



CITY OF DORAL COUNCIL MEETING MEMORANDUM

ITEM TITLE:

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ADOPTING A STANDARD OPERATING PROCEDURES FOR CITY ATTORNEY REVIEW OF PUBLIC RECORDS REQUESTS RELATED TO POTENTIAL OR PENDING LITIGATION; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR INCORPORATION OF RECITALS; AND PROVIDING FOR AN EFFECTIVE DATE

DEPARTMENT RECOMMENDATION:

Approval

BRIEF HISTORY:

The City of Doral is subject to Florida's constitutional and statutory public records requirements, which mandate public access to records made or received in connection with official City business. Article I, Section 24 of the Florida Constitution guarantees every person the right to inspect or copy public records, and Chapter 119, Florida Statutes, establishes the procedures governing public records requests. [Fla. Const. Art. I, § 24](#), [Fla. Stat. § 119.01](#).

The City previously adopted a comprehensive Public Records Request Policy through Resolution 25-27. However, public records requests that relate to potential, anticipated, or pending litigation present unique legal considerations that require specialized review to ensure compliance with applicable statutory exemptions and privileges.

Florida law provides specific protections for certain attorney work product and attorney-client communications in the public records context. Section 119.071(1)(d), Florida Statutes, exempts from disclosure public records prepared by an agency attorney that reflect mental impressions, conclusions, litigation strategy, or legal theory when prepared exclusively for civil or criminal litigation or in anticipation of imminent litigation. This exemption remains in effect until the conclusion of the litigation or adversarial administrative proceedings. [Fla. Stat. § 119.071](#),

The Florida Supreme Court has recognized that the legislature enacted this statutory exemption to address the disadvantaged status of public entities in litigation under the Public Records Act, accommodating the competing interests in confidentiality of the attorney-client relationship and government transparency. Orlando v. Desjardins, 493 So. 2d 1027 (Fla. 1986). The exemption brings Florida's public records law into accordance with the work product protections available in civil discovery under Florida Rule of Civil Procedure 1.280.

The City Attorney has prepared a Standard Operating Procedure titled "City Attorney Review of Public Records Requests Related to Potential or Pending Litigation," effective July 20, 2026, which establishes a uniform process for handling such requests. The SOP is attached to the Resolution as Exhibit A and incorporated by reference.

LEGISLATIVE ACTION: (IF APPLICABLE)

Date:	Resolution/Ordinance No.	Comments

FINANCIAL INFORMATION: (IF APPLICABLE)

No.	Amount	Account No.	Source of Funds
I.			
Total:			
Fiscal Impact Statement: The proposed item has no fiscal impact.			

STRATEGIC PLAN ALIGNMENT:

This item is aligned with the Public Safety Strategic Goal, as it will assist in continuing to ensure the well-being and security of residents, maintain social order, support economic growth, foster community engagement, and improve the overall quality of life for residents.

ATTACHMENT(S):

A. SOP