alexis Givings, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Lynn Gelin, City Attorney