



**SECTION 3. COUNTY ADMINISTRATION**

**3.25 DELEGATION OF AUTHORITY TO ACCEPT OR EXECUTE INSTRUMENTS AND DOCUMENTS AND TO SET PUBLIC HEARINGS**

**A. PURPOSE.** The Seminole County Board of County Commissioners (“BCC”) hereby authorizes the County Manager to delegate to the appropriate staff persons the authority to accept or execute certain legal instruments and documents on behalf of the County without action by the BCC arising from or relating to the development approval process of either the County or the cities within Seminole County.

**B. ACCEPTANCE OF CERTAIN INSTRUMENTS AND DOCUMENTS.** The authority set forth in Section 3.25A above extends to the acceptance of instruments and documents including but not limited to the following:

(1) Bills of sale relating to lift stations and water and sewer lines and acceptance into the County-maintained utility system, instruments of conveyance relating to lift stations and water and sewer lines.

(2) Utility agreements.

(3) Reclaimed water agreements.

(4) Maintenance agreements.

(5) Letters of credit.

(6) Instruments of conveyance relating to the conveyance of public road right of way and acceptance into the County-maintained roadway system.

(7) Cross access easements and agreements.

(8) Drainage easements.

(9) Sidewalk easements.

(10) Performance bonds.

(11) Payment bonds.

(11) Maintenance bonds.

(12) Estoppel letters.

(13) Utility easements.

**C. EXECUTION OF CERTAIN INSTRUMENTS AND DOCUMENTS.** The authority set forth in Section 3.25A above extends to the execution of instruments and documents, including but not limited to the following:

(1) Release of subdivision maintenance bonds.

(2) Release of subdivision performance bonds.



**D. RATIONALE.** The BCC considers it appropriate to delegate this acceptance and execution authority because these matters are ancillary to the development review process, which includes public hearings and input by the BCC and other public agencies. Additionally, these matters are generally not controversial but they can be time sensitive for developers. These matters are generally so ministerial in nature that they do not require the attention of the BCC. However, this delegation of authority applies only to non-controversial matters. If staff is aware that acceptance or execution of an instrument or document is controversial, then the instrument or document must be submitted to the BCC for consideration.

**E. PROCEDURE FOR STAFF ACCEPTANCE AND EXECUTION OF CERTAIN INSTRUMENTS AND DOCUMENTS.** In order for County staff to accept or execute any of these legal instruments or documents listed in this Section 3.25, staff shall review the instrument or document and the surrounding circumstances to ensure County acceptance or execution of the legal instrument or document is consistent with County policy. Additionally, the County Attorney's Office shall review the instrument or document for legal sufficiency and compliance with this Section. County staff may only accept or execute legal instruments or documents listed in this Section 3.25 without BCC action that meet one or more of the following five (5) criteria:

(1) The instrument or document was prepared by the Seminole County Attorney's Office.

(2) The form for the instrument or document was prepared by the Seminole County Attorney's Office and County staff filled in only ministerial information such as party names and addresses and legal descriptions.

(3) The instrument or document is a standard instrument or document prepared by a federally regulated financial institution and the County Attorney's Office has approved the instrument or document.

(4) The legal instrument is prepared by a member of The Florida Bar, is consistent with the County standard form for the instrument, does not contain any unacceptable provisions, and the County Attorney's Office has approved the instrument or document.

(5) The County Attorney's Office otherwise approves the instrument or document as to form and legal sufficiency and as in compliance with this Section 3.25.

**F. ROADS THAT ARE NOT RELATED TO THE DEVELOPMENT APPROVAL PROCESS.** The BCC also hereby authorizes the County Engineer or his or her designee to accept and record instruments of conveyance relating to the County's system of maintained jurisdictional roadways specified on the County's Capital Improvement Project List (previously designated the "A/B/C or Minor Road Program"). The BCC considers it appropriate to continue this delegation of authority to the County Engineer or his or her designee. The types of instruments that may be accepted under this subsection F are the same as those listed in subsection B above. The procedure set forth in subsection E above applies to acceptance of legal instruments under this subsection F. This delegation of authority applies only to non-controversial matters and



legal instruments that are obtained at no cost to the County. If staff is aware that acceptance of an instrument or document is controversial, then the instrument or document must be submitted to the BCC for consideration. This subsection F does not apply to purchase agreements approved by the BCC.

**G. AUTHORITY TO SET PUBLIC HEARINGS.** The County Manager is hereby authorized to delegate to the appropriate staff persons the authority to schedule, without action by the BCC such public hearings on such matters that must come before the BCC for decision as required by the Codes and Ordinances of Seminole County.

**H. AUTHORITY.** Resolution 96-R-71 adopted March 26, 1996  
Resolution 97-R-66 adopted March 11, 1997  
Resolution 2022-R-109 adopted September 13, 2022