



MEMORANDUM

AGENDA ITEM #8d)1

DATE: SEPTEMBER 14, 2009
TO: COUNCIL MEMBERS
FROM: STAFF
SUBJECT: SFRPC RECORDS RETENTION POLICY

Attached is SFRPC Resolution 09-03 adopting the general records retention schedule for State and local government agencies as provided by the Florida Department of State as the Council's official records retention policy.

Recommendation

Approval of the attached Resolution 09-03.



RESOLUTION NO. 09-03

A RESOLUTION OF THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL ADOPTING THE GENERAL RECORDS RETENTION SCHEDULE FOR STATE AND LOCAL GOVERNMENT AGENCIES AS PROVIDED BY THE FLORIDA DEPARTMENT OF STATE AS THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL'S OFFICIAL RECORDS RETENTION POLICY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the South Florida Regional Planning Council ("SFRPC") is a state agency subject to Chapter 119, Florida Statutes, also known as "The Public Records Act"; and

WHEREAS, The SFRPC is further governed by Chapter 186, Florida Statutes, Rules 9-J and 29-J of the Florida Administrative Code, and the SFRPC's Statement of Organization, as amended; and

WHEREAS, the SFRPC's obligations with respect to the maintenance of public records are not expressly addressed in any of the aforementioned governing regulations; and

WHEREAS, as there is no authority to the contrary, the SFRPC is therefore subject to the General Records Retention Schedule for State and Local Government Agencies ("Retention Schedule"), as provided by the Florida Department of State; and

WHEREAS, the members of the SFRPC, in order to formally establish the SFRPC's records retention policy, hereby adopts the Retention Schedule, which is attached hereto as Exhibit "A", as the SFRPC's official records retention policy

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL THAT:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and incorporated herein by this reference.

SECTION 2. The South Florida Regional Planning Council ("SFRPC") hereby adopts the State of Florida General Records Retention Schedule for State and Local Government, a copy of which is attached hereto as Exhibit "A", and incorporated herein by

reference, as the SFRPC's official records retention policy. All SFRPC officials and staff are hereby directed to take all actions consistent with the intent of this Resolution.

SECTION 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. If any clause, section, other part or application of this Resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Resolution.

SECTION 5. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE SOUTH FLORIDA REGIONAL PLANNING COUNCIL, THIS ____ DAY OF _____, 2009.

SANDRA WALTERS, CHAIR