

MEMORANDUM

TO: Directors and Division Chiefs

FROM: Karen Bowling, Chief Administrative Officer
Cleveland Ferguson III, Deputy Chief Administrative Officer

CC: Cindy A. Laquidara, General Counsel
Carla Miller, ECO Director

RE: Text Messaging Guidance

DATE: September 6, 2012

Please instruct your team that:

1. When conducting city business, emailed communication is preferred. It is a routine and cost-effective way to preserve public records.
2. If a team member uses text messaging, it should be utilized for transitory¹ related communications only.
 - a. To the extent possible, text messages, due to their fleeting and temporal nature, should not be used for conducting official public business, only for transitory-type communications and personal uses.
 - b. The Office of Ethics, Compliance and Oversight has developed literature in this area that contains helpful examples of what messages may be considered public business.
3. If an official or employee chooses the medium of text messaging to conduct official public business, they should be instructed to maintain a copy of such text either through the copying or forwarding of same to email or some other recognizable format, or employ a retention mechanism.

We are in the process of conducting further due diligence on the utility of issuing city-owned devices. As a result, this policy is subject to revision.

¹ The State of Florida's General Records Schedule GS1-SL for State and Local Government Agencies, Item #146, sets forth the following for "Transitory messages": "This record series consists of records that are created primarily to communicate information of short-term value. "Transitory" refers to short-term value based upon the content and purpose of the message, not the format or technology used to transmit it. Examples of transitory messages include, but are not limited to, reminders to employees about scheduled meetings or appointments; most telephone messages (whether in paper, voice mail, or other electronic form); announcements of office events such as holiday parties or group lunches; and recipient copies of announcements of agency-sponsored events such as exhibits, lectures, workshops, etc. Transitory messages are not intended to formalize or perpetuate knowledge and do not set policy, establish guidelines or procedures, certify a transaction, or become a receipt."