



Cover Memorandum/Staff Report

File #: 25-148

Agenda Date: 2/18/2025

Item #: 6.B.

TO: Mayor and Commissioners
FROM: Alexis Givings, Office of the City Clerk
THROUGH: Terrence R. Moore, ICMA-CM
DATE: February 18, 2025

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.

Recommended Action:

Motion to approve Resolution No. 36-25; 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.

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 threats and other acts of violence. 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.

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.

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.

Please note, there are currently 27 public record exemptions for specific roles, one of which applies to Code Enforcement Officers. Code Officers are covered by the exemption, but not Municipal Clerks.