

SECTION 2. POWERS, DUTIES & RESPONSIBILITIES OF COUNTY GOVERNMENT

2.5 ORGANIZATIONAL POWERS, DUTIES & RESPONSIBILITIES

A. BOARD OF COUNTY COMMISSIONERS. The Board of County Commissioners shall exercise all legislative authority provided by the Seminole County Home Rule Charter in addition to any other powers and duties authorized by general law or special law. The Board shall set policy by means of ordinances, resolutions and motions; assure that there are qualified people for implementing those policies by appointing and removing the County Manager and County Attorney and confirming the appointment of department heads. Individual Commission members are prohibited from interfering with employees, officers, or agents under direct or indirect supervision of the County Manager or the County Attorney. This provision shall not be interpreted to prevent commission members, who are accountable to the citizens of Seminole County, from making, in the performance of their duties, reasonable inquiries and requests for information from county employees, officers or agents. Neither the County Manager, the County Attorney nor any other county officer or employee shall interfere with rights of commission members hereunder. The application, interpretation or adjudication of any questions arising under this provision shall be the responsibility of the Board of County Commissioners, whose determination shall be final.

B. COUNTY COMMISSIONER. The duties, powers and responsibilities of County Commissioner are set forth in the Constitution and Laws of the State of Florida and the Seminole County Home Rule Charter. In order to facilitate the performance of said duties and responsibilities, each Commissioner is authorized to employ an executive assistant who shall report to and be supervised by said Commissioner. Executive Assistants (BCC) shall be deemed members of the legislative branch of county government. Seminole County Personnel Policies and Procedures shall apply to the positions of Executive Assistant (BCC) in the same manner and extent that they apply to employees of the County Manager except that wherever said Policies and Procedures refer to the County Manager's authority that authority shall rest with the individual commissioner as it relates to their assigned Executive Assistant.

C. COUNTY MANAGER. The County Manager shall be the chief executive officer of the County and all executive responsibilities and power shall be assigned to and vested in the County Manager, and consists of the following powers and duties:

(1) Carries out the directives and policies of the Board of County Commissioners and enforces all orders, resolutions, ordinances and regulations of the Board and exercises all executive authority provided by the Seminole County Home Rule Charter in addition to all powers and duties authorized by general or special law;

(2) Selects, appoints and directs the Deputy County Manager, Assistant County Manager, and Department Directors. The Board of County Commissioners shall, by majority vote, confirm such appointments by the County Manager. The County Manager shall be authorized to negotiate and execute employment agreements with the

Deputy County Manager, Assistant County Manager and Department Directors. Such contract provisions shall be consistent with adopted Personnel Policies and may include severance provisions for termination without cause.

(3) Has the sole authority to suspend or terminate the Deputy County Manager, Assistant County Manager and the Department Directors;

(4) Reports annually to the Board of County Commissioners and to the citizens on the state of the County, the work of the previous year, recommendations for action or programs for improvement of the County, and the welfare of its residents;

(5) Prepares and submits the annual budget and capital programs to the Board of County Commissioners and executes the budget and capital programs in accordance with appropriations and ordinances enacted by the Commission;

(6) Ensures that all ordinances, resolutions and orders of the Board of County Commissioners and all laws of the State which are subject to enforcement by the Manager, or by officers who are subject under the Charter to the Manager's direction and supervision, are faithfully executed; and

(7) Carries into execution such other powers or duties as required by the Seminole County Home Rule Charter or prescribed by the Board of County Commissioners including, by way of enumeration, but not limitation, those powers and duties prescribed in Section 125.85, Florida Statutes.

D. COUNTY ATTORNEY. The County Attorney shall provide legal services to the Board of County Commissioners, County Manager, County departments and County boards and agencies as specified by County ordinances. The duties and responsibilities of the County Attorney include:

(1) Provides advice and representation for the legislative branch;

(2) Provides advice and representation for the executive branch;

(3) Provides advice and representation for Constitutional Officers created under Section 1(d) of Article VIII of the Florida Constitution, if requested by such officers and approved by the Board of County Commissioners;

(4) Prosecutes and defends all legal actions by and against the County as approved by the Board, or as directed by the Board; provided, however, the County Attorney is authorized and directed to take action on behalf of the County to protect the rights of the County in any legal action pending an appropriate opportunity to request required approval of the Board; and

(5) Selects, employs and directs Assistant County Attorneys and other paralegal and clerical positions as required to properly perform the duties of the office of County Attorney as funded by the budget adopted by the Board.

E. DEPUTY COUNTY MANAGER. The powers, duties and responsibilities of the Deputy County Manager shall include the following:

- (1) Coordinates and carries out administrative and operational functions of the County to meet the goals, objectives and projects of the County working under the supervision of the County Manager;
- (2) Recommends hiring and termination of Department Directors for departments under assigned organizational responsibility;
- (3) Supervises and coordinates the activities of assigned departments to assure compliance with County ordinances, policies, resolutions and directives;
- (4) Recommends courses of action to the County Manager;
- (5) Assumes delegated executive and administrative duties as assigned by the County Manager;
- (6) Undertakes tasks assigned by the County Manager;
- (7) Serves as Acting County Manager during absence as designated by the County Manager; and
- (8) Represents the County at functions assigned by the County Manager.

F. ASSISTANT COUNTY MANAGER. The powers, duties and responsibilities of the Assistant County Manager shall include the following:

- (1) Coordinates and carries out administrative and operational functions of the County to meet the goals, objectives and projects of the County working under the supervision of the County Manager;
- (2) Recommends courses of action to the County Manager;
- (3) Assumes delegated executive and administrative duties as assigned by the County Manager;
- (4) Undertakes tasks assigned by the County Manager;
- (5) Serves as Acting County Manager during absence of both County Manager and Deputy County Manager as designated by the County Manager; and
- (6) Represents the County at functions assigned by the County Manager.

G. DEPARTMENT DIRECTORS. The powers, duties and responsibilities of each department director shall include the following:

- (1) Hires, terminates and directs employees within their Department;
- (2) Carries out the functions of the department and is responsible for meeting its short-range and long-range goals, objectives and projects; reports to either the County Manager or the Deputy County Manager.
- (3) Undertakes any task of another department on a temporary basis as directed by the County Manager;
- (4) Delegates executive duties and responsibilities within the department as necessary provided that, except in the absence of the department director, overall responsibility shall not be delegated or relinquished by the Department Director;
- (5) Advises and assists other Department Directors on matters relating to the department's responsibility and on matters of mutual responsibility;
- (6) Prepares and submits reports requested by the County Manager or the Deputy County Manager;
- (7) Prepares and maintains records, statistics, and reports as required by the County Manager or the Deputy County Manager;
- (8) Preserves and maintains all records, books and property in custody or under control of the department;
- (9) Prepares an annual budget for the department for review and processing in accordance with procedures established by the County Manager and administers the expenditures of the department within their approved budget;
- (10) Provides training of employees and maintenance of employee skills; provides for monitoring, and where appropriate for the adoption, of the latest improvements and developments in the department's area of responsibility; establishes, with the approval of the County Manager, such innovations and changes as may be of benefit to County government and the general public; and
- (11) Performs other functions, responsibilities, powers, and duties as directed by the County Manager or Deputy County Manager.

G. AUTHORITY. BCC approved March 14, 1995
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-29 adopted February 10, 2009