

TAB 5

Law Offices

Christiansen & Dehner, P.A.

63 Sarasota Center Blvd. Suite 107 Sarasota, Florida 34240 • 941-377-2200 • Fax 941-377-4848

MEMORANDUM

TO: All Board of Trustees

FROM: Christiansen & Dehner, P.A.

SUBJECT: Public Records Management

DATE: January 18, 2011

We continue to have a number of questions regarding the requirements for records retention and disposal of pension plan documents. Some requirements have changed since our memorandum in 2003. This memorandum is intended to update and clarify these requirements.

Boards of Trustees of public pension funds have some special requirements under the law regarding the storage, retention and destruction of public records. Below is an outline of the requirements of the law as provided for in Florida Statutes Chapter 257 and Florida Administrative Code Rule 1B-24.

The first responsibility of a Board is to appoint a Records Management Liaison Officer also known as an RMLO. The RMLO is the contact point between the Board and the Florida Division of Library and Information Services, the entity responsible for oversight of the records management functions of Florida local governments. The RMLO does not have to be a Trustee. The name of the designated RMLO must be provided to the Florida Division of Library and Information Services by completing and submitting the attached memorandum to the Division. A Word version of the memorandum is available on the Division's website at:

http://dlis.dos.state.fl.us/index_RecordsManagers.cfm

Second, the Board should establish and adopt a records retention schedule. Records retention schedules identify the Board's records and establishes periods of time that the records are to be retained. The Board can adopt the official Division of Library and Information Services schedule for State and Local Government Agencies (Schedule GS1-SL) or can create a Board specific schedule which has been approved by the Division. We recommend adopting Schedule GS1-SL, which can be downloaded from:

http://dlis.dos.state.fl.us/recordsmgmt/gen_records_schedules.cfm

Finally, the Board will be asked to annually attest to the compliance with records disposition laws, rules and procedures.

Attached is a sample resolution of the Board of Trustees to appoint an RMLO and to adopt the GS1-SL records retention schedule. Even if the Board previously adopted a resolution we are recommending a new resolution be adopted, since the name of the retention schedule has been changed. Once completed, the resolution and the memorandum should be sent to Division of Library and Information Services, Florida Department of State, Mail Station 9A, Tallahassee, Florida 32399-0250.

Please place this on the agenda for the next meeting for Board consideration.

RESOLUTION NO. 03-01GE

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE
CITY OF PALMETTO GENERAL EMPLOYEES'
RETIREMENT SYSTEM DESIGNATING A RECORDS
MANAGEMENT LIAISON OFFICER AND ADOPTING A
RECORDS RETENTION SCHEDULE.**

WHEREAS, Florida Statutes §257.36 creates the Records and Information Management Program within the State Division of Library Services, which is responsible for records management;

WHEREAS, the Board of Trustees is a local governmental agency subject to the requirement of Florida Statutes §257.36;

WHEREAS, Florida Statutes §257.36 requires the Board to designate a Records Management Liaison Officer; and

WHEREAS, Florida Statutes §257.36 requires the Board to establish and maintain an active and continuing program for the economical and efficient management of records;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE FUND:

SECTION 1. The Board designates Diane Ponder as the Records Management Liaison Officer for purposes of Florida Statutes §257.36.

SECTION 2. The Board adopts the State of Florida General Records Schedule GS1-L for Local Government Agencies as its records retention schedule, to establish and maintain an active and continuing program for the economical and efficient management of records.

Adopted by the Board this 4th of August, 2003.


CHAIRMAN

ATTEST:


SECRETARY

cc: Bureau of Archives and Records Management
Division of Library and Information Services
500 S. Bronough Street
Tallahassee, Florida 32399-0250

