ADMINISTRATIVE CODE

INTRODUCTION

This Code contains the general administrative rules, policies and procedures of Seminole County. It is divided into two volumes. The first volume is the Seminole County Administrative Code adopted by the Board of County Commissioners and constitutes the Administrative Code required by Section 125.87, Florida Statutes. Volume 1 sets forth the organization of County government and the duties and responsibilities and powers of all County officials and agencies pursuant to the Charter. The second volume, currently under development, is the County Managers Policy Manual and will include those policies adopted by the County Manager pursuant to his authority under the County Charter, State law, and ordinances and policies adopted by the Board. The Administrative Code is intended to serve as a comprehensive guide for all administrative personnel and govern the operations of the County. Observance of this Administrative Code is mandatory for all County personnel and violation may result in disciplinary action.

In addition to the Administrative Code, it is anticipated that Department Directors may promulgate manuals and policies regarding the operation of their departments. Department Internal Operating Manuals are not set forth in the Administrative Code nor do they bind personnel outside the Departments to which they are applicable. Any policy that is intended to apply to personnel or County practices generally is required to be promulgated by either the Board or County Manager and made a part of the Code.

PURPOSE; CONTENTS; ADDITIONS AND AMENDMENTS

A. PURPOSE. The purpose of this code is to set forth the duties and responsibilities and powers of County officials and agencies and to consolidate Seminole County's rules, policies and procedures as they pertain to the internal workings of the County in one place for ease of reference and compliance. Departments and Divisions are to refrain from communicating rules, policies and procedures by means of memorandums and other communications that should more properly be covered by inclusion in this code.

B. CONTENTS.

(1) This code contains the organization of Seminole County government and its rules, policies and procedures. The code is organized by general topics in alphabetical order after the organization.

(2) Each general topic is assigned a number and subtopics are numbered sequentially. Numbers have been spaced apart in order to allow for inclusion of other topics to be inserted and keep the code in alphabetical order.

C. ADDITIONS AND AMENDMENTS

(1) Suggestions from Commissioners, County staff or the general public regarding development of additions or amendments to this code or comments regarding the format should be directed to the County Manager's Office.

(2) Proposals for additions or revisions to this code shall be submitted to the County Manager in draft form. After review and approval of the County Manager, the subject will be placed in appropriate format and submitted to the Board of County Commissioners for their review and adoption.

(3) The Board of County Commissioners shall approve by resolution all rules, policies and procedures and subsequent amendments or additions prior to inclusion in the this code.

(4) Nothing herein shall be construed to limit the authority of the Board of County Commissioners to approve additions or amendments to this Code on their own initiative.

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SECTION 1. ORGANIZATION

1.5 ORGANIZATION

A. The organization and management structure for Seminole County government is as follows:

(1) **COMMISSION OFFICE** – The Commission Office shall be responsible for administrative support to the Board of County Commissioners and the individual Commissioners in the performance of their legislative functions under the Constitution and Laws of the State of Florida and the Seminole County Home Rule Charter. The Chairman of the Board of County Commissioners shall be the administrative head of the Commission Office and be responsible for the management of the Office pursuant to and in accordance with the Seminole County Administrative Code.

In order to facilitate the performance of his or her individual duties and responsibilities, each Commissioner will be provided an Executive Assistant who will report to and be supervised by the individual Commissioner. Commission Office Executive Assistants will be deemed members of the executive branch of County Government, and will be employees of the County Manager; however, each individual Commissioner will have full supervisory authority over the Executive Assistant assigned to him or her commensurate with that of other management personnel within County Government. Such supervisory authority will include, but are not limited to, assignment of tasks, authorization of leave, approval of timesheets, and evaluation of performance. The execution of this supervisory authority must be consistent with the policies outlined within the Seminole County Administrative Code. Upon the vacancy of any Commission Office Executive Assistant position, the County Manager, or his or her designee, will coordinate the recruitment of a new Executive Assistant with the respective Commissioner. Final selection of a candidate to fill the vacancy will be at the discretion of the Commissioner to whom the Executive Assistant will be assigned; however, prior to extension of a formal offer of employment, the affected Commissioner shall consult with the County Manager, or his or her designee, to ensure consistency with County policies. Additionally, Commissioners shall consult with the County Manager, or his or her designee, prior to any disciplinary action or termination to ensure consistency with County policies. The Seminole County Administrative Code, including the Personnel Policies and Procedures, will apply to the Commission Office Executive Assistants in the same manner that such policies apply to all other employees of the County Manager.

The organizational structure of the Commission Office will include the position of Lead Executive Assistant. The Lead Executive Assistant will rotate annually with the election of the Board of County Commissioners Chairman. The Executive Assistant assigned to the Commissioner who is elected to serve as Chairman will assume the role of Lead Executive Assistant until the next re-organization of the Board of County Commissioners. The Lead Executive Assistant assumes additional responsibilities necessary to assist the Board Chairman in his or her role as the administrator of the Commission Office. Such additional responsibilities will include, but are not limited to: disseminating information that arrives in the Chairman's Office to other Commissioners' offices, appropriate County staff, and relevant outside agencies; processing documents for the Chairman's signature; and administering payroll and other ministerial signatory functions. In consideration for these

additional duties, the Lead Executive Assistant will receive additional compensation in the amount of TWO HUNDRED FIFTY AND NO/100 DOLLARS ($250.00) per month for the duration of his or her tenure in such role. The Lead Executive Assistant will have no supervisory authority.

(2) **COUNTY ATTORNEY** - The County Attorney is the chief legal counsel to the County and is the head of the County Attorney's Office. The County Attorney serves under the supervision of the Board of County Commissioners.

(3) **COUNTY MANAGER** - The County Manager shall be the chief executive officer of the County and is responsible for departments reflected herein. The County Manager serves at the pleasure of the Board of County Commissioners and shall be responsible to the Board of County Commissioners for the performance of such duties as prescribed by the Seminole County Home Rule Charter, County ordinances, direction from the Board of County Commissioners and the laws of the State of Florida.

(a) **COUNTY MANAGER'S OFFICE** - The County Manager's Office shall be responsible for the supervision, direction and control of the executive branch of County Government consisting of the following departments:

(i) Community Services

(ii) Economic & Community Development Services

(iii) Environmental Services

(iv) Information Services

(v) Leisure Services

(vi) Public Safety

(vii) Public Works

(viii) Resource Management

B. AUTHORITY. Approved by BCC September 23, 2003
Resolution 2005-R-172 adopted September 27, 2005
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2007-R-217 adopted December 11, 2007
Resolution 2008-R-55 adopted February 12, 2008
Resolution 2008-R-123 adopted May 20, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-192 adopted December 8, 2015

SECTION 1. ORGANIZATION

1.10 ORGANIZATIONAL SIGNATORY AUTHORITY

A. The County Manager, County Attorney, Deputy County Manager, Assistant County Manager and all Directors of the respective County departments shall have authority to sign documents for their respective areas of responsibilities.

B. Deputy Directors shall have authority to sign documents for their respective Departments.

C. The designated Circuit Court Judge shall be recognized as having the authority to sign documents that pertain to the Judicial - Circuit Court activities in accordance with the Board of County Commissioners' Procedures.

D. The designated County Court Judge shall be recognized as having the authority to sign documents that pertain to the Judicial - County Court activities in accordance with the Board of County Commissioners' Procedures.

E. The County Manager shall have authority to sign documents not specifically restricted by law to another official. In the absence of the County Manager, the Deputy County Manager shall have the authority to sign documents. In the absence of both the County Manager and Deputy County Manager, the Assistant County Manager shall have the authority to sign documents. This shall include the authority to sign pleadings and interrogatories during the course of litigation for which defense or prosecution of same has been authorized by the Board of County Commissioners.

F. In the event the County Manager, Deputy County Manager, Assistant County Manager or Directors wish to designate an authorized signatory for a period of absence or category of documents, such authorization shall be approved by the County Manager and notice of such action shall be given to the Board of County Commissioners.

G. In the event the County Attorney wishes to designate an authorized signatory for a period of absence or category of documents, such authorization shall be approved by the County Attorney and notice of such action shall be given to the Board of County Commissioners.

H. AUTHORITY. Approved by BCC March 14, 1995
Resolution 2007-R-42 adopted March 13, 2007

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.

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.

(3) 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;

(4) 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;

(5) 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

(6) 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; and

(5) 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
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2015-R-192 adopted December 8, 2015

SECTION 2. POWERS, DUTIES & RESPONSIBILITIES OF COUNTY GOVERNMENT

2.10 DUTIES OF THE BOARD OF COUNTY COMMISSIONERS CHAIRMAN AND VICE CHAIRMAN

A. CHAIRMAN. The Board of County Commissioners shall annually elect one of its members as chairman by majority vote. This election shall be held at the regular meeting of the Board on the fourth Tuesday of November of each calendar year except general election years when the Board shall conduct its elections on the second Tuesday following the general election. In the event of a chair vacancy, the new chairman shall be elected no later than the next regular meeting. In addition to his or her powers and duties as a board member, the chairman shall have the additional powers and duties limited to the following:

(1) Serve as presiding officer of the Board of County Commissioners;

(2) Call the Board of County Commissioners into regular and special session;

(3) Sign ordinances, resolutions and documents for the Board of County Commissioners;

(4) Serve as the official representative and ceremonial dignitary for the County government;

(5) Serve as administrator of the Commission Office with administrative authority and responsibility regarding the operation of the Commission Office. Such authority shall include the preparation and submission of the office budget, and the establishment of policies and procedures regarding the operation of the Office not in conflict with Board adopted policies and procedures.

(6) Consult with the County Manager regarding the development of the County Commission agenda and the scheduling of County Commission worksessions and meetings;

(7) Appoint members of the County Commission to local and regional boards and agencies, except where such appointment is required to be made by the Board of County Commissioners; and

(8) Such other duties as may be assigned from time-to-time by the Board of County Commissioners.

B. VICE CHAIRMAN. The Board of County Commissioners shall annually elect one of its members as vice chairman who shall have all rights and duties of the chairman during the absence of the chairman. Regular elections for vice chairman shall be held in conjunction with the election for chairman. In the event of a vacancy in the office of vice chairman, a new vice chairman shall be elected not later than the next regular scheduled meeting.

C. AUTHORITY. BCC approved January 25, 1994.
Resolution 2010-R-26 adopted January 26, 2010

SECTION 3. COUNTY ADMINISTRATION

3.5 PUBLIC HEARINGS

A. SCHEDULING PUBLIC HEARINGS. Unless otherwise required by law or specifically directed by a majority vote of the BCC, all public hearings will be scheduled for the afternoon session.

B. APPLICANT CONTINUANCE REQUESTS.

(1) Any request to continue a public hearing item must be made in writing and submitted by the applicant/appellant to the County Manager's Office not later than 12:00 P.M. the day before the scheduled public hearing.

(2) A maximum of two continuances may be granted by request of the applicant/appellant. If the applicant/appellant is not prepared to present after two continuances, the application must be withdrawn and resubmitted to start the process over, including a new application fee.

(3) Large Scale Comprehensive Plan Amendment applications shall not be continued beyond the hearing dates established by the BCC unless the application is continued to the next amendment cycle. The public hearing schedule may be amended by a majority vote of the BCC.

C. ADMINISTRATIVE CONTINUANCES. Events sometimes occur which result in the Board of County Commissioners ("BCC") having scheduled a public hearing(s) but, due to the request of an applicant, the opposition, staff or others, a determination has been made prior to the hearing time and date to continue the hearing(s) to a later date.

(1) When a meeting has been scheduled where the Board has determined all scheduled item(s) will be continued, it is prudent and advisable to have a process in place so that such situations can be appropriately dealt with while minimizing the investment of BCC and staff time.

(2) Under such circumstances, the County Manager or the County Attorney, as agreed between them on a case by case basis, are authorized to convene the BCC meeting and announce its continuance (to the date directed by the BCC) and adjourn the meeting.

(3) The County Manager is directed to ensure that additional and supplemental advertising occurs, when deemed appropriate, in order that the public will be fully advised of any continuances that may occur under the factual scenarios described in Sections A and B above.

D. AUTHORITY. BCC Agenda Item #38 dated March 22, 2005
Resolution 01-R-76 adopted April 24, 2001
Resolution 99-R-82 adopted June 8, 1999

SECTION 3. COUNTY ADMINISTRATION

3.10 COMMISSIONER'S MAILINGS

A. GENERAL POLICY. When a member of the Seminole County Board of County Commissioners desires to send any pieces of mail which are identical or nearly identical in content or which are to serve a common purpose that Commissioner shall seek the approval of the Board.

This policy shall apply to mailings initiated by members of the Board of County Commissioners, and shall not be construed to restrict their ability to respond to communications received from their constituents or other persons having legitimate business with Seminole County.

B. AUTHORITY. Resolution Number 91-R-217 adopted July 9, 1991.

SECTION 3. COUNTY ADMINISTRATION

3.15 CODE ENFORCEMENT EMPLOYEE POSITIONS

A. GENERAL POLICY.

(1) It is the intent of Seminole County to appoint/designate Department and/or Division employee position/s as Code Enforcement Officers. The following positions are considered to meet the qualifications for service as a Code Enforcement Officer based on the inherent subject matter expertise necessary to serve in such position.

(a) Seminole County Tax Collector
- (1) Occupation License Manager

(b) Public Safety Department
- (1) Animal Control Officers
- (2) Fire Inspectors

(c) Development Services Department
- (1) Building Official
- (2) Chief Inspector
- (3) Planning and Development Manager
- (4) Principal Planner
- (5) Development Review Engineer
- (6) Planner – Code Compliance

(d) Environmental Services Department
- (1) Solid Waste Manager
- (2) Program Coordinator
- (3) Environmental Program Manager
- (4) Water Conservation Coordinator
- (5) Wastewater Operations Manager
- (6) Water Operations Manager
- (7) Construction Manager
- (8) Utility Operations Manager

(e) Public Works Department
- (1) Road Operations and Stormwater Manager

(f) Sheriff – employees of the Sheriff as designated by the Sheriff

B. TRAINING.

(1) The Board of County Commissioners requires that all Code Enforcement Officers undergo initial training relative to the fundamentals of code enforcement as appropriate to the anticipated code enforcement activities. The components of this initial training shall be at the discretion of the County Manager, and may include, but not be limited to, the following in-house instruction program:

SUBJECT	TAUGHT BY	HOURS
Ordinance No. 92-11	County Attorney	2 hrs.
Citation Mechanics	Sheriff's Department	1 hr.
Citation Psychology and Report Writing	Sheriff's Department	1 hr.
Court Procedures and Testifying	State Attorney	1 hr.
Rules of Evidence and Preparation Evidence	State Attorney	1 hr.
Public Relations	County Manager	2hrs.

(2) Subsequent to the initial training of designated Code Enforcement Officers, the above in-house instruction program may be scheduled and presented in whole or in part from time to time when the County Manager determines that such instruction is necessary to assure that Code Enforcement Officers are properly trained.

(3) The County Manager shall schedule annual in-house continuing instruction for all designated Code Enforcement Officer. The annual in-house continuing instruction shall be directed at updating changes in the law, County Codes, procedures and public relations and, at the direction of the County Manager may include:

SUBJECT	TAUGHT BY
Continuing education related to Code Enforcement Law and County Codes	County Attorney
Citation Mechanics	Sheriff's Department
Court Procedures and evidence	State Attorney
Public Relations	County Manager
Citation Practice	Code Enforcement Officers

(4) Newly employed personnel assigned to positions designated as Code Enforcement Officer Positions may satisfy the training and qualifications requirements by supervised practical applications of the above instruction program set forth in Section 1. The newly employed person shall work under the supervision of a trained Code Enforcement Officer until the appropriate Department Director determines that the person has acquired the necessary training to act independently. All newly employed persons shall participate in the annual in-house continuing instruction provided in Section 3.

(5) The training and qualifications set forth in this Code are deemed to supplement and not repeal nor conflict in any way with Seminole County's Personnel Policies.

C. AUTHORITY. Resolution 92-R-185 dated July 14, 1992
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-196 adopted December 8, 2015

SECTION 3. COUNTY ADMINISTRATION

3.20 CODE ENFORCEMENT LIEN REQUESTS FOR WAIVERS/REDUCTIONS

A. PURPOSE. To establish policy/procedure for the Board of County Commissioners in reducing or waiving Code Enforcement Liens.

B. REDUCTION/WAIVER REQUESTS

(1) All requests for the Board of County Commissioners to reduce or waive code enforcement liens shall be filed with the Deputy County Manager. All requests shall be in writing addressed to the Deputy County Manager, shall state all facts relevant to the request, and shall be accompanied by the order imposing a lien upon the property.

(2) Upon receiving a sufficient request, the Deputy County Manager shall review the request in accordance with the following guidelines established by the Board of County Commissioners.

(a) If a property owner has purchased property on which a lien was recorded, a waiver or reduction on lien shall not be granted, in such cases, the lien should have been considered in reaching a purchase price.

(b) If a title insurance policy is issued upon the purchase of the property and the title insurance policy failed to identify or consider the lien, a waiver or reduction in lien shall not be granted. In such cases, the lien should have been discovered by the title insurer and providing a reduction of waiver would place the County in the position of indemnifying the title insurer against its losses, which losses should be reflected in premium charges.

(c) A request for a waiver of reduction in lien shall not be granted if the Board of County Commissioners has previously reduced the amount of the lien. This statement applies whether or not the request is received from the original applicant for reduction or subsequent applicant.

(3) If the Deputy County Manager determines that the request fails any one of the above-established guidelines, the Deputy County Manager shall issue a written denial of the request. If the applicant wishes to appeal the Deputy County Manager's decision to the Board, the applicant may do so by filing a written appeal with the Deputy County Manager stating why the Board should make an exception to its established guidelines and reduce or waive the lien. Upon receipt of a proper appeal, the Deputy County Manager shall present the information to the Board of County Commissioners at a regular meeting for their consideration and final determination.

(4) If the Deputy County Manager determines that the request does not fail any one of the above-established guidelines, the Deputy County Manager shall review the request by evaluating:

(a) the amount of the lien as compared to the value of the property

(b) the actions taken, or not taken, by the property owner in attempting to abate the code violation

(c) the amount of staff time expended to bring the property in compliance

(5) The Deputy County Manager shall present the information to the Board of County Commissioners at a regular meeting for their consideration and final determination

(6) When liens are satisfied as a result of either full payment, reduced payment, or waiver as directed by the Board of County Commissioners, the County shall provide the property owner with the lien satisfaction instrument and it shall be the property owner's responsibility to record the instrument in the official County land records and to provide a certified copy of the recorded instrument to the County.

C. AUTHORITY. Approved by BCC March 14, 2000 as a briefing item

SECTION 3. COUNTY ADMINISTRATION

3.21 CODE ENFORCEMENT – SPECIAL MAGISTRATE RULES OF PROCEDURE

A. PURPOSE. To establish rules of procedure for the Code Enforcement Special Magistrate in Seminole County, Florida.

B. ESTABLISHMENT. The Seminole County Code Enforcement Special Magistrate ("Special Magistrate") is established to supplement the Code Enforcement Board and to add efficiencies to the Code Enforcement process. The procedures for the Special Magistrate are governed by Florida Statutes, Chapter 162 and all applicable county ordinances and regulations.

C. JURISDICTION. The Special Magistrate has jurisdiction to hear violations of all codes and ordinances of Seminole County with respect to non-residential properties or uses. The County Attorney or his/her designee, or the Sheriff or his/her designee, is authorized to assign cases to address backlogs or cases that are factually or legally complex.

D. SELECTION OF SPECIAL MAGISTRATE. Special Magistrates shall be appointed by the Seminole County Board of County Commissioners (the "Board") and shall be an attorney duly licensed to practice law in the State of Florida. The Board may appoint up to three Magistrates to serve on a rotating basis, in the case of legal conflict of interest or in the absence of a Special Magistrate.

Special Magistrates serve at the pleasure of the Board and may be removed from service at any time, with or without cause.

E. TERM. Special Magistrates shall serve a term of one year from the date of appointment by the Board. There shall be no limit on the number of terms a person may serve as a Special Magistrate.

F. COMPENSATION. The Special Magistrate shall be compensated at a rate to be determined by the Board.

G. POWERS OF SPECIAL MAGISTRATE. The Special Magistrate shall have the power to:

(a) Adopt rules for the conduct of its hearings;

(b) Subpoena alleged violators and witnesses to its hearings. Subpoenas may be served by the Seminole County Sheriff's Office;

(c) Subpoena evidence to its meetings;

(d) Take testimony under oath; and

(e) Issue orders having the force of law to command whatever steps are necessary to bring a violation into compliance.

H. CONFLICT OF INTEREST. The following conflict of interest provisions shall apply to the Special Magistrate:

(a) A Special Magistrate shall not engage in ex parte communications with any party, representative of a party, or interceding person concerning an alleged violation.

(b) No person who is or may become a party to a hearing before a Special Magistrate shall engage in ex parte communications with any Special Magistrate concerning that violation. This restriction shall extend to any person appearing or interceding on behalf of a party, whether or not such person may have a direct personal or financial interest in the property subject of the alleged violation.

(c) A Special Magistrate shall not serve in more than one office in violation of Article II, section 5(a) of the Florida Constitution.

I. CLERK TO THE SPECIAL MAGISTRATE. The Board of County Commissioners shall provide clerical and administrative support from the Planning and Development Division personnel as may be reasonably required by the Special Magistrate for the proper performance of its duties.

J. MINUTES. Minutes of the hearings shall be taken and promptly recorded by the Clerk to the Special Magistrate and all hearings and proceedings shall be properly noticed and open to the public. The Special Magistrate may request any corrections to the minutes.

K. INITIATION OF ACTIONS BEFORE THE SPECIAL MAGISTRATE.

(a) All actions before the Special Magistrate shall be initiated by a Code Enforcement Officer filing a Statement of Violation and Request for hearing with the Clerk to the Special Magistrate (the "Clerk"). No Special Magistrate shall have the power to initiate such enforcement proceedings.

(b) The Clerk to the Special Magistrate shall assign a complaint number. When the case is ready to be heard by the Special Magistrate, the Clerk shall set the case for a hearing.

(c) After the case is set for hearing, the Clerk shall notify the alleged violator in a manner consistent with state statutes.

L. HEARINGS.

(a) Scheduling of Hearings. The Special Magistrate may have regularly scheduled hearings in the Seminole County Services Building. Special Meetings may be called by the Planning and Development Division Manager. At least twenty-four (24) hours advance notice including the nature and purpose of all meetings shall be furnished to the public, Special Magistrate, County Manager, Code Enforcement Officer and appropriate County Departments. Notice of all meetings shall be provided to the Board of County Commissioners for inclusion on the County's schedule of meetings and events.

(b) Attendance. The Special Magistrate shall notify the Clerk if he or she is unable to attend a meeting. If a Special Magistrate fails to attend two (2) of three (3)

successive meetings that Special Magistrate may be removed from service by the Board of County Commissioners.

(c) Procedures.

(1) All testifying witnesses shall be sworn by the Clerk.

(2) The Special Magistrate shall proceed to hear the cases on the agenda for that day. The Special Magistrate shall take testimony from the Code Enforcement Officer, alleged violator, persons of interest, any other witnesses requested by either party, and any witnesses the Special Magistrate deems necessary. Both parties will have the opportunity to cross-examine.

(3) The Special Magistrate may, in the Special Magistrate's discretion, continue a hearing at any time and may request additional information from either party.

(4) If a hearing is continued, a date certain for the continued hearing shall be announced at the public hearing or a notice shall be provided to the Respondent(s) if a date is not available at the hearing.

(5) Upon completion of all the evidence, the Special Magistrate shall close the hearing.

(6) Formal rules of evidence shall not apply, but fundamental due process shall be observed and shall govern the proceeding.

(7) The Special Magistrate shall immediately deliberate in open session before the public. Although the public is welcome at the meetings of the Special Magistrate, they shall not be allowed to participate in or address the Special Magistrate during deliberation.

(8) The Special Magistrate shall issue an oral order. The order shall contain findings of fact and conclusions of law and state the affirmative relief granted by the Special Magistrate. The order may include a notice that the violation must come into compliance by a specified date, and that a fine may be imposed if the order is not complied with by said date. If the Special Magistrate finds a repeat violation has been committed, the Special Magistrate may order the violator to pay a fine for each day the repeat violation continues past the date of notice to the violator of the repeat violation. Said order shall be reduced to writing within ten (10) working days and mailed to the violator by certified mail, return receipt requested.

(9) A certified copy of such order may be recorded in the public records of Seminole County and shall constitute notice to any subsequent purchasers, successors in interest, or assigns if the violation concerns real property, and the findings therein shall be binding upon the violator and, if the violation concerns real property, any subsequent purchasers, successors in interest, or assigns. If an order is recorded in the public records pursuant to this paragraph and the order is complied with by the date specified in the order, the Special Magistrate shall issue an order acknowledging compliance and that order shall be recorded in the public records. A hearing is not required to issue such an order acknowledging compliance.

M. ENFORCEMENT.

(a) If the Special Magistrate's order has not been complied with by the date specified in the order, an Affidavit of Non-Compliance shall be issued. If the respondent wishes to challenge the Code Enforcement Officer's findings of noncompliance, a request may be made for a hearing before the Special Magistrate. This request must be made within five (5) days of receipt by the respondent of the Affidavit of Noncompliance as indicated from the return receipt, Code Enforcement Officer's service, or, (if neither of the preceding is applicable), then five (5) days after posting a copy of the Affidavit on Noncompliance on the property. Such hearing shall be constrained to the issue of whether the respondent has complied with the previous order of the Special Magistrate.

(b) At the conclusion of the hearing, if the Special Magistrate determines that the respondent has complied with the previous order within the time specified in the order, the Special Magistrate shall enter an order so stating. Such order shall be mailed to the respondent and shall be recorded if the Findings of Fact was recorded. If the Special Magistrate determines that the respondent is in compliance, but the compliance was after the date specified in the order, or if the Special Magistrate finds that the violation has not been corrected, the Special Magistrate may enter an Order Imposing a Lien which shall be mailed to the respondent by certified mail, return receipt requested or served upon the respondent by the Seminole County Sheriff's Office.

(c) In the event the respondent does not challenge the Code Enforcement Officer's finding of noncompliance, the Clerk shall place the item on the agenda of the next available meeting for entry of an Order Imposing Lien.

(d) Any Order Imposing a Lien shall be mailed to respondent by certified mail, return receipt requested, or served upon the respondent by the Seminole County Sheriff's Office.

N. ENFORCEMENT COSTS. If Seminole County prevails in enforcing a case before the Special Magistrate, it shall be entitled to recover all costs incurred in enforcing the case before the Special Magistrate, and such costs may be included in the lien authorized under Florida Statues, Section 162.09(3).

O. APPEALS. Any aggrieved party, including the Board of County Commissioners, may appeal a final administrative order of the Special Magistrate to the circuit court. Such an appeal shall not be a hearing de novo but shall be limited to appellate review of the record created before the Special Magistrate. An appeal shall be filed within thirty (30) days of the order to be appealed.

P. MISCELLANEOUS. All records of the Special Magistrate shall be open to public examination, inspection, and copying in accordance with Chapter 119, Florida Statutes.

Q. AUTHORITY. Ordinance 2011-28 adopted October 25, 2011
Resolution 2011-R-207 adopted November 8, 2011
Resolution 2012-R-107 adopted June 12, 2012

SECTION 3. COUNTY ADMINISTRATION

3.25 DELEGATION OF AUTHORITY TO ACCEPT DOCUMENTS AND SET PUBLIC HEARINGS

A. PURPOSE. The Seminole County Board of County Commissioners ("BCC") has authorized the County Manager to delegate to the appropriate staff persons the authority to accept documents without action by the BCC pertaining to the development approval process when such items have been prepared on standard County forms, reviewed by appropriate staff, and undergone a legal review by the County Attorney's Office. Such instruments include, but are not limited to, 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, utility agreements, reclaimed water agreements, maintenance agreements, letters of credit, instruments of conveyance relating to the conveyance of public road right of way and acceptance into the County-maintained roadway system, cross access easements/agreements, drainage easements, sidewalk easements, performance bonds, payment bonds, maintenance bonds, estoppel letters, and utility easements.

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.

B. AUTHORITY. Resolution 97-R-66 adopted March 11, 1997

SECTION 3. COUNTY ADMINISTRATION

3.30 ECONOMIC IMPACT STATEMENT

A. PURPOSE. The purpose of the Economic Impact Statement (EIS) is for use as a tool in the decision-making process that provides estimating of direct, quantifiable economic impacts upon citizens and taxpayers.

B. EIS PREPARATION.

(1) An Economic Impact Statement (EIS) shall be prepared by staff in conjunction with all ordinances being presented to the Board of County Commissioners (BCC), with the exception of those ordinances which adopt land use plan amendments and those ordinances that the BCC might specifically exempt from the EIS requirement. Text amendments to the comprehensive plan shall require an EIS.

(2) The EIS will be included within the staff report provided to the BCC and shall substantially follow the form attached as Exhibit 1.

(3) The EIS will include staff's best efforts to quantify the direct economic impacts (i.e. estimated costs/revenues to County, property owners, taxpayers, etc.) of implementing each ordinance proposal.

(4) The EIS will include staff's best efforts to identify, but not quantify, the potential indirect economic impacts (i.e. perceived positive/negative impacts on property values, etc.) of each ordinance proposal.

(5) In no event shall staff utilize paid consultants to aid in the preparation of an EIS without prior approval of the BCC.

(6) These policies shall become effective on January 1, 1995.

C. AUTHORITY. Resolution 94-R-337 adopted December 13, 1994.

EXHIBIT "A"

ECONOMIC IMPACT STATEMENT

DATE:	**DEPT./DIVISION:**
CONTACT PERSON:	**EXTENSION:**

DESCRIBE PROJECT/PROPOSAL:

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE OPERATION OF THE COUNTY:

DESCRIBE THE DIRECT ECONOMIC IMPACT OF THE PROJECT/ PROPOSAL UPON THE PROPERTY OWNERS/TAX PAYERS/CITIZENS WHO ARE EXPECTED TO BE AFFECTED:

IDENTIFY ANY POTENTIAL INDIRECT ECONOMIC IMPACTS, POSITIVE OR NEGATIVE WHICH MIGHT OCCUR AS A RESULT OF THE PROJECT PROPOSAL:

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3.32 ENGINEERING AND TECHNICAL MANUALS.

A. PURPOSE. To provide a process to revise the Engineering and Technical Manuals authorized by Section 5.20 of the Land Development Code.

B. ENGINEERING AND TECHNICAL MANUAL REVISION PROCEDURE. To meet the needs of the Public Works Department, the Public Safety Department and the Environmental Services Department, and to address ongoing changes in technology, it is necessary to revise and update the Engineering and Technical Manuals authorized by Section 5.20 of the Land Development Code of Seminole County, Florida on a timely basis. The Directors of the respective Departments are responsible for administering the revision process for the Department's respective Technical or Engineering Manual.

(1) Proposed revisions to the respective Engineering or Technical Manuals may be submitted by County staff or the general public to the respective Department Director.

(2) The respective Department shall provide a copy of any proposed revisions to the respective Engineering or Technical Manual by electronic mail notification to Registered Holders of the Manual for comment. The respective Department shall also ensure the proposed revisions are posted on the County's website to provide notice to other users and to provide the opportunity to comment. Interested parties may provide written comments within twenty-one (21) calendar days from the date of issuance of the e-mail and website notice.

(3) The respective Department shall schedule one (1) or more informal workshops to discuss the proposed revisions. The respective Department shall provide a notice of the date, time and location of any scheduled workshop on the County's website and by electronic mail notification to all Registered Holders of the respective Manual.

(4) After at least one (1) workshop, the respective Department's staff shall issue recommendations regarding the proposed revisions to the respective Engineering or Technical Manual and shall provide written comments received and a summary of comments presented at the workshop(s) to the respective Department Director for action.

(5) The respective Department Director shall make the final decision for the Department regarding the recommendations relative to proposed revisions to the Engineering or Technical Manual for the respective Department.

(6) Following the respective Department Director's final decision regarding the recommendations for proposed revisions to the Engineering or Technical Manual, the proposed revision must be posted on the respective Department's website for thirty (30) days, and notice of this posting must be sent to Registered Holders of the Manual.

(7) Following the posting of the proposed revision for thirty (30) days as described in Section 3.32B(6), the Department shall schedule the proposed revision for

consideration by the BCC as a consent agenda item. Proposed revisions must be implemented by Resolution.

(8) The effective date of any revision must be established within the Resolution approved by the BCC, but in no event less than thirty (30) days following the BCC approval.

C. REGISTERED HOLDER OF THE ENGINEERING MANUALS. The Public Works Department, the Public Safety Department and the Environmental Services Department shall establish procedures for any member of the public to be designated as a Registered Holder of the respective Department's Engineering or Technical Manual. The Department may charge a reasonable fee for a hard copy of the respective Manual. The Department shall also provide an electronic copy of the respective Engineering or Technical Manual to the Registered Holders.

D. EXPEDITED PROCESS FOR WAIVERS AND RELATED REVISIONS TO THE ENGINEERING AND TECHNICAL MANUALS. In certain circumstances, waivers to the Engineering and Technical Manuals may be needed on an expedited basis.

(1) This Section 3.32D applies to internal conflicts within the Manuals or situations involving an immediate public health or safety issue that might result from compliance with the Manual.

(2) If the Department Director determines there exists an internal conflict within the respective Manual or compliance with a provision in the Manual would involve an immediate public health or safety issue, the respective Department Director is directed to use sound professional judgment and, if necessary, is authorized to issue an appropriate waiver to resolve the problem on an interim basis. In such event, the Department Director shall commence the process set forth in Section 3.32B for a formal revision to the respective Manual to resolve the problem on a permanent basis.

E. AUTHORITY. Resolution 2014-R-47 adopted February 11, 2014

SECTION 3. COUNTY ADMINISTRATION

3.35 INVESTMENTS

A. PURPOSE/SCOPE.

(1) This investment policy applies to all financial assets held by or for the benefit of the Board of County Commissioners (the "Board") of Seminole County (the "County") by the Seminole County Clerk of the Circuit Court (Clerk) acting in the capacity as Clerk and the Chief Financial Officer to the County. This policy does not include the Financial assets held individually or under the control of any of the Constitutional Officers of Seminole County until such time that control of such funds pass to the County.

(2) Investments of the County are subject to Chapter 218, Part IV, Florida Statutes. This policy is established pursuant to and shall conform to the provisions of Section 218.415, Florida Statutes, as it may be amended, Resolution 95-R-237, and by Resolution 2008-R-211. The proceeds of certain bond issues may be further limited or expanded by their respective bond resolutions or covenants and shall not be considered to be in conflict with this investment policy.

B. INVESTMENT OBJECTIVES. The County shall strive to achieve with each investment opportunity, the objectives, in order of priority:

(1) Safety – The primary objective of the County's investment activities is the protection and preservation of the investment capital.

(2) Liquidity – The County's investment strategy will provide sufficient liquidity to meet cash flow requirements by utilizing marketable securities with structured maturities.

(3) Investment Income – The County will strive to invest the public funds to maximize the return on the portfolio but will minimize investment risk.

C. INVESTMENT PERFORMANCE AND REPORTING.

(1) The portfolio's weighted-average yield will be compared to established benchmarks each quarter with both a data table and corresponding graph presented to the Board. The benchmarks that shall be used are the average yield on the 6-month and 12-month Constant Maturity Treasury (CMT) indices during the prior quarter's reporting period. The benchmark is intended to serve as an indication of general market yield and will establish *a clear frame of reference and understanding* for the County's investment performance. It is not intended as a hurdle that the County must meet, as this practice may encourage undue risk during periods of rapidly rising interest rates.

(2) A portfolio report from the Clerk shall be provided each month to the Board, appropriate County management staff, and any other interested parties. The report shall include, but not be limited to, the following:

- Name of the Security
- Cost of the Security
- Market Value
- Date of Purchase
- Date of Maturity
- Coupon Rate
- Yield to Maturity
- Accrued Interest
- Portfolio Diversification Ratios

(3) Mortgage pass-through investments will be categorized by stated maturity, estimated maturity, or average life.

(4) The Board shall be notified immediately upon any deviation from the currently approved investment policies.

D. PRUDENCE AND ETHICAL STANDARDS.

(1) The standard of prudence to be used by investment officials shall be the "prudent person rule" and shall be applied in the context of managing an overall portfolio. Investment officers, or persons performing the investment functions acting in accordance with written policies and procedures, and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

(2) The "prudent person" standard is herein understood to mean the following: Investment shall be made with judgment and care under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of their capital as well as the probable income to be derived.

E. AUTHORIZED INVESTMENTS. The Clerk shall purchase or sell investment securities at prevailing market rates except for investments such as Guaranteed Investment Contracts (GICs) or Flex Repurchase Agreements (Repos) involving bond proceeds for which the Board's authorization and approval shall be separately provided for in the bond sale and authorization documents. Authorized Investments shall consist of the following:

(1) The Local Government Surplus Funds Trust Fund, The State Investment Pool administrated by the State Board of Administration (SBA).

(2) Money Market Funds – Securities and Exchange Commission (SEC) registered, AAA-rated money market funds offered by prospectus with permitted investments limited to government securities and repurchase agreements backed by government securities.

(3) U. S. Treasuries – direct obligations of, or obligations the principal and interest is unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to, Treasury Bills, Treasury Notes, Treasury Bonds, and Treasury Strip Coupons (Zeros).

(4) Federal Agencies – bonds, debentures, notes or other evidence of indebtedness issued or guaranteed by the United States Government. Such agencies will include the Farmers Home Administration, Federal Housing Administration, Federal Financing Bank, Governmental National Mortgage Association (Ginnie Mae), Tennessee Valley Authority (TVA), and the Department of Veteran Affairs (VA).

(5) Federal Instrumentalities – bonds, debentures, and other evidence of indebtedness issued or guaranteed by the issuing entity itself. Issuers shall include, but are not limited to, the Federal Farm Credit Bank (FFCB), the Federal Home Loan Bank (FHLB), the Federal National Mortgage Association (Fannie Mae), and the Federal Home Loan Mortgage Cooperation (Freddie Mac).

(6) Time deposits, savings accounts, and non-negotiable Certificates of Deposit issued by qualified banks or savings banks under the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes, and doing business and situated in the State.

(7) Guaranteed Investment Contracts (GICs) and Repurchase Agreements (Repos) – Any investment in a GIC or Repo shall be done with providers that are Primary Dealers with a credit rating of A or better from S&P or Moody's, or other financial institutions rated "AA" by S&P or "Aa" by Moody's. Repurchase agreements shall include both overnight and term repurchase agreements to be priced daily, as well as flexible repurchase agreements ("flex repos") which are authorized solely for the investment of bond proceeds. The maturities of the Guaranteed Investment Contracts and Flex Repos shall correspond to the County's cash flow forecasts on the specific bond issue. Required collateral shall be maintained at a minimum of 102% of the outstanding balance of the contract or agreement along with accrued interest and shall be limited to securities authorized within this policy. Collateral shall be held with a third-party safekeeping agent and registered in the name of the County.

All GIC and Flex Repo Investments must be competitively bid and fully documented to the extent required by Federal regulations. The investment of bond proceeds into a GIC or Flex Repo must be approved by the Board prior to initiating the bid process.

(8) Mortgage-backed securities (MBS) issued by Fannie Mae, Freddie Mac and Ginnie Mae: limited to pass-through pools and balloons. Private label pools, whole loans and Collateralized Mortgage Obligations (CMOs) are not permitted.

(9) Any non-permitted investment currently held in the County's portfolio at the adoption of this policy may continue to be held to maturity or timely, subsequent sale.

F. MATURITY AND LIQUIDITY REQUIREMENTS. The investment portfolio shall be structured in such a manner to match investment maturities with cash needs as they come due. Liquidity and maturity consideration are as follows:

(1) Current operating funds will be matched with anticipated cash flow needs and will be kept in relatively short-term investments. These short-term investments will include the depository bank, money market funds, the State Board of Administration (SBA) pool, repurchase agreements, federal agencies and instrumentalities and U. S. Treasuries with maturities of one (1) year or less.

Bond proceeds and other restricted capital funds will be invested to match the projected cash flow needs in accordance with bond covenants, construction contracts and other capital plans. The Clerk may exceed maximum maturities when deemed beneficial with Board authorization.

The County's total portfolio may contain investments with stated maturities of thirty (30) years or less but the average or estimated life of the portfolio shall not exceed five (5) years (60 months).

Revenue flows and anticipated cash inflows will be analyzed and considered in the investment decision. To optimize funds as well as insure sufficient liquidity the County will provide the Clerk with cash flow forecasts reflecting the amount needed to remain liquid to meet disbursement obligations. The cash flow forecasts will reflect an estimate of cash receipts and disbursements by quarter for a rolling two-year period, as well as identify core funds or those funds available for longer-term investing.

(2) Maximum Maturity on Securities.

Security	Maturity Limit
State Board of Administration (SBA)	N/A
Money Market Funds	N/A
U.S. Treasuries	5 years
Federal Agencies and Federal Instrumentalities	5 years
Certificates of Deposit	1 year
Term Repurchase Agreements	30 days
Mortgage Backed Securities	30 years

To allow for the efficient and effective placement of bond sale proceeds, the limit on repurchase agreements may be exceeded for five (5) business days following the receipt of the bond proceeds.

(3) Portfolio Activity and Maturity Management. The investment philosophy of the County is to "buy and hold" but the maturity composition of the portfolio and the general economic conditions will be evaluated to determine if a replacement investment would be advantageous. Accounting losses may be incurred in this situation if an economic gain is achieved. The portfolio maturity may be shortened or extended dependent on interest rate projections or the portfolio quality may be improved by reducing the maturity or risk of a security.

G. PORTFOLIO COMPOSITION.

(1) Prudent investing necessitates that the portfolio be diversified as to instruments and dealers. The following maximum limits are guidelines established for diversification by investment type.

Security Type	Portfolio Limitations
State Board of Administration	50 percent
Money Market Funds	100 percent
U.S. Treasuries	100 percent
U.S. Treasury Strip Coupons (Zeros)	5 percent
Federal Agencies and Federal Instrumentalities	80 percent
Certificates of Deposit	20 percent
Term Repurchase Agreements	10 percent
Mortgage Backed Securities	30 percent

(2) Leveraged investments or agreements prohibited.

(3) Bond proceeds shall be invested in accordance with the covenants in the governing resolution, indenture and related issuance documents. All GICs and Flex Repos comprised of bond proceeds shall be excluded from the portfolio composition limits in subsection (1), above, when calculating percentages to test portfolio issues.

H. RISK AND DIVERSIFICATION. Assets held shall be diversified to control the risk of loss resulting from the over concentration of assets in a specific maturity, issuer, instrument, dealer, or bank. Diversification strategies within established guidelines shall be reviewed and revised periodically by the appropriate management staff.

I. CONTINUING EDUCATION. The Clerk, and any investment officers designated by the Clerk to perform the investment functions in accordance with these written policies and procedures, are required to annually complete eight (8) hours of continuing education in subject courses of study related to investment practices and products.

J. AUTHORIZED INVESTMENT INSTITUTIONS AND DEALERS.

(1) It is the policy of the County to purchase securities only from those broker/dealers or financial institutions included on the Clerk's approved list.

(2) A listing of the Qualified Public Depositories is available on a quarterly basis from the *Florida Administrative Weekly*. All financial institutions will be included on the approved list if they have been designated a Qualified Public Depository as determined by the State of Florida and State Statutes.

(3) In addition, the list may include primary government security dealers and regional brokers and dealers that qualify under the Securities & Exchange Commission Rule 15C3-1 (Uniform net capital rule) and are registered to do business in the state of Florida.

(4) All approved broker/dealers will acknowledge in writing that they have received a copy, read, and concur with the County's investment policy.

(5) The approved list shall be presented to the Board on an annual basis for information and disclosure purposes.

K. THIRD PARTY CUSTODIAL AGREEMENTS. The Clerk will execute a third-party custodial and safekeeping agreement with the County's depository bank. All securities purchased and/or collateral obtained shall be properly designated as an asset of the County and held in safekeeping. No withdrawal of such securities, in whole or part, shall be made from safekeeping except as authorized by the Clerk. The third-party custodial safekeeping agreement shall include letters of authority from the Clerk; details as to responsibilities of each party; notification of security purchases, sales delivery, repurchase agreements, wire transfers, safekeeping and transaction costs; and procedures in case of wire failure or other unforeseen mishaps, including the liability of each party.

L. MASTER REPURCHASE AGREEMENT. The Clerk will require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement.

M. BID REQUIREMENT. The Clerk shall determine the approximate maturity date(s) based on cash flow needs, market conditions and portfolio analysis and select one or more optimal types of investments. A minimum of three (3) qualified banks and/or dealers will be contacted and asked to provide bids.

(1) Bids will be held in confidence until the best bid is determined and awarded.

(2) Documentation will be retained for all bids, with winning bid clearly identified.

(3) If the maturing investment is a certificate of deposit, and the depository institution has performed to the satisfaction of the County, that depository institution shall be asked to submit a competitive bid, and that bid shall be equal to or greater than competing bids in order to retain funds.

(4) If the highest bid is not selected, the reasons for that decision will be clearly documented on the bid forms.

(5) In the event that a broker/dealer or financial institution initiates and proposes a security swap that provides a financial advantage to the County, the Clerk may bypass obtaining bids from competing dealers provided that the Clerk can verify fair market value was obtained.

(6) In certain circumstances, when the Clerk believes an investment security with exceptional value in the market will not be available for the time it would take to receive additional bids, it may be purchased without obtaining the required three bids, *provided that fair market value can be established*. Fair market value may be established by showing a similar security that is being offered in the market at the same time.

N. INTERNAL CONTROLS. The Clerk shall exercise and monitor a set of internal controls to be conducted through the County Finance Director. Said controls are designed to protect the County's fund and ensure the proper accounting and reporting of investment transactions. Written procedures shall be maintained. Such controls shall consist for the following:

(1) All securities purchased or sold will be transferred only under the "delivery versus payment" (DVP) method to ensure that the funds or securities are not released until all criteria related to the specific transaction have been met.

(2) The Clerk is authorized to accept on behalf of the County, trust receipts or confirmations as evidence of the actual delivery of the obligation or security in return for the payment of the investment.

(3) Trust receipts or confirmations shall fully describe the various securities held. The receipt or confirmation shall state that the investment is held in the County's name.

(4) Telephone or wire transfer transaction will be confirmed by subsequent written documentation.

(5) There will be adequate separation of duties with a clear delegation of authority among investment personnel.

(6) Custodial safekeeping will be properly utilized.

(7) Operational reviews, performance evaluations and interim and annual reporting shall be completed by the Clerk.

(8) The Clerk will not take physical possession of any security or investment.

(9) There shall be specific limitations regarding securities losses and remedial action shall be taken as soon as possible.

(10) A wire transfer agreement with the custodial bank outlining the various controls and security provisions for making and receiving wire transfers will be established.

(11) Collusion is Prohibited.

(12) Written dealer confirmation and monthly and/or quarterly custodial account statements will be maintained.

(13) All daily investment activity will be coordinated and reviewed by the Revenue Supervisor or the Assistant Finance Director and the Finance Director. Investments are under the direct control of the Finance Director and the Clerk. In the absence of the Finance Director and the Clerk, investment activity must be approved by the Revenue Supervisor and the Assistant Finance Director and later approved by the Finance Director or the Clerk.

(14) The following positions are designated by the Clerk as having the authority to initiate all investment activities:

(a) Clerk of the Circuit Court
(b) Finance Director
(c) Assistant Finance Director
(d) Revenue Supervisor
(e) All other designees at the discretion of the Clerk

(15) Periodic training and educational opportunities in investment and related subjects will be provided and made available to appropriate investment personnel.

(16) Additional internal controls may be established by the Clerk.

O. AUTHORITY. Resolution 95-R-237 adopted September 26, 1995
BCC approved policy amendment April 9, 2002
Resolution 2008-R-211 adopted September 9, 2008

SECTION 3. COUNTY ADMINISTRATION

3.40 SERVICE OF PROCESS

A. PURPOSE. The Seminole County policy on Service of Process upon public agencies shall be accomplished by serving the Chairman of the Board of County Commissioners or, in his/her absence, the Vice-Chairman or, in his/her absence, any other Commissioner. The County Manager may also accept service of process or, in his/her absence, the Deputy County Manager or Assistant County Manager may accept service of process of cases filed against the County or the Board.

The County Attorney shall not raise the issue of defective service of process when the County Manager, Deputy County Manager or Assistant County Manager accepts service of process. Upon acceptance of service of process the documents served shall immediately be provided to the County Attorney for appropriate action.

B. AUTHORITY. Resolution 96-R-96 adopted April 23, 1996
Resolution 2007-R-42 adopted March 13, 2007

SECTION 3. COUNTY ADMINISTRATION

3.45 SMOKING POLICY

A. PURPOSE. In an effort to implement the Florida Clean Indoor Air Act (Part II, Chapter 386, Florida Statutes), the following rules are implemented for all facilities owned or leased by Seminole County. It is the goal of both the Act and the Board of County Commissioners to protect the public health, comfort and environment by creating areas in public places and at public meetings that are free from tobacco smoke. The term "smoking" means possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.

B. SMOKING IN COUNTY FACILITIES SHALL NOT BE PERMITTED.

C. ENFORCEMENT. It is expected that all County employees shall comply with the Florida Clean Indoor Air Act and Seminole County's Policy. It is also expected that employees shall use courtesy in dealings with other employees and the public regarding the enforcement of the Act.

Complaints regarding violations of the Smoking Policy should be directed to the appropriate Department Director or Constitutional Officer, or to the Human Resources Division Manager.

D. AUTHORITY. Resolution 92-R-329 adopted December 8, 1992
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 3. COUNTY ADMINISTRATION

3.50 TRAVEL

A. GENERAL POLICY

(1) It is the intent of Seminole County to reimburse employees travel as authorized by Section 112.061, Florida Statutes.

(2) Employees and non-employees traveling on official business are expected to exercise the same care in incurring official expenses that any prudent person exercises when traveling for personal reasons.

(3) It is the responsibility of the traveler to be familiar with these rules and be knowledgeable of the reimbursable expenses.

(4) All travel must be authorized and approved by the appropriate agency head and funds must be available in the budget. Travel plans, seminars, conferences and training known in advance should be documented as part of a department's travel budget request. However, it is expected that opportunities for and requirements of travel related to County business are often unknown at the time of budget adoption by the Board of County Commissioners (BCC). Thus, types of travel should be anticipated and must be documented as part of a department's travel budget request. Travel that falls within the parameters of the above descriptions is considered to be approved through the budget process. Additional funding for travel must be processed by way of the approved budget transfer policy. Budget transfer requests over $1,000.00 for funding to a single destination must be approved by the BCC.

(5) The County Manager must approve travel by authorized persons not employed or under contract by the County who are called upon to contribute time and services as consultants or advisors or participants when the travel is on behalf of the County. Funding for this travel must have been approved through the budget process or must be processed by way of the approved budget transfer policy.

(6) Meals shall be reimbursed as provided by County Ordinance. Dollar limits exclude alcohol, but may include tips up to 15% if not included in the bill, or a maximum of 20% if the bill includes a calculated tip. **Receipts are required for reimbursements exceeding the statutory meal allowances.**

(7) Other expenses which may be reimbursed include:

Registration fees – receipt required
Tolls and parking fees – receipt required
Taxi fares – receipt required for all fares. Tip on taxi service is allowed, not to exceed 15% of fare.

Hotel and single occupancy room rate – receipt required.

Copy of charge card receipt is required if paid by credit card. Room service meals are reimbursable under provisions for meal allowances. Use of food and beverage dispensers in hotel rooms is not reimbursable.

Business telephone calls or on-line access charges for use of computer or fax – receipt or documentation required as well as justification.

Vicinity mileage is allowed from office or home, whichever is less, to the destination or to the airport if applicable.

Airport parking – receipt is required. Travelers will be reimbursed for up to ten (10) days parking at Orlando International Airport and the Daytona Beach airport. However, this parking is discouraged, and instead, carpooling or rides to and from the airport are suggested. Airport parking out of town will be reimbursed as needed.

(8) All reimbursable expenses must be reported on the approved travel voucher no more than two (2) weeks after the end of the travel period. Receipts are required for all expenditures except for meals as noted in the Florida Statutes or as referenced above.

(9) Reimbursement or a travel advance repayment will be made after the travel takes place.

(10) Cash advances must be approved by the Department Director and should be requested two (2) weeks in advance from County Finance. County Finance should be notified of the expected return date. Expenses from the cash advance must be reported with receipts within five (5) working days of the last day of the trip or, if cash is unused, it must be returned to County Finance within five (5) working days in the form of a personal check, money order or cash. Travel advances will not be issued for less than $250.00 and may not exceed 100% of the estimated cost of the trip. No advance will be issued if a previous advance is outstanding. County Finance should notify the County Manager of any cash advance outstanding over five (5) working days from the expected date of return. Failure to comply with policy will result in a payroll deduction of the total cash advance.

(11) Pre-registration and County payment is encouraged for hotel reservations to ensure waiver of sales tax charges.

(12) A credit card bill must be substantiated by receipts attached and a full explanation of the charge provided on the travel voucher.

(13) Employees using a credit card must not expect reimbursement for any item that is not used for the business purpose. Expenditures on the card, if not directly related to the business, will not be paid by the County. For example, if you stay in a hotel on business and you watch a movie for pay that appears on the hotel bill, the movie expense will no be paid by the County.

(14) There is no reimbursement for travel and/or meals that are complimentary or covered in a registration or other similar fee. Continental breakfast, rolls, danish, snacks, drinks or other small incidental food items provided by the registration shall not be considered a meal.

(15) If an employee wishes to alter travel plans for personal business, any additional cost of transportation must be paid by the employee.

(16) Employees are permitted one (1) personal phone call to a single location per day not to exceed $5.00 plus any hotel connection fees.

(17) Any employee failing to comply with this policy may be subject to disciplinary action as described in the Personnel Policies and Procedures.

B. TRAVEL REIMBURSEMENT POLICY FOR ECONOMIC DEVELOPMENT

(1) All travel associated with economic development must be within the Economic Development budget as approved by the BCC through the budget process. Any additional funding must be obtained through the approved procedure for budget transfers except that budget transfers for a single destination or event in excess of $1,000.00 must be approved by the BCC. No costs or expenses for travel or entertainment or promotion may exceed the approved budget.

(2) In addition to reimbursable expenses outlined in Section 5.3, A. "General Policy", above, the following expenses of County officials and County employees are reimbursable if approved by the:

(a) Actual, necessary and reasonable costs of travel, meals, single occupancy lodging, presentations, token gifts such as pins and medallions and entertainment expenses of officials and employees of the County and other authorized persons who meet in direct connection with soliciting economic development on behalf of the County. Other persons or guests may be authorized by the County Manager. All expenses must be documented to include receipts and justification.

(b) Promotional and advertising expenses. Original receipts are required.

(c) Reimbursable expenditures as listed above when incurred for the purpose of directly promoting economic development include business association luncheons, taxi and airport limousine fares and tips up to 15%; ferry fares and bridge, road and tunnel tolls; storage and parking fees; mandatory valet parking; telephone, telegraph, facsimile and telex charges related to County business only; portage when used to transport County promotional materials; charges for travelers checks; foreign currency exchange fees; and maps. Advertising and promotions include cooperative ventures with airline, rental cars, hotels and attraction and convention and visitors bureaus.

(d) Food, beverages, including alcohol, coffee, gratuities associated with meetings, dinners, promotions, cocktail parties, and similar events whether catered or provided at a County or other facility or private location. Original receipts are required and justification must be included.

(e) Tips up to 15% of food and beverage is reimbursable unless calculated as part of the bill in which case a maximum tip of 20% is allowable.

(f) Rental cars are reimbursable. Receipts are required. Justification must be approved by the County Manager if a rental car larger than mid-size is used or if a rental car is driven fewer than twenty (20) miles.

C. TRAVEL IN FOREIGN COUNTRIES

(1) Travel in foreign countries for County business is permitted if approved by the Board of County Commissioners.

(2) Travelers may select the following reimbursement policy:

(a) Reimbursement for personal meals and incidental expenses will be reimbursed based on the US Department of State publication, "Maximum Travel Per Diem Allowances For Foreign Areas". Meals and incidental expenses include all meals and beverages including tips, portage, cleaning and other expenses of a personal nature. Per diem reimbursement requests may be up to, but not exceed, amounts itemized in the most recent publication. Receipts will not be required.

(b) Receipts are required for: hotel accommodations; air or ground transportation expenses such as trains, ferries, car rental, parking fees and tolls; business telephone calls; and faxes. Receipts are required for any expense not included in the meal and incidental per diem allowance.

(c) Taxi fares and tips up to $15.00 per trip do not require receipts.

(d) There is no reimbursement for meals that are complimentary, covered in a registration or other similar fee, or that are provided by any other person on entity. The traveler must reduce the per diem allowance by an appropriate amount to reflect any meals not paid by the traveler.

(e) The County will not reimburse "danger pay allowance" itemized in the "Maximum Travel Per Diem Allowances For Foreign Areas" for travel in any country.

(3) The County will not utilize lodging per diem amounts. Hotel bills will be reimbursed at actual cost and require receipts.

(4) A traveler who desires to be reimbursed for actual expenses must request reimbursement under Section I, General Travel, or Section II, Economic Development, of the Travel Policy.

(5) Reimbursements for each trip must all be requested under the same section of the Travel Policy. For example, reimbursement of any one trip may not be split between the Economic Development Section and the Foreign Travel Section.

D. AUTHORITY. Resolution 99-R-125 adopted September 21, 1999

SECTION 3. COUNTY ADMINISTRATION

3.51 COMMISSIONER TRAVEL

A. PURPOSE. Establishment of a policy regarding reimbursement for Commissioners' travel.

B. USES AND AUTHORIZATIONS.

(1) Members of the Seminole County Board of County Commissioners are eligible for travel reimbursement in accordance with Section 112.061, Florida Statutes.

(2) The annually approved Commission Travel Budget shall be divided equally among the members of the Seminole County Board of County Commissioners for use at their discretion for travel expenses incurred for hotel accommodations, mileage, airfare and meals, within the confines of the policies and procedures established by this Code and statutory allowances and limitations. Travel funds may be used for the following purposes without prior approval:

(a) Travel outside of Seminole County, including airfare, when a County Commissioner is acting as an official representative of the County as approved by the Board of County Commissioners or Chairman, or acting as the Chairman/Board appointed alternate due to the appointed member's absence.

(b) Attendance at regional, state or national conferences conducted by organizations primarily consisting of government officials such as, but not limited to, the Florida Association of Counties (FAC) and National Association of Counties (NACo).

(3) No reimbursement is authorized when travel is confined to the territorial limits of Seminole County.

(4) Members shall be entitled to a mileage allowance in accordance with the Standard Mileage Rates issued by the Internal Revenue Service.

(5) The use of privately chartered or owned aircraft is authorized for official travel and will be reimbursed to the traveler as provided by Chapter 112, Florida Statutes.

(6) In the event that a Commissioner has exceeded his/her annual travel budget allotment, the Commissioner shall be personally responsible for the travel expenses incurred in excess of the budgeted amount.

(7) Commissioner travel directed by the Board of County Commissioners shall be outside of the individual Commissioner's budgetary allotment.

C. APPROVAL. Expense reports will be submitted for review and approval by the Board of County Commissioners as part of the Consent Agenda process.

D. AUTHORITY. Section 112.061, Florida Statutes
Resolution 2008-R-160 adopted June 24, 2008
Resolution 2014-R-45 adopted February 11, 2014

SECTION 3. COUNTY ADMINISTRATION

3.55 PURCHASING POLICY

I GENERAL INFORMATION

3.551 PURPOSE. The purpose of this Policy is to provide for the fair and equitable treatment of all persons involved in public purchasing by this County, to maximize the purchasing value of public funds in procurement and to provide safeguards for maintaining a procurement system of quality and integrity. The revised Purchasing Administrative Code approved by the Board will supersede and replace all other Administrative Code provisions, Policies and Procedures for implementing this part.

3.552 DEFINITIONS. The following definitions provide concise, comprehensive information concerning Procurement terminology.

Best and Final Offer (BAFO): The last offer provided by an offeror in response to a Request for Proposal and all further negotiations cease. It is a method of clearing up any issues, restating the desired scope and allowing firms in the competitive range to update both the technical and price proposal.

Contract administration: The management of all facets of a contract to assure the Contractor's total performance is in accordance with the contractual commitments and that the obligations of the Contractor under the terms and conditions of the contract are fulfilled.

Debarment: The exclusion, for cause, of a vendor or contractor from bidding and/or receiving a contract to do business with the County.

Evaluation committee: Recommendations for appointment of staff representatives of County government who have knowledge and interest in the project shall be suggested by the Project Manager for acquisition of professional and consultant services under an RFP or PS. The committee should consist of Division Manager or designee, Project Manager, a staff member outside the requesting Division, and one or more appointed staff members. The committee should be approved by the Department Director. If the professional services to be provided are estimated to be over $1,000,000.00 per year, the County Manager or designee should be on the evaluation committee.

Informality: A minor defect or variation of the bid or proposal from the exact requirements of the Invitation for Bid or the Request for Proposal, which does not affect the price, quality, quantity, or delivery schedule for the goods, services or construction being procured.

Letter of renewal: A document, generated by the County and approved by other party, to renew or extend the contract in accordance with the terms of the contract.

Life cycle costing: A cost-analysis tool which incorporates not only the purchase price of a piece of equipment, but all operating and related costs over the life of the item, including maintenance, down time, energy costs, etc., as well as salvage value.

Maintenance agreements for equipment: An agreement that defines services, parts and labor regarding maintenance of equipment. Signature authority for such maintenance agreements shall be as designated by the Board of County Commissioners in the Seminole County Administrative Code.

Mandatory bid amount: The minimum dollar amount established in the Seminole County Administrative Code by the Board of County Commissioners at and above which the formal competitive sealed bid process shall be used, except as otherwise provided herein.

Miscellaneous Agreement: An Agreement, executed bilaterally for one-time professional services generally under $25,000.00 where the terms and conditions are negotiated by the Purchasing and Contracts Division.

Negotiation: A bargaining process between two or more parties, each with its own viewpoints and objectives, seeking to reach an agreement or settlement of a matter of common concern, on terms that are mutually beneficial and satisfactory to both.

Project manager: A person designated by his/her Department/Division/Office Director to ensure compliance with County codes, resolutions and procedures for contracts which he/she originates. The Project Manager, along with the Division Manager is held accountable for contract compliance.

Proprietary purchase: A purchase that occurs when there is more than one vendor who can provide the goods or services, but because of exigent circumstances only one specific vendor should provide the goods or services.

Protest: A written complaint about an administrative action or decision brought by a bidder or offeror to the appropriate administrative section with the intention of receiving a remedial result.

Public posting: The display of procurement notices in an area or on a board designated and regularly used for that purpose that is available to the public during normal working hours or by posting on the Purchasing and Contracts Division internet web page.

Purchasing card program: A program designed to improve efficiency in processing low dollar purchases of commodities or services that are under the unit price of a capital item as set forth by the Board of County Commissioners in the Seminole County Administrative Code from any vendor that accepts a credit card. It will allow the cardholder to purchase approved commodities and services directly from our vendors within the transaction monthly limits established for each card holder. Each purchase card is issued to a named individual and the County is clearly shown on the card as the Governmental buyer of goods and services.

Quotation: Any oral or written informal offer by a vendor to the County to furnish specific goods and/or services at a stated price.

Recycled/recyclable products: Those products or materials which are defined as Recycled/Recyclable Products by Section 403.7065 (2), Florida Statutes, and U.S.C.

6901 et seq. “Resource Conservation and Recovery Act of 1976” and successor provisions.

Rental agreements for commodities: An agreement that defines the terms and conditions, and provides a description of the product. The authority to sign rental agreements shall be as set forth in the Seminole County Administrative Code.

Reoccurring charges: Charges for the same item (commodity) that is purchased on a regular (monthly) predictable basis.

Request for Information (RFI): A solicitation for response from interested and prospective vendors/contractors to provide information to determine specifications, qualifications and/or capabilities to satisfy a need rather than a firm specification and in which the respondent may be given latitude in order to develop a product and/or service which will fulfill the need. Upon receipt of responses to the RFI, the County may develop specifications for an Invitation for Bids or criteria for a Request for Proposal, either of which may be issued to qualified proposers who submitted responses to the RFI.

Request for Proposals (RFP): A solicitation for response for a good and/or service for which the scopes of work, specifications or contractual terms and conditions cannot reasonably be closely defined. Evaluation of a proposal is based on criteria stated in the RFP.

Request for Quotations (RFQ): A solicitation for written price offers designed for the quick purchase of goods and/or services over $10,000.00 and under $50,000.00 which contains a defined statement of specifications and/or scope of work or services, and other applicable provisions.

Requisition or Contract Services Request (CSR): A document generated by the originating department and forwarded to the Purchasing and Contracts Division via the County’s financial system software for the request of goods or services.

Responsible bidder, proposer, or respondent: A person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, ability, reliability, capacity, facilities, equipment, financial resources and credit which will assure good faith performance.

Responsive: A vendor’s response to a solicitation, which complies with all instructions detailed in the solicitation including completing all forms required.

Sales tax recovery: The County will have the option of purchasing all, any, or none of the materials and equipment included in each contract agreement directly from the manufacturer or supplier. The County is exempt from payment of sales and use tax on the purchase of any goods and/or services subject to such tax per Seminole County Resolution No. 96-R-177, Florida Statute 212.08 and Rule 12A, Florida Administrative Code.

Single source: The one source among others that, for justifiable reason, is found to be most advantageous for the purpose of the procurement.

Small business enterprise: A United States business which is independently owned and operated, does not primarily involve the practice of a profession, employs 25 or fewer permanent, full-time employees, and has assets of less than $1,000,000.00.

Sole source: The only existing source of an item which meets the needs of the user department as determined by a reasonably thorough analysis of the marketplace.

Specification: A concise statement of a set of requirements to be satisfied by a product, material, service, or process used in an Invitation for Bids or Request for Quotation to describe the goods and service to be purchased or otherwise required. Any description of the physical or functional characteristics, or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing, or preparing a supply, service, or construction item for delivery.

Sunshine law: Florida Statutes, Section 286.011: Florida government in the Sunshine law requiring meeting to be open to the public. Committees involved in the selection and negotiation of vendors are governed by this law.

Surety bonds: A document by the surety company on behalf of a contractor to guarantee that an obligation will be fulfilled.

Suspension: Temporary debarment for a period not to exceed three years.

Term agreements: Agreements on a continuing basis for a defined period of time (term). Release/Purchase Orders are issued against term agreements that are encumbered.

User department: That department within the County government which requests and utilizes goods and/or services procured under this Code.

3.553 PROCUREMENT COMMITTEE COMPOSITION; POWERS AND DUTIES.

(1) Composition: The Committee shall be composed of the following officials and employees who shall be appointed by the County Manager as needed without additional compensation:

(a) Positions:

(i) County Manager or designee

(ii) Purchasing and Contracts Division Manager

(iii) County Attorney or designee

(iv) A County Department Director

(v) A County Division Manager

(vi) A County professional, mid-management, or supervisory employee

(2) Powers and Duties of the Committee. The Committee shall:

(a) Propose, review and recommend to the County Manager procedures consistent with this Section, and the Seminole County Code governing the procurement, management, control, and disposal of any and all supplies, services, and construction for the County. The Committee shall have the power to audit and monitor the implementation of procedures as adopted by the County Manager and the requirements of this Section, but shall not exercise authority over the award or administration of any particular contract, or over any dispute, claim, or litigation pertaining thereto.

(b) Review recommendations on standardization on the use of brands, makes and/or types of supplies or both. Standardization is authorized by the County Manager and is based on compatibility of equipment, cost savings to the County, ease of maintenance or any other grounds found to make standardization in the best interest of the County. After its adoption, each standard specification or brand shall, until revised or rescinded, apply in terms and effect to every future purchase and contract for the supply described in such specification. However, any user department if approved by the County Manager can be exempt from utilizing the standard specification. The Committee must receive written documentation, requesting an exemption and stating why an exemption is needed. All specifications shall be definite and certain and shall permit and encourage competition to the maximum extent possible consistent with accomplishing the purposes of the user department. The duration of the standardization should be no greater than six (6) years and a review shall occur when necessary to reflect any technology advances/changes that shall occur when necessary to reflect any technological advances/changes that might make replacement more economical over the life expectancy of the system.

3.554 APPROVAL AUTHORITY.

(1) The Board of County Commissioners has the right to award all contracts except as otherwise provided in the Seminole County Administrative Code. The Board of County Commissioners may, by resolution and amendment to this provision, delegate authority to award contracts for supplies, services, or construction to other County officials. Individuals that have been delegated authority will have to sign a “Statement of Responsibility” and will be held accountable for all actions occurring under their authority, in accordance with Section 112.3145(1)(a)(3), Florida Statutes. Anyone having authority to make any purchase exceeding the threshold amount provided for in Section 237.017, Florida Statutes, for category one must file with the Supervisor of Elections within the county in which he or she permanently resides, a statement of financial interest. As to those contracts which the Board retains the right of award, the Board shall have authority to review, modify or set aside all previous administrative determinations, whether appealed or not, made in the course of the procurement.

(2) All Department Directors or their designee shall have the authority to authorize purchases of goods and services in accordance with Section 220.41 (Emergency Procurement) and Article VIII, Purchasing Card, Subsection 3.5542.

(3) The following services, when required as part of recreational services provided by the Leisure Services Department, will be exempt from the competitive

process: Conservation Instructors such as Environmental Education Instructors; Health and Wellness Instructors including Tennis Pros, Assistant Tennis Pros, Developmental Instructors, Tournament Directors, Site Coordinators, Officials, Umpires, Scorekeepers, Referees; Fitness Instructors; Social Equity and Educational Instructors such as Chess Instructors, Art Instructors, Summer Reading Program Instructors and Program Entertainment. The Director of Leisure Services shall have the authority to award and execute contracts for the above listed services within a County Manager approved compensation fee schedule, with Program Entertainment contracts not to exceed FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00). These contracts will comply with a limit (ceiling) to the maximum amounts that can be approved by the Leisure Services Department Director and may be adjusted to a yearly CPI. Any compensation above the stated amounts (adjusted for inflation) must be approved by the County Manager. The Leisure Services Department will ensure that appropriate budget is available to pay for these contracts prior to execution.

(4) (a) The Community Services Department Director shall have the authority to award and execute contracts with Training Providers for the Community Services Block Grant Training Assistance Program.

(b) The Community Services Department Director shall have the authority to execute agreements, loan documents, restrictive covenants, satisfactions, amendments or modifications thereto, and other related documents pertaining to the State Housing Initiatives Partnership (SHIP) program in an amount not to exceed ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) of aggregated costs for each SHIP financed real property.

(5) (a) The Purchasing and Contracts Division Manager or designee shall have the authority to award and execute purchases of goods and services not to exceed FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) including change orders, rental and software agreements and amendments. The County Manager or designee shall have the authority to award and execute purchases of goods and services not to exceed ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) including change orders, rental and software agreements and amendments. All purchases over TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) and under FIFTY THOUSAND AND NO/100 ($50,000.00) should be obtained competitively by written quotes, except as provided within the Purchasing Code or this Administrative Code. All purchases over FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) will be obtained competitively by bid, PS or RFP, except as provided within the Purchasing Code or the Administrative Code. The County Manager, Purchasing and Contracts Division Manager or designee is authorized to renew options on approved contracts, as long as it is per the terms, conditions and renewal period specified in the original contract and the total dollar amount for each contract or purchase order is within the Board approved budget. All purchases of goods and services, including library materials, in excess of ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) shall be awarded by the Board of County Commissioners, except as otherwise provided within the Purchasing Code or this Administrative Code. The County Manager, Purchasing and Contracts Division Manager or designee shall have the authority to sign all agreements, purchase orders, contracts, work orders, change orders, release orders, and amendments in excess of FIFTY

THOUSAND AND NO/100 DOLLARS ($50,000.00) on Board approved agreements that are submitted via an agenda process. Work Orders will be processed in accordance with established processes for professional and consultant services. The Purchasing and Contracts Division will be responsible for ensuring the contract amount does not exceed what the Board has approved and the scope of service is per the contract specifications.

(b) The County Manager is hereby further authorized to execute contracts for purchase and sale of real property, assignments of such contracts, loan documents, restrictive covenants, satisfactions, work orders, change orders, amendments or modifications to the foregoing, applications for payment and other related documents under the Neighborhood Stabilization Program ("NSP") in an amount not to exceed TWO HUNDRED THOUSAND AND NO/100 DOLLARS ($200,000.00) of aggregated acquisition and rehabilitation costs for each NSP financed residential real property. The County Manager is further authorized to execute all necessary documents to effect the resale of such homes to income qualified households for use as their primary residence at such prices and under such terms as are consistent with NSP requirements and objectives. The County Manager shall submit a full report to the Board of all NSP transactions on a monthly basis until completion of the NSP, including the expenditure of all such NSP funds, including Program Income as defined in applicable regulations or remittal of said funds to the United States Department of Housing and Urban Development.

(c) The County Manager shall have the authority to execute agreements, assignments of such agreements, loan documents, restrictive covenants, satisfactions, work orders, change orders, amendments or modifications to the foregoing, applications for payment and other related documents under the HOME Investment Partnership Program ("HOME") in an amount not to exceed ONE HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($150,000.00) aggregated costs for each HOME financed residential real property. The Director of Community Services shall have the authority to execute agreements, assignments of such agreements, loan documents, restrictive covenants, satisfactions, work orders, change orders, amendments or modifications to the foregoing, applications for payment and other related documents under the HOME Investment Partnership Program ("HOME") in an amount not to exceed ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) aggregated costs for each HOME financed residential real property. The County Manager or Director of Community Services shall submit a full report to the Board of HOME transactions on a monthly basis until completion of HOME, including the expenditure of all such HOME funds, including Program Income as defined in applicable regulations or remittal of said funds to the United States Department of Housing and Urban Development.

(6) The County Manager, Purchasing and Contracts Division Manager or designee shall have the authority to approve and execute all change orders and amendments and to approve price escalation/de-escalation changes, according to the terms of the particular contract providing that the change does not exceed five percent (5%) of the latest approved contract value for contracts under TWO MILLION AND NO/100 DOLLARS ($2,000,000.00) and three percent (3%) for contracts TWO MILLION AND NO/100 DOLLARS ($2,000,000.00) and above. Amendments to contracts greater

than these signature authority amounts must be approved by the Board of County Commissioners.

(7) The County Manager, Purchasing and Contracts Division Manager or designee shall have the authority to execute amendments to contracts to reflect a change to the company's name, due to assignments or re-organization of the firm. The County Manager, Purchasing and Contracts Division Manager or designee shall have authority to approve time extensions providing that the increase in cost, if any, are within the authority described above.

(8) The County Manager, Purchasing and Contracts Division Manager or designee shall have authority to award and execute contracts and purchase orders in excess of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) for purchase of goods and services providing services are incidental to the goods if the award is to the lowest responsible bidder and the amount has been approved during the budget process. This includes piggy back from existing contracts of other public entities. If the award of the contract or Purchase Order for purchase of goods is other than the responsible lowest bidder the award will be presented to the Board.

(9) The Purchasing and Contracts Division Manager, with the concurrence of the County Manager, shall have the authority to settle individual claims under contract provided the settlement does not cause the total contract amount, including the settlement amount, to exceed ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00). All change orders issued which modify a contract, the original and revised total cost of which exceeds ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00), shall require Board of County Commissioners approval, unless otherwise specified herein. The Purchasing and Contracts Division Manager will notify the Board of settlements made under ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00). Terminations of those contracts that were Board awarded must go back to the Board for approval or denial.

II SOURCE SELECTION AND CONTRACT FORMATION

3.555 PUBLIC NOTICE.

(1) Public notice for the construction projects shall be given in accordance with Section 255.0525, Florida Statutes, and any future revisions. As of May 1, 2010, the current Statutes require public notice of the solicitation for goods, services over FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) or construction projects more than TWO HUNDRED THOUSAND AND NO/100 ($200,000.00) shall be given. Such notice shall include publication in a newspaper of general circulation and will be placed on the Internet. The public notice on the internet shall state the date and time of bid opening and RFP closing. Public notices shall satisfy all statutory public notice requirements.

3.556 SOURCE SELECTION.

(1) The procurement of all goods, material, equipment, services and combinations of goods and/or services by or on behalf of the Board, including those transactions through which the Board shall receive revenue, in an amount equal to or in

excess of the mandatory bid amount of FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00), shall be competitively awarded based on the submission of sealed bids, proposals submitted in response to an RFP, proposals submitted in response to a request for information/qualifications, or proposals submitted for competitive negotiations, as specifically provided in the Purchasing Code or the Administrative Code, except as otherwise provided herein, or by State or Federal law. Competitive bidding shall be the preferred method of procurement. Departmental requirements are not to be split to avoid the competitive bidding thresholds. It is in the best interest of the County to combine requirements and competitively bid these requirements to ensure a fair and reasonable price.

(a) Types of solicitations used to compete the County's requirements are Request for Proposals (RFPs), Invitations for Bids (IFBs), and Request for Information (RFIs), which are defined in Chapter 220, Seminole County Code. Request for Quotations (RFQs) are generally used for requirements under FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00). Some methods of procurements, i.e., A+B method, incentives, Design Build are described in the County Manager's Policies. A Request for Qualification is an RFP without price as a criteria.

(b) Nothing in the foregoing shall prohibit the County from renewing purchase orders or contracts with vendors/contractors originally selected through a competitive selection process provided such renewal is within the scope of the purchase order or contract, or from Purchasing goods, materials or equipment for inclusion in a capital improvement project whose cost has been incorporated.

(c) The construction or improvement to a public building, a structure, or other public construction work that is estimated to have a cost of more than THREE HUNDRED THOUSAND AND NO/100 DOLLARS ($300,000.00), must be competitively awarded to an appropriately licensed contractor. See *Section 255.20, Florida Statutes,* for exception to this rule.

(d) In cases of emergency, the procedures required in this Section may be altered by the County in accordance with Section 220.41, Seminole County Code.

(e) The procedure of procuring goods and services without a formal bidding process using other public and government entities' contract commonly called "piggybacking" is authorized pursuant to Chapter 287, Florida Statutes. This also includes piggybacks of the State of Florida contracts, GSA and other Federal government contracts.

(f) The County will comply with the Florida Department of Transportation (FDOT) Local Agency Program (LAP) Critical Requirements Checklist for Professional Services Certification (525-010-048) and any changes therein for the procurement of professional services under the Consultants Competitive Negotiations Act (Section 287.055, Florida Statutes) for all FDOT-funded construction projects. The County further resolves to comply with all other FDOT guidelines and requirements for the procurement of FDOT-funded construction projects.

(2) Cancellation of Invitations for Bids or Requests for Proposals: An Invitation for Bids, a Request for Proposal, or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or in part by the Purchasing and Contracts Division Manager or designee, when it is for good cause and in the best interests of the County. Prior to bid opening/RFP closing, the Purchasing and Contracts Division Manager shall have the authority to cancel an IFB/RFP or postpone the date and/or time of bid submission or closing for good cause. The County reserves the right to accept or reject any and all proposals.

(3) Bid and Proposal Submission: Proposals must be received no later than the time and date and at the location specified for bid opening/RFP closing in the solicitation. Any proposal received later or at any other location than specified will not be accepted and shall be returned unopened to the bidder. It shall be the bidders' sole responsibility to ensure that their bid reaches the specified place for receipt of bids by the specified time. The County shall bear no responsibility for any failure of the U.S. Postal Service or other courier service to successfully deliver proposals to the County. Bidders/Proposers shall be allowed to withdraw their submittals at any time prior to bid opening, providing they show proper identification.

(4) Bid Opening/RFP Closing: Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the solicitation. All proposals shall be open to public inspection per Chapter 119, Florida Statutes, and Section 286.0113, Florida Statutes.

(5) Corrections, Additions to and Withdrawal of Bids:

(a) The following shall govern the correction of information submitted in an IFB when that information is a material factor in determining the responsiveness of the bid:

(i) Errors in the extension of unit prices stated in a bid or in multiplication, division, addition, or subtraction in a bid may be corrected by the Purchasing and Contracts Division Manager or designee prior to award. In such cases, the unit prices bid shall not be changed. When bidders quote in words and in figures on items on the bid form, and the words and figures do not agree, the words shall govern and the figures shall be disregarded. Any discrepancies in the proposal other than error in extension of unit prices will be sufficient to consider the proposal as non-responsive.

(ii) After bid opening, bidder shall not be permitted to correct a bid error that would cause such bidder to have the low bid, except that any bidder may correct errors in extension of unit prices stated in the bids, or in multiplication, division, addition, or subtraction. In such cases unit prices bid shall not be changed and such error must be readily apparent on the face of the bid form.

(iii) Nothing herein is intended to prohibit the acceptance of a voluntary reduction in price from a low bidder after bid opening and prior to contract award, provided such reduction is not conditioned on, or does not result in, the modification or deletion of any specifications or conditions contained in the solicitation.

(b) A bidder who alleges a judgmental error of fact may not be permitted to withdraw his/her bid after bid opening. A bidder who alleges a nonjudgmental error of fact may be permitted to withdraw his/her bid only when reasonable proof that such a mistake was made and prior to posting the recommendation for award on the website. If a bidder unilaterally withdraws his/her bid without permission after bid opening, the Purchasing and Contracts Division Manager may suspend the vendor from receiving new orders from the County for up to two (2) years, beginning with the date of the unilateral withdrawal, and retain any bid security submitted with the bid. Once a bidder withdraws a bid, that bid cannot be reinstated.

3.557 RESPONSIBLE BIDDER. Information in a bid shall not necessarily be considered conclusive at the time of bid opening, except when the Invitation for Bids unequivocally states that the bid shall not be considered responsive unless the particular information is provided in the bid. The prospective contractor shall supply information requested by the County concerning the responsibility of such contractor. If such contractor fails to supply the requested information, the County shall base the determination of responsibility upon any available information or may find the vendor non-responsible if such information is not submitted within the time specified by the Purchasing and Contracts Division Manager. If a bidder or offeror who otherwise would have been awarded a contract is found non-responsible, a written determination of non-responsibility setting forth the basis of the finding shall be prepared by the Purchasing and Contracts Division Manager or designee. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an inquiry with respect to responsibility may be grounds for a determination of non-responsibility. A copy of the determination shall be sent promptly to the nonresponsible bidder or offeror. The final determination shall be made part of the contract file.

(1) The Purchasing and Contracts Division Manager or designee may determine that the information submitted concerning the responsibility of the bidder is so administratively inadequate as to reject the bid based on a lack of demonstrated bidder responsibility.

(2) After the bid opening, the Purchasing and Contracts Division Manager or designee may request additional information from the bidder concerning his/her responsibility to perform; and the bidder may voluntarily, after bid opening, provide additional or corrective information concerning his/her responsibility as a bidder. The Purchasing and Contracts Division Manager or designee shall consider this and all other information gained prior to the time of award or rejection in making his/her determinations and recommendations concerning bid acceptance and award.

(3) A bid shall be considered responsive only if it conforms to the requirements of the Invitation for Bids concerning pricing, surety, insurance, specifications of the goods or services requested, and any other matter unequivocally stated in the Invitation for Bids as a determinant of responsiveness. A lack of conformity on these matters which is non-substantive in nature may be considered a technicality or irregularity which may be waived by the Purchasing and Contracts Division Manager.

3.558 PROPOSAL EVALUATION (RFP).

(1) The County will make award to the proposal that meets the requirements and criteria set forth in the solicitation and whose award will, in the opinion of the County, be in the best interest of the County. Proposals shall be evaluated based on the requirements set forth in the solicitation. Criteria that will affect the price and be considered in evaluation for award shall be objectively measurable, such as financial capability, references, discounts, transportation costs, past performance, total or life cycle costs and overall responsiveness of the submittal. No criteria should be used in the evaluation that is not set forth in the solicitation.

(2) Factors to be considered in determining whether the standard of responsibility has been met include whether, in the County's determination, a prospective vendor/contractor has:

(a) appropriate financial, material, equipment, facility, and personnel resources, experience, knowledge, and expertise, or the ability to obtain them, necessary to indicate its capability to meet all contractual requirements;

(b) a satisfactory record of performance on similar projects;

(c) a satisfactory record of integrity;

(d) qualified legally to contract with the County; and

(e) supplied all necessary information in connection with the inquiry concerning responsibility including but not limited to any licenses, permits, insurance, price sheets or required organizational papers.

(3) The solicitation for RFPs shall state the relative importance of price and other evaluation factors. The most responsive, responsible offeror whose proposal is determined to be the most advantageous to the County in accordance with the evaluation criteria contained in the RFP should be selected. Evaluation of offerors and/or proposals may be made in a multi-step selection or proposal process as set forth in the RFP or RFI. Discussions may be conducted with responsible offerors who submit proposals determined to be reasonably suitable of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. Conducting Best and Final Offers shall be permitted as way of clarification and to make minor changes to the scope.

3.559 AWARD.

(1) Award shall be made in accordance to the criteria in the solicitation and it can either be to the lowest responsive and responsible bidder or the overall best value bidder whose proposal meets the requirements and criteria set forth in the solicitation. It shall be effective upon issuance of a purchase order, execution of a contract, or written notice of award by the Purchasing and Contracts Division Manager or designee. In the

event only one bid is received, the County may award or negotiate with the sole bidder or rebid.

(2) In the event all bids exceed budgeted funds as certified by the Resource Management Department or the low bidder is willing to negotiate a lower price, the Purchasing and Contracts Division Manager is authorized, when time or economic considerations preclude resolicitation, to negotiate an adjustment of the bid price and/or bid specifications with the low responsive and responsible bidder in order to bring the bid within the amount of budgeted funds or at a more competitive rate.

3.5510 CHANGES AFTER AWARD. If there is a major change that is outside the scope of the original project or procurement as determined by the Purchasing and Contracts Division Manager, a solicitation must be issued as a new procurement unless an emergency, sole source or proprietary source situation exists. Should an emergency, sole source or proprietary situation exist, procurement must be made pursuant to procedures as outlined in 3.5517 of this Section and Section 220.41 of the Seminole County Code.

3.5511 REMEDIES FOR SOLICITATIONS OR AWARDS IN VIOLATION OF LAW.

(1) Prior to Bid Opening or Closing Date for Receipt of Proposals: If, prior to bid opening or the closing date for receipt of proposals, the Purchasing and Contracts Division Manager, after consultation with the County Attorney, determines that a solicitation is in violation of Federal, State or County law, the solicitation shall be canceled or revised to comply with applicable law.

(2) Prior to Award: If, after bid opening or the closing date for receipt of proposals, the Purchasing and Contracts Division Manager, after consultation with the County Attorney, determines that a solicitation or a proposed award of a contract is in violation of Federal, State or County law, the solicitation or proposed award shall be canceled.

(3) After Award: If, after an award, the Purchasing and Contracts Division Manager, after consultation with the County Attorney, determines that a solicitation or award of a contract was in violation of Federal, State or County law, action shall be taken as required by the provisions of the law violated, or, if no specific action is required, then:

(a) If the entity awarded the contract has not acted fraudulently or in bad faith:

(i) The contract may be ratified and affirmed, provided it is determined that so doing is in the best interests of the County; or

(ii) The contract may be terminated and the entity awarded the contract shall be compensated for the actual expenses reasonably incurred under the contract, plus a reasonable profit based on the portion of the contract services completed prior to the termination.

(b) If the entity awarded the contract has acted fraudulently or in bad faith, the contract may be declared null and void or voidable, if such action is in the best interest of the County.

3.5512 REVERSE AUCTIONS. Reverse Auctions are downward price procurement methods in which suppliers lower their prices in real time until the auction closes. Purchasing and Contracts Division staff will post the requirement and vendors will actively bid to provide lower pricing in an effort to receive the award. This method is useful for requirements that are well defined and commercial in nature that do not require any discussion, evaluations of proposal and would result in a cost saving to the County.

3.5513 SMALL PURCHASES/MISCELLANEOUS CONTRACTS (EXCEPT FOR PROFESSIONAL SERVICES (PS)) Consultant Competitive Negotiation Act (CCNA). Any purchase for an amount less than the mandatory bid amount may be made in accordance with those procedures promulgated in the County Manager's Policies, provided, however, no purchase shall be artificially divided so as to constitute a small purchase under this Section. The mandatory bid amount shall be FIFTY THOUSAND AND N0/100 DOLLARS ($50,000.00). Written quotes shall be obtained for purchases between TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) and FORTY-NINE THOUSAND NINE HUNDRED NINETY-NINE AND 99/100 DOLLARS ($49,999.99). Informal quotes shall be obtained for purchases between FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00) and TEN THOUSAND AND NO/100 ($10,000.00.) and a competitive environment should be utilized unless it is exempt from the competitive process under the Seminole County Code or the Seminole County Administrative Code. Department/Offices shall maintain documentation with their requisition on all quotes received or as to why competition was not obtained. All purchase prices must be considered fair and reasonable. Award shall be made to the business offering the lowest acceptable quotation. The name of the business submitting a quotation, and the date and amount of each quotation, shall be recorded and maintained as a public record.

3.5514 SALES TAX RECOVERY (RESOLUTION NO. 96-R-177). When a construction project is proposed, it will be determined prior to the bid or proposal process, if Sales Tax Recovery Program will be utilized. Nothing herein shall prohibit the County from deleting items within the Invitation for Bids and purchasing said items directly from a supplier, without further bidding, in an effort to benefit from the County's tax exempt status. When the County undertakes the construction of new or renovated facilities, the Sales Tax Recovery Resolution No. 96-R-177 will apply when deemed to be in the best interest to the County. Sales Tax Recovery can be utilized for construction of new and renovated County facilities. The purchasing provisions for Sales Tax Recovery in County bid documents may be integrated with the purchasing criteria provided by the Florida Department of Revenue, so as to permit Seminole County's awarded general contractor for construction of new or renovated facilities to solicit material bids and to require issuance of Seminole County purchase order that will be authorized by the Seminole County Purchasing and Contracts Division Manager or designee and said purchases shall be exempt from the County's Purchasing Code, preserving the sales tax exemption to the benefit of Seminole County.

3.5515 DIRECT PAY. Certain purchases, due to their very nature, are exempt from the competitive bid requirements. Items listed under Section 220.2(b), Seminole County Code, are exempt and User Department/Office can utilize the direct method and submit directly to the Finance Department.

3.5516 CONTRACT CLAUSES AND THEIR ADMINISTRATION. All County contracts for supplies, services and construction shall include provisions necessary to define the responsibilities and rights of the parties to the contract. The Purchasing and Contracts Division Manager or designee, after consultation with the County Attorney's Office, may issue clauses providing for adjustments in prices, time of performance, audit, cost principles to be used to determine allowability of cost or other provisions as appropriate for supply, service or construction contracts, addressing, but not limited to, the subjects defined in the Seminole County Administrative Code.

3.5517 SOLE SOURCE/SINGLE SOURCE/PROPRIETARY SOURCE. Contracts that exceed the mandatory bid limit may be awarded without competition by the appropriate level of authority. However, the Purchasing and Contracts Division Manager or designee must determine in writing, after conducting a good faith review of available sources, that there is only one source or a proprietary source for the required supply, service or construction item. The Purchasing and Contracts Division Manager or designee shall conduct negotiations, as appropriate, as to price, delivery, and terms.

3.5518 BRAND NAME OR EQUAL SPECIFICATIONS.

(1) County specifications that are described in Scopes of Services are to be competitive (non-restrictive) for "full and open" competition, describing the County's minimum requirements. Brand name or equal specifications may be used when the Purchasing and Contracts Division Manager determines that:

(a) No adequate design or performance specification or qualified products list is available;

(b) Time does not permit the preparation of another form of purchase description, not including a brand name specification;

(c) The nature of the product or the nature of the County's requirements makes use of a brand name or equal specification suitable for the procurement; or

(d) Use of a brand name or equal specification is in the County's best interest.

(2) Use: Since use of a brand name specification is restrictive of product competition, it may be used only when the Purchasing and Contracts Division Manager and the Department Director make a written determination that only the identified brand name item or items will satisfy the County's needs or where procurement has been standardized herein.

(3) Competition: The Purchasing and Contracts Division Manager shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is

practicable. If only one source can supply the requirement, the procurement shall be made under 3.5517 (Sole Source Procurement) of this Section.

3.5519 BUY AMERICAN/RECYCLABLE PRODUCTS. If a contract is being funded, in whole or in part, by assistance from a Federal agency, then the County shall adhere to the appropriate "Buy American" requirements, if any, of the Federal agency providing the assistance.

3.5520 COUNTY PROCUREMENT RECORDS.

(1) Contract File: All determinations and other written records pertaining to the solicitation, award, or performance of a contract shall be maintained for the County in a contract file in the Purchasing and Contracts Division.

(2) Retention of Procurement Records: All procurement records shall be retained in an electronic format and disposed of by the County in accordance with records retention guidelines of the State of Florida.

III CONTRACT ADMINISTRATION

3.5521 PURPOSE. To establish a policy for the proper processing of contracts, including contract compliance, which are entered into by the Board of County Commissioners or its authorized designees.

3.5522 DIRECTIVES.

(1) The Purchasing and Contracts Division shall determine if it is in the best interest of the County to enter into a contractual agreement. The Purchasing and Contracts Division is responsible for improving Countywide contract administration. In addition, the Purchasing and Contracts Division will assist individual Departments/Offices in complying with County Purchasing policies, procedures and code. It is the Department/Office's responsibility to ensure contract compliance and take the necessary steps to document contract performance related issues.

(2) The Purchasing and Contracts Division, in conjunction with the County Attorney's Office, is responsible for overseeing contract policies and procedures. The County Attorney's Office is charged with the responsibility of developing the contract and ensuring that all contractual agreements that Purchasing processes are legally and responsibly in compliance with Florida Statutes, County Code, resolutions, procedures, ordinances, and Federal law as applicable. The user Department Director has the primary responsibility of ensuring that contracts are properly administered in compliance with Seminole County Code, resolutions, procedures, contract compliance requirements and Board Action.

(3) Contract administration entails creating a plan and then monitoring performance throughout the many, varied activities that can occur during the project execution. Key contract administration activities include ensuring compliance with contract terms and conditions, providing contract oversight on the project milestones and deliverables, managing contract changes, invoices and payment, managing any property issues, including sales tax recovery program, assisting in claims and disputes resolution,

proper closeout procedures and the strategic planning of the follow-on reprocurement efforts.

(4) In lieu of obtaining Board approval via the agenda process for exercising the renewals and options on Board approved contracts, the funds will be approved via the budget process each fiscal year the contract is in effect. The Department/Division office should state within the annual budget, under the appropriate account number, the type of services, contractor's name and the estimated dollar amount for that fiscal year.

(5) It is the responsibility of the Department/Office to monitor contract deliverables, expiration dates, due dates and milestone dates of agreements and work orders.

(6) After contract award, administrative correspondence pertaining to contract administration can be signed by the County Manager or Purchasing and Contracts Division Manager or designee providing that it does not change the contract terms and conditions. This includes all documents associated with final acceptance and close out of construction documents.

3.5523 CONTRACT COMPLIANCE. The Purchasing and Contracts Division will assist user Departments/Divisions in complying with contract administration code and procedures on all contracts. The Purchasing and Contracts Division will represent the County as a whole and will balance contracting interests of the County with those of individual Departments/Offices. User Departments/Divisions and the Project Manager are responsible for contract compliance, specifically:

(1) Contract Funding: Cost and qualitative analysis shall occur at the organizational level where contract funding decisions are made.

(2) Contract Monitoring: Contract monitoring shall consist of both fiscal and performance monitoring. Fiscal monitoring shall determine a contractor's financial consultants management abilities; performance monitoring shall determine a contractor's effectiveness in meeting contract objectives. All invoices must be processed by Department personnel in strict conformance of the contract terms and conditions.

(3) Contract Renewal Decisions: The decision to renew a contract will include an assessment by the user Department of the contractor's/consultant's performance. This assessment will provide a justification for making renewal decisions. If the evaluation indicates substandard contractor/consultant performance, a plan for corrective action shall be drafted. Alternatively, the decision can be made not to renew the contract and obtain new proposals from qualified suppliers.

(4) Retroactive Contracts: A contract cannot be retroactive. A contract is not legally binding until all parties have signed the contract document. In certain cases when it is in the best interest of the County, the Purchasing and Contracts Division may issue a letter to the contractor to begin performance if the award of the contract has been approved by appropriate authority. When contractors begin providing services before a new or existing contract is fully approved, signed or renewed, the commitment is referred to as unauthorized and must be processed as described in Section 220.16 of the

Purchasing Code. It is the Department/Office's responsibility to plan accordingly to ensure unauthorized commitments are avoided. The County will not be responsible for payment of services or goods under an unauthorized commitment.

IV BONDS AND BID SECURITY

3.5524 SURETY BONDS. The Purchasing and Contracts Division is responsible for insuring that surety bonds are maintained. Before commencing work on the construction of a public building or repairs upon a public building or public work, the contractor shall deliver to the County a payment and performance bond which will be recorded in the public records of the County. The bonds must state the name and principal business address for both the principal and the surety and must contain a description of the project sufficient to identify it. Performance bonds for sub-contractors do not need to be recorded in the public records of the County.

3.5525 BID SECURITY.

(1) Requirement for Bid Security: Bid security shall be required for all competitive sealed bidding for capital improvement construction contracts when the price is estimated to exceed TWO HUNDRED THOUSAND AND NO/100 DOLLARS ($200,000.00) or when the Purchasing and Contracts Division Manager or designee deemed appropriate. Bid security shall be an original bond provided by a surety company authorized to do business in the State of Florida or the equivalent in the form of a cashiers or certified check. The Purchasing and Contracts Division Manager may require bid security for other types of bids and RFPs.

(2) Amount of Bid Security: The amount of the bid security shall be indicated in the Contract Documents.

(3) Rejection of Bids for Noncompliance with Bid Security Requirements: When the Invitation for Bids or RFP requires security, noncompliance requires that the bid be rejected.

(4) Withdrawal of Bids: If a bidder is permitted to withdraw its bid before award, no action shall be brought against the bidder or the bid security.

3.5526 CONTRACT PERFORMANCE BONDS AND PAYMENT BONDS.

(1) As determined by the Purchasing and Contracts Division Manager or designee or mandated by Florida Statutes, the following bonds or security shall be delivered to the County and shall become binding on the parties upon the execution of the contract:

(a) A performance bond satisfactory to the County, executed by a surety company authorized to do business in the State of Florida or otherwise secured in a manner satisfactory to the County, in an amount equal to one hundred percent (100%) of the price specified in the contract.

(b) A payment bond satisfactory to the County, executed by a surety company authorized to do business in the State of Florida or otherwise secured in a

manner satisfactory to the County, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to one hundred percent (100%) of the price specified in the contract.

(2) Authority to Require Additional Bonds. Nothing in this Section shall be construed to limit the authority of the County to require a performance bond or other security in addition to those bonds or in circumstances other than specified in this Section.

3.5527 REQUIREMENTS. Sureties for all bid bonds, performance bonds and payment bonds must be included on the U.S. Department of Treasury listing and the bond amount shall not exceed the maximum amounts specified therein unless otherwise stipulated in the Invitation for Bids or RFP.

V CONTRACT EVALUATION

3.5528 PUBLIC ADVERTISEMENT OF NEED FOR SERVICES. All requirements for CCNA Professional Services, as defined in Section 287.055, Florida Statutes, shall be publicly advertised at a minimum of once a week in a newspaper of general paid circulation or as otherwise indicated in Florida Statutes. Allowable exceptions to public advertisement include:

(1) Projects involving a public emergency, pursuant to Section 220.41, Seminole County Code.

(2) When the basic construction of the completed project is estimated to be less than THREE HUNDRED TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($325,000.00) or defined as category five in Section 287.017, Florida Statutes, whichever is greater.

(3) When the fee for professional services for a planning or study activity is estimated to be less than THIRTY-FIVE THOUSAND AND NO/100 DOLLARS ($35,000.00) or defined as category two in Section 287.017, Florida Statutes, or as may be amended, whichever is greater.

3.5529 CONTINGENT FEES. All contracts shall contain a prohibition against contingent fees as required by Section 287.055(6), Florida Statutes.

3.5530 COMPETITIVE SELECTION.

(1) (a) Recommendations for appointment of evaluation committee members who have knowledge and interest in the project should be suggested by the Project Manager for acquisition of professional and consultant services under an RFP or PS. The evaluation committee should consist of: Division Manager or designee, Project Manager, a staff member outside the requesting Division, and a staff member. The committee should be appointed by the Department Director. If the professional service to be provided is estimated to be over FIVE HUNDRED THOUSAND AND NO/100 ($500,000.00) per year, a Department Director should be on the evaluation committee.

If the contract value exceeds ONE MILLION AND NO/100 DOLLARS ($1,000,000.00) per year, the County Manager or designee will be part of the evaluation committee.

(b) For evaluation committees for the selection of marketing/advertising firms to promote Seminole County tourism or Seminole County sports facilities and for evaluation committees for the selection of firms to provide sales, business development and event management services for Seminole County sports, in addition to the County employees who serve, two (2) of the evaluation committee members may be members of the Seminole County Tourist Development Council, elected for said task by the Council from its membership. As participants on the evaluation committee, the Tourist Development Council members will be required to comply with all of the County evaluation processes as stated in the County Manager's Policies and Procedures Manual, Section 60, the Seminole County Administrative Code, the Seminole County Code and the Florida Statutes related to evaluation of competitive procurements, including but not limited to completing disclosure forms, complying with public records release requirements, code of silence requirements and required participation in all meetings of the evaluation committee.

(2) Notification of Need for Services:

(a) The evaluation committee shall determine specific qualifications necessary for the project consultant and specify the form for submittal of qualifications by prospective consultants. The architect/engineer evaluation criteria shall be the sole means of "short listing" firms who have submitted qualification packages and shall be provided to each interested party prior to their submittal.

(b) For publicly announced requirements, the Department/Office will provide the Purchasing and Contracts Division a request for contractual services and scope of services, evaluation criteria and the Purchasing and Contracts Division will publish the notice in a newspaper of general circulation in Seminole County and on the Internet and shall indicate how interested consultants may apply for consideration. Trade journals or trade magazines may also be utilized for public advertisement. The Purchasing and Contracts Division will administer the closing of the proposals and the selection/negotiation committee meetings.

(c) Florida Statutes require reasonable notice to the public, such as evaluation/selection/negotiating sessions with consultants. At times these evaluation and negotiation meetings are exempt under Section 286.0113, Florida Statutes. If the meeting is non-exempt, the notice will include the committee's name and purpose, location of meeting, date and time of meeting. A copy of the meeting notice shall be posted in the Purchasing and Contracts Division and on the County's web site, in the Bid tabulation remarks. Part of the notice of public meeting shall include the statement: "Persons with disabilities needing assistance to participate in any of these proceedings should contact the Human Resources Division 48 hours in advance of the meeting. If a person decides to appeal any decision made at this meeting, they will need a record of the proceedings, and, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, per Section 286.0105, Florida Statutes." The Chairman

of the meeting will ensure a record of the meeting is maintained, either through a written or recorded method and in accordance with the Public Records Law of the State of Florida. The custodian of the record for these meetings is the Purchasing and Contracts Division.

(3) Evaluation of Consultants:

(a) The County shall make a finding that the firm or individual to be employed is duly qualified to render the required service. The evaluation committee shall review statements of qualification and performance data submitted in response to the public announcement and shall select, in order of preference, no fewer than three (3) firms deemed to be the most highly qualified, if at least three (3) firms respond to the announcement. If there are less than three (3) firms responding and after due diligence and searching it is decided every effort was made to meet Section 287.055, Florida Statutes, the County will interview all respondents and proceed with the evaluation process. Consultant evaluation criteria shall include, but may not be limited to: approach to work, the ability of professional personnel; whether a firm is a certified minority business enterprise; past performance; willingness to meet time and budget requirements; location; recent, current and projected workloads; and volume of work previously awarded, with the object of effecting an equitable distribution of contracts among qualified firms, provided such equitable distribution does not violate the principle of selection of the most highly qualified firms.

(b) The evaluation committee may conduct presentations and/or shall conduct some type of discussions with a minimum of three (3) firms (if three firms submitted) pertaining to the firms' qualifications, approach to the project, and ability to furnish the required service. Each evaluation committee member shall rate each firm/individual by assigning the top firm number one (1), the second ranked firm number two (2), etc. At times, alternate procedures stated in the County Manager’s Policies and Procedures may apply.

3.5531 CONTRACT NEGOTIATION.

(1) The negotiating committee shall be appointed by the Department Director and the Purchasing and Contracts Division Manager. The committee shall be comprised of the Division Manager or designee and two (2) staff members of County government having knowledge and interest in the project. When professional services sought are over ONE MILLION AND NO/100 DOLLARS ($1,000,000.00) or more, a Florida Certified Negotiator shall sit on the negotiating committee. Upon Board direction, the negotiating committee shall negotiate a contract with the most qualified firm for professional services for compensation which is determined to be fair and reasonable. Retainage for professional services is at the discretion of the Project Manager and shall be stated on the Contract Services Request form for the request of a new master agreement or work order to an existing master agreement.

(2) Detailed discussions must be held by the firm and the County to clearly establish the scope of the project and the exact services to be performed by the Consultant. Such negotiations are usually successful. However, should the two parties fail to agree upon the level of cooperation, negotiations with the first firm are terminated

and negotiations are commenced with the second ranked firm. If again unsuccessful the process is repeated with the next highest ranked firm. This process is continued until a mutually agreeable contract is concluded or the project is abandoned or resubmitted.

(3) When required by Florida Statutes or at the direction of the Purchasing and Contracts Division Manager, the firm awarded the contract must execute a truth-in-negotiation certificate stating that the wage rates and other factual unit costs are accurate, complete, and current, at the time of contracting. Any contract requiring this certificate shall contain a provision that the original contract price and any additions shall be adjusted to exclude any significant sums by which the County determines the contract price was increased due to inaccurate, incomplete, or non-current wage rates and other factual unit costs. All such contract adjustments shall be made within one year following the end of the contract.

(4) At times, audit provisions of the contract must be enforced. The best method for this audit is for an external audit to validate rates and invoices in accordance with contact language.

3.5532 RESERVATION OF AUTHORITY. The authority to issue or revise this Policy is reserved to the Board of County Commissioners subject to the provisions of Chapter 287, Florida Statutes.

VI DEBARMENT OR SUSPENSION

3.5533 AUTHORITY TO DEBAR OR SUSPEND. The Purchasing and Contracts Division Manager may suspend or debar for cause the right of a vendor to be included on a vendor list and any bid or response from that vendor may be rejected, provided that the Board shall have the authority to waive or remove such suspension or debarment.

3.5534 SUSPENSION. A vendor may be suspended for a period not to exceed three (3) years as determined by the Purchasing and Contracts Division Manager based upon the following:

(1) Vendor defaults or fails to fully comply with the conditions, specifications, time limits, or terms of a bid, quotation, proposal or contract with the County; or

(2) Vendor commits any fraud or misrepresentation in connection with a bid, quotation, proposal or contract with the County; or

(3) Vendor is convicted by a court of competent jurisdiction of a criminal offense incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract; or

(4) Vendor is convicted by a court of competent jurisdiction of any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty which currently, seriously, and directly affects responsibility as a County contractor.

(5) Confirmation that a vendor has been convicted of any charges specified under items 3 and 4 will be ascertained by contacting Clerk of the Court of the County and requesting the "Judgement and Sentence Form" for a felony and the disposition or minutes of the court action for a misdemeanor.

(6) Vendor becomes insolvent, has proceedings of bankruptcy instituted against it, or compounds its debts or assigns over its estate or effects for payment thereof, or has a receiver or trustee appointed over its property; or

(7) Vendor commission or any act or omission to perform any act which is grounds for debarment; or

(8) Vendor violates the ethical standards set forth in County, State or Federal law; or

(9) Vendor fails to comply with the M/WBE participation or M/WBE requirements as may be established in an awarded contract.

(10) Any other cause the Purchasing and Contracts Division Manager determines to be sufficiently serious and compelling as to materially and adversely affect responsibility of a business as a County contractor, including but not limited to suspension or debarment by another governmental entity for cause.

3.5535 DEBARMENT. A vendor may be permanently debarred for the following:

(1) Default or failure to fully comply with the conditions, specifications, drawings, time limits, or terms of an Invitation for Bids, Request for Proposal or contract with the County twice in any three (3) year period.

(2) Conviction or judgment in a court of competent jurisdiction for commission of any offense listed in Chapter 220, Seminole County Code, in connection with the vendor's commercial enterprise. If the conviction or judgment is reversed through the appellate process, the debarment shall be removed immediately upon written notification and proof of final court disposition from the vendor to the County.

3.5536 DECISION. After the Purchasing and Contracts Division Manager has determined he/she has cause to suspend or debar a vendor and has the concurrence of the County Attorney's Office, he/she shall notify the vendor in writing of the debarment or the period of suspension and the reasons for the action taken. A copy of this decision will be provided to all Board members.

3.5537 PUBLIC ENTITY CRIME. Any vendor who has been convicted of a public entity crime as defined by Section 287.133, Florida Statutes, shall not be able to transact business with the County to the extent as specified in Section 287.133(3)(a), Florida Statutes.

3.5538 FINALITY OF DECISION. The suspension or debarment shall be final and conclusive unless the suspended or debarred vendor initiates protest proceedings within thirty (30) business days after the date of notification.

VII PROTESTS, APPEALS AND REMEDIES

3.5539 PROTESTS.

(1) Right to Protest: Only bidders that submit proposals are eligible to submit a protest after Bid opening or Proposal closing. Once the solicitation has been cancelled and posted on the website, protests will not be accepted.

(2) Posting: The Purchasing and Contracts Division shall post a recommendation of award at the location where bids or proposals were or on the County's website, Purchasing and Contracts Division webpage, in the Bid tabulation section.

(3) Protest Submission: A formal written protest must be filed no later than 5:00 p.m., local time, five (5) business days after the posting date of the award recommendation on the internet, unless the aggrieved person did not know or could not, with the exercise of diligence, have known of the facts giving rise to the protest prior to any of the aforementioned events. The aggrieved person has the burden to show he or she did not know and could not, with the exercise of diligence, have known of the facts giving rise to the protest. The bidder, offeror or contractor has the responsibility to contact the County and request the award recommendation results. Failure to contact the County for the award recommendation results to determine if a bid protest is warranted is considered lack of due diligence and a protest received after the five (5) business days specified will not be considered.

(4) The formal written protest shall: identify the protesting party and the solicitation involved; include a clear statement of the grounds on which the protest is based; refer to the statutes, laws, ordinances, or other legal authorities which the protesting party deems applicable to such grounds; and, specifically request the relief to which the protesting party deems itself entitled by application of such authorities to such grounds. The protesting party shall submit a hard copy of the formal written protest to the Purchasing and Contracts Division Manager or designee within the timeframe above. All exempt proposal and procurement information pertaining to the solicitation/award that is being protested may be requested by the protesting vendor at time of protest.

(5) Receipt of Protest: A protest is not timely filed unless it is received in hard copy form by the Purchasing and Contracts Division within the times specified in item (3). Failure to file a formal written protest within the time period specified shall result in relinquishment of all rights of protest by the vendor and abrogation of any further bid protest proceedings.

(6) General: These protest procedures shall be the sole remedy for challenging an award of bid or proposal. Bidders and proposers are prohibited from attempts to influence, persuade or promote through any other channels or means. Such attempts shall be cause for suspension in accordance with the Seminole County Code and the Seminole County Administrative Code applicable to Purchasing.

(7) Stay of Procurements During Protests: In the event of a timely protest under this Section, the Purchasing and Contracts Division Manager shall not proceed

further with the solicitation or award of the contract until a written determination is made by the Purchasing and Contracts Division Manager and approved by the County Manager or until the County Manager makes a determination for the record that the award of a contract, without delay, is necessary to protect substantial interests of the County.

(8) Authority to Resolve: The Purchasing and Contracts Division Manager shall attempt to resolve the protest in a fair and equitable manner, and shall render a written decision to the protesting party within thirty (30) business days after the date of receipt of the protest.

(9) Appeal Process: The Purchasing and Contracts Division Manager's decision shall be final and conclusive unless, within five (5) business days of receipt of the written decision, the protesting party delivers a written notice of appeal to the Purchasing and Contracts Division Manager with an Appeal Bond. An advisory appeal committee, comprised of three (3) County Representatives, other than the Purchasing and Contracts Division Manager, appointed by the user Department Director and County Manager or designee, shall have the authority to review the appeal and make recommendations to the County Manager. The Appeal Committee shall conduct a hearing where the aggrieved person shall be given the opportunity to show why the decision of the Purchasing and Contracts Division Manager should be modified. The Appeal Committee shall render a written recommendation within thirty (30) business days from the date of the written notice of appeal. The formal rules of civil procedure and evidence will not be applied. The Appeal Committee shall render a final written recommendation to the County Manager. The County Manager shall render his or her final written decision within five (5) business days after the date of the recommendation. If no decision is rendered within this time frame then it will be presumed that the County Manager concurs in the Appeal Committee's decision and the decision of the Appeal Committee shall be the final and conclusive administrative action.

(10) Appeal Bond: Any person who files an action appealing a decision shall post with the Purchasing and Contracts Division Manager at the time of filing the formal written appeal a bond payable to the County in an amount equal to five percent (5%) of the County's estimate of the total contract value or FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00), whichever is less. The bond shall be conditioned upon the payment of all costs which may be adjudged against appellee in the administrative hearing in which the action is brought and in any subsequent appellate court or court proceeding. In lieu of a bond, the County may accept a cashier's or certified check, or money order in the above referenced amount. If, after completion of the administrative hearing process and any court or appellate court proceedings, the County prevails, it shall recover all costs and charges which shall be included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person appealing the decision, the bond, cashiers check, or money order shall be returned to him. If the person appealing the decision prevails, he shall recover from the County all costs and charges which shall be included in the final order of judgment, excluding attorney's fees.

(11) Reservation of Powers to Settle Actions Pending before the Courts: Nothing in this Section is intended to affect the existing powers of the Board to settle actions pending before the Courts.

3.5540 CONTRACT CLAIMS.

(1) Decision of the Purchasing and Contracts Division Manager: All claims by a contractor against the County relating to a contract shall be submitted in writing to the Purchasing and Contracts Division Manager for a decision. Claims include, without limitation, controversies arising under a contract, and those based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or rescission.

(2) Notice to the Contractor of the Purchasing and Contract Division Manager's Decision: The decision of the Purchasing and Contracts Division Manager shall be issued in writing, and shall be mailed or otherwise furnished to the contractor. The decision shall state the reasons for the decision reached, and shall inform the contractor of its appeal rights.

(3) Finality of Purchasing and Contracts Division Manager's Decision; Contractor's Right to Appeal: The Purchasing and Contracts Division Manager's decision shall be final and conclusive unless, within five (5) business days from the date of receipt of the decision, the contractor delivers a written appeal to the Purchasing and Contracts Division with an appeal bond.

(4) Render Timely Decision: The Purchasing and Contracts Division Manager with concurrence of the County Attorney shall issue a written decision regarding any contract controversy within sixty (60) business days after written request for a final decision, or within such longer period as may be agreed upon between the parties.

(5) Appeal Process: Any person aggrieved by the decision of the Purchasing and Contracts Division Manager must deliver a written appeal within five (5) business days of receipt of the written decision to the Purchasing and Contracts Division Manager with an appeal bond. An advisory appeal committee, comprised of the user Department Director or Division Manager and other County Representatives, shall have the authority to review the appeal and render a written recommendation to the County Manager. The Appeal Committee shall conduct a hearing where the aggrieved person shall be given the opportunity to show why the decision of the Purchasing and Contracts Division Manager should be modified. The Appeal Committee shall render a written recommendation within sixty (60) business days from the date of the written notice of appeal and the County Manager shall render a final decision within five (5) business days from the date of the recommendation. If no decision is rendered within this time frame then it will be presumed that the County Manager concurs in the Appeal Committee's decision and the decision of the Appeal Committee shall be the final and conclusive administrative action.

3.5541 RIGHT TO PROTEST AWARD OF CERTAIN CONTRACTS AWARDED BY THE BOARD.

(1) This Section is applicable solely to protests filed by a recommended vendor after the award of a contract by the Board of County Commissioners was to other than that recommended vendor.

(2) Upon receipt of the written notice of protest, the Purchasing and Contracts Division Manager shall schedule a hearing before the Board of County Commissioners. The aggrieved person shall be given an opportunity to show why the award of contract by the Board of County Commissioners should be modified.

(3) The decision of the Board of County Commissioners shall be the final and conclusive administrative action.

VIII PURCHASING CARD

3.5542 METHOD OF OPERATION. The following are the County's operational policies governing purchasing cards:

(1) Cardholder Spending Limits:

(a) The delegation of purchasing authority that the card provides to each cardholder sets the maximum dollar credit limit amount per month. Each time a cardholder makes a purchase with the card, the limit will be checked, and the authorization request will be declined should the purchase amount exceed the available credit amount. The maximum credit limit amount is set at TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00) and cannot be exceeded without the express approval of the County Manager. Each cardholder's credit limit is recommended by the cardholder's supervisor on the "Purchase Card Request Form" and must be approved by the cardholder's Department Director and by the Purchasing Card Program Manager. Requests for a credit limit exceeding TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00) must be justified in writing and approved by the County Manager prior to submission to the Purchasing Card Program Manager.

(b) The County's single item purchase limit for goods and services are set to a maximum of NINE HUNDRED NINETY-NINE AND 99/100 DOLLARS ($999.99). This purchase limit for goods may not be exceeded without the approval of the County Manager.

(c) The total transaction purchase(s) limit is defined as the maximum dollar limit per card. The total transaction purchase limit is set at THREE THOUSAND AND NO/100 DOLLARS ($3,000.00) and cannot be exceeded without the express approval of the County Manager. Each cardholder's total transaction purchase limit is recommended by the cardholder's supervisor on the "Purchase Card Request Form" and must be approved by the cardholder's Department Director and by the Purchasing Card Program Manager. Requests for a total transaction purchase limit exceeding THREE THOUSAND AND NO/100 DOLLARS ($3,000.00) must be justified in writing and approved by the County Manager prior to submission to the Purchasing Card Program Manager.

(d) The daily transaction limit is defined as the number of credit card transactions allow in a twenty-four (24) hour period. The maximum daily transaction limit is set at ten (10) transactions per day and cannot be exceeded without the express approval of the County Manager. Each cardholder's daily transaction limit is recommended by the cardholder's supervisor on the "Purchase Card Request Form" and must be approved by the cardholder's Department Director and by the Purchasing Card Program Manager. Requests for a daily transaction limit exceeding ten (10) per day must be justified in writing and approved by the County Manager prior to submission to the Purchase Card Program Manager.

(2) Purchasing Card Use:

(a) The purchasing card is to be used for COUNTY PURPOSES ONLY. The purchasing card may be used for all legitimate county purchases unless specifically prohibited in this Section. The purchase card can be used for those items listed in Section 220.2 (b), Seminole County Code, that are exempted from the purchasing process except for those items on the Do Not Buy List located on the Intranet. The Purchasing Card can be used for travel expenses if authorized by the Department Director.

(b) The purchasing card has the cardholder's name embossed on it and is to be used only by that cardholder. No other person is authorized to use the card. Lost or stolen cards must be reported to the issuing bank and to the Purchasing Card Program Manager immediately on discovery.

(c) All requests for initial issue of purchase cards and for travel usage must be justified in writing and approved by the cardholder's Department Director. Purchase Cards will be issued by name to employees who have been approved.

(d) Each transaction may be comprised of multiple items, but each item(s) cannot exceed the single item purchase dollar limit and the transaction must be limited to THREE THOUSAND AND NO/100 DOLLARS ($3,000.00). Purchases will be denied if the authorized monthly purchase limit, the single purchase limit, or the daily transaction limit is exceeded. Purchases are not to be split in order to stay within the single transaction purchase limit.

(e) All items purchased over the counter to be paid by using the card must be immediately available. Back-ordering is not permitted.

(f) All items purchased during one telephone or Internet transaction that will not be confirmed by a written order must be delivered in a single delivery. No back-ordering is allowed.

(g) The purchasing card SHALL NOT be used to purchase fuel, oil, personal items, telephone calls, or tangible personal property as defined by Florida Statute, exception is authorized by travel card.

(h) The purchasing card SHALL NOT be used to make cash advances or to write VISA checks.

(i) Purchases may be made by telephone or the Internet when the supplies or services can be described in sufficient detail so that the parties to the transaction have a clear understanding of what is being acquired.

(j) When a purchase is made that will be paid using the card, whether it is done over the counter, over the internet or by telephone, a document must be retained as proof of purchase. These documents will later be used to verify the purchases shown on the cardholder's monthly statement.

(k) All requests for travel must be in accordance with the County's travel policy.

(l) Other conditions of use as stated in the County Manager's Policies and Procedures.

(3) Purchasing Card Training:

(a) Initial Training: Each cardholder will be provided with initial training prior to issuance of the purchasing card. The training will cover the proper use and restrictions of the purchasing card.

(b) Annual Training: Training will be provided at least once per year. Annual training will be mandatory for all cardholders and all approving officials. Cardholders missing the scheduled annual training will be given an opportunity to take makeup training. Failure to accomplish mandatory annual training will result in loss of card privileges. Approving officials who miss the scheduled annual training will be given an opportunity to makeup training. Failure to accomplish mandatory annual training will result in loss of Approving Official authority and cardholder privileges for cardholders reporting to that official.

(4) Emergency Purchase Cards: The Purchasing and Contracts Division has four (4) purchase cards designated as "Emergency Purchase Cards". These cards are secured in the Purchasing and Contracts Division's office and are only to be used in the event of a declared emergency as provided in Section 220.41, Seminole County Code. Emergency purchase cards are only to be used by Purchasing and Contracts Division personnel or other County employees designated by the County Manager. Purchases made with emergency purchase cards must follow procedures outlined in the Seminole County Administrative Code. However, during declared emergencies, emergency purchase cards may be used without regard to dollar limits or exempt items. Any purchase that could be made with a purchase order may be made with the emergency purchase card during emergencies.

(5) Special Purchase Card: A special purchase card can be used by the Purchasing and Contacts Division to process the payment of goods and services that have been procured by the Purchasing and Contracts Division. The use of this card will be coordinated with Finance, and payment of certain Purchase Orders will be accomplished by the Purchasing and Contracts Division instead of issuing a check by Finance. By using this special card for payment, the County increases rebates under the Purchasing Card program, therefore creating additional revenue and efficiencies for the

County. The County Manager's Policies and Procedures will describe the procedures for this special card.

(6) Purchase Card Program Internal Controls:

(a) The Purchase Card Program Manager will establish automated card restrictions as allowed by the issuing bank's software. Restrictions will be in compliance with this Code and County Manager's Policies. The Program Manager will establish a County Finance account allowing access to the issuing Bank's database. This will allow County Finance to view cardholder information and statements online.

(b) County Finance will review each statement and supporting documentation. County Finance will contact cardholders directly and attempt to resolve any statement discrepancy found. If unable to resolve the issue with the cardholder directly, County Finance will elevate the problem to the Purchasing Card Program Manager for resolution. A form will be used to assist and document the issue. In addition, County Finance will notify the Purchasing Card Program Manager of all missing signatures, discrepancies, late statements, or suspicious purchases so the Program Manager may investigate and take appropriate action.

3.5543 DISCIPLINARY ACTION GUIDELINES. Improper or unauthorized use of the Purchasing Card:

(1) The Purchasing Card Program Manager's responsibility:

(a) Any incident of improper or unauthorized use of the card shall be immediately reported to the Purchasing Card Program Manager.

(b) The Purchasing Card Program Manager may suspend or terminate cardholder privileges for improper or unauthorized use.

(c) Failure to submit monthly statements and reports related to cardholder activity within the time periods specified in the County Manager's Policies and the Purchasing Code may result in the following:

- First Offense: Suspension of cardholder privileges for a minimum of seven (7) days.
- Second Offense: Suspension of cardholder privileges for a minimum of thirty (30) days.
- Third Offense: Immediate termination of cardholder privileges and a written reprimand from the Purchasing Card Program Manager to be maintained in the employee's County personnel file.

(d) The Purchasing Card Program Manager will notify the County Manager of the violation above and any action that was taken.

(2) The County Manager's responsibility:

(a) The appropriate disciplinary action will be dispensed by the County Manager based on consultation with the individual cardholder, the cardholder's supervisor, and the Purchasing Card Program Manager. Depending on the circumstances and the severity of the infraction, the County Manager may delegate this responsibility to the cardholder's Department Director.

(b) Improper or unauthorized use of the card may result in any or all of the following:

- Written reprimand, placed in the cardholder's personnel file.
- Three days suspension without pay.
- Termination of employment with Seminole County.
- In addition to any administrative and disciplinary action that may be taken, the employee may be required to reimburse the County for the total amount of the improper charges through payroll deduction or direct payment.

IX ETHICAL CONSIDERATION

3.5544 SANCTIONS.

(1) Ethics in Public Contracting: No employee, officer, or agent of the contractor can participate in the selection, award, or administration of a contract with Seminole County if a conflict of interest, real or apparent, is involved. All information defined under Seminole County Personnel Policy therein applies to contract compliance. A conflict can exist whenever a contractor's/consultant's interests are at odds with the interests of the County or the public it serves. Disclosure to the Purchasing and Contracts Division is required when a contract decision maker has a conflict of interest with a person or organization with whom they are affiliated. Affiliation can include organizations the employees or their immediate family own, work for as an employee, or represent as an agent. Gratuities and kickbacks are not allowed.

(2) Employees: Violations of the ethical standards in the Seminole County Code shall constitute a major offense under Seminole County Personnel Policies and an employee shall be subject to the sanctions provided therein for their violation.

(3) Non-employees: The County Manager may impose any one or more of the following sanctions on a non-employee for violations of the ethical standards:

(a) Written warnings or reprimands;

(b) Termination of contracts; or

(c) Debarment or suspension as provided in the Seminole County Administrative Code.

X SMALL BUSINESS/MINORITY/WOMEN

3.5545 SMALL BUSINESS/MINORITY/WOMEN/ENTERPRISES. To facilitate increased participation from small business enterprises including minority and women owned businesses, the Purchasing and Contracts Division will:

(1) Encourage maximum participation of small business enterprises including minority and women owned businesses in all Seminole County procurements.

(2) Provide assistance to any vendor requesting assistance.

(3) Participate in workshops and programs sponsored by the County or other Federal, State, County or Municipal governments which are intended to educate, certify and/or promote a greater participation of small business enterprises, including minority and women owned businesses.

XI DESIGN/BUILD CONTRACTS - Reserved

AUTHORITY. Resolution 2002-R-47 adopted March 26, 2002
Resolution 2006-R-182 adopted August 8, 2006
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2007-R-70 adopted April 10, 2007
Resolution 2007-R-125 adopted July 24, 2007
Resolution 2010-R-158 adopted July 27, 2010
Resolution 2011-R-167 adopted September 13, 2011
Resolution 2011-R-216 adopted December 13, 2011
Resolution 2012-R-9 adopted January 10, 2012
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2012-R-176 adopted September 25, 2012
Resolution 2013-R-61 adopted February 12, 2013
Resolution 2014-R-177 adopted September 9, 2014
Resolution 2015-R-51 adopted March 10, 2015
Resolution 2015-R-212 adopted December 8, 2015

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.4 AFFORDABLE HOUSING ADVISORY COMMITTEE

A. PURPOSE. To provide recommendations for incentive strategies to reduce regulatory barriers to developing affordable housing in the community.

B. DUTIES/RESPONSIBILITIES. The Affordable Housing Advisory Committee will review all policies, procedures, ordinances, land development regulations, and the adopted local comprehensive plan and will make specific recommendations to the Board of County Commissioners to encourage or facilitate affordable housing. The Affordable Housing Advisory Committee process is required to repeat itself every three (3) years. The foregoing notwithstanding, the Affordable Housing Committee shall not be required to perform its tri-annual review if the County's annual appropriations of SHIP funds from the State do not exceed the statutory, guaranteed minimum amount provided for in Section 420.9073, Florida Statutes, for all three (3) years of the immediately preceding tri-annual period.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. The Affordable Housing Advisory Committee shall have eleven (11) members consisting of representatives of the groups listed below:

(a) One (1) citizen who is actively engaged in the residential building industry in connection with affordable housing,

(b) One (1) citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing,

(c) One (1) citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing,

(d) One (1) citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing,

(e) One (1) citizen who is actively engaged as a for-profit provider of affordable housing,

(f) One (1) citizen who is actively engaged as a not-for-profit provider of affordable housing,

(g) One (1) citizen who is actively engaged as a real estate professional in connection with affordable housing,

(h) One (1) citizen who actively serves on the local planning agency pursuant to Florida Statute 163.3174,

(i) One (1) citizen who resides within the jurisdiction of the local governing body making the appointments,

(j) One (1) citizen who represents employers within the jurisdiction, and

(k) One (1) citizen who represents essential services personnel, as defined in the Local Housing Assistance Plan (LHAP).

(2) The Community Services Department, Community Assistance Division shall provide administrative support and serve as the BCC liaison to the Committee. The Department shall accept nominations from representative agencies, community groups, and by the Affordable Housing Advisory Committee itself. At such time as appointments are required to be made, the Department shall bring forward to the Board of County Commissioners, on its agenda, nominees for appointment.

(3) Term of Office. Committee members shall be appointed by the Board of County Commissioners for staggered four (4) year terms after their initial terms as provided in Section 40.267(c), Seminole County Code.

D. LEGAL ISSUES

(1) Financial Disclosure is not required.

(2) Loyalty Oath is not required.

(3) Sunshine and Public Records laws apply to the meetings and records of the Committee.

(4) Membership on the Committee does not constitute an office for purposes of the constitutional prohibition on dual office holding.

F. AUTHORITY. Chapter 420, Part VII, Florida Statutes
Seminole County Code, Chapter 40, Part 12, as amended
Resolution 2008-R-164 adopted June 24, 2008
Resolution 2011-R-131 adopted June 28, 2011
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.5 AGRICULTURE ADVISORY COMMITTEE

A. PURPOSE. The Agriculture Advisory Committee ("AAC") is to review activities affecting agriculture and to advise the Board of County Commissioners of those findings and recommendations.

B. POLICIES AND PROCEDURES. The Seminole County Cooperative Extension Services Division Manager is authorized to serve as ex-officio member of the Committee.

C. DUTIES/RESPONSIBILITIES. The Committee is to develop programs to increase agriculture interest in the County and shall meet as often as deemed necessary by its members or the BCC.

D. FINANCIAL DISCLOSURE. Not required.

E. LOYALTY OATH. Not required.

F. MEMBERSHIP STRUCTURE.

(1) Requirements. The Committee shall consist of ten (10) members representing various agricultural commodity areas.

(2) Appointment Process. Each Commissioner shall appoint two (2) members to the Committee.

(3) Term of Office. Each member will serve of two (2) years commencing on January 1. In case of resignation, the BCC will appoint someone to serve the remainder of the term.

G. AUTHORITY. Resolution 94-R-275 adopted October 11, 1994
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.6 COMMITTEE ON AGING

A. PURPOSE. The Seminole County Committee on Aging is established to provide input and recommendations to the Board of County Commissioners regarding issues, policies, and services which will promote and enhance the quality of life for senior residents of Seminole County.

B. DUTIES/RESPONSIBILITIES. The Committee on Aging shall have the following duties and responsibilities:

(1) Identify issues that are of special concern to the senior residents of Seminole County;

(2) Prepare reports, recommendations, and presentations to the Board of County Commissioners to include, but not be limited to, service inventory and gaps, funding, and essential policies consistent with the Seminole County Strategic Plan;

(3) Establish working relationships with all senior related programs, agencies, and centers that provide services to County residents;

(4) Establish By-Laws to govern their work;

(5) Elect a Chairperson and Vice-Chairperson annually; and

(6) Establish Standing and Ad-Hoc Committees, as necessary, to fulfill their purpose and enhance service to the community.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. The Committee on Aging shall have a nine (9) member board consisting of representatives of the groups listed below. Committee members shall be appointed by the Board of County Commissioners for terms of two (2) years commencing July 1 of each calendar year. No member may serve more than three consecutive terms. If a member is appointed to complete a term due to a vacancy, that member shall be eligible to serve an additional three complete terms. The initial term of the members will be staggered and be for one (1), two (2), or three (3) years as indicated:

(a) <u>One (1) year initial terms:</u>

Local Law Enforcement	One (1) member
Local Senior Initiatives (examples)	One (1) member
• Seminole Volunteers	
• Visiting Nurses	
• Meals on Wheels	
Housing Industry	One (1) member

(b) Two (2) year initial terms:

Faith Based Organizations	One (1) member
Local Senior Residents	One (1) member *
State Attorney's Office	One (1) member

(c) Three (3) year initial terms:

Local Area Agency on Aging	One (1) member
Local Senior Residents	One (1) member *
Health Care Interest (examples)	One (1) member

- Local Hospitals
- East Central Florida Health Planning Council
- Health Department

* There are a total of two (2) Local Senior Resident Members; one begins with a two (2) year initial term and the other begins with a three (3) year initial term.

(2) The Community Services Department, Community Assistance Division shall provide administrative support and serve as the BCC liaison to the Committee. The Department shall accept nominations from representative agencies, community groups, and by the Committee on Aging itself. At such time as appointments are required to be made, the Department shall bring forward to the Board of County Commissioners, on its agenda, nominees for appointment.

D. LEGAL ISSUES

(1) Financial Disclosure is not required

(2) Loyalty Oath is not required.

(3) Sunshine and Public Records laws apply to the meetings and records of the Committee.

(4) Membership on the Committee does not constitute an office for purposes of the constitutional prohibition on dual office holding.

F. AUTHORITY. Resolution 2008-R-110 adopted May 6, 2008
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.12 SEMINOLE COUNTY FLOODPLAIN MANAGEMENT PLANNING COMMITTEE

A. PURPOSE. Pursuant to the requirements of the National Flood Insurance Program's Community Rating System, the Committee will provide assistance in the development of the floodplain management plan through assessment of the flooding problems in the County. The Seminole County Floodplain Management Planning Committee will assist in the development of goals that address the identified flood hazards and in the creation of various mitigation strategies that will be implemented to reduce damage to insurable structures and help protect lives, which will also reduce the cost of flood insurance to County residents.

B. DUTIES/RESPONSIBILITIES. The Seminole County Floodplain Management Planning Committee will meet and fulfill the obligations of the Community Rating System Program floodplain management planning requirements.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. The Seminole County Floodplain Management Planning Committee shall have twenty-two (22) members consisting of representatives of the groups listed below:

(a) Two (2) employees of the Planning and Development Division of the County Economic and Community Development Services Department, to be appointed by the Economic and Community Development Services Department Director.

(b) Three (3) employees of the Building Division of the County Economic and Community Development Services Department, to be appointed by the Economic and Community Development Services Department Director.

(c) Five (5) interested non-County employee citizens of Seminole County, to be appointed by the Economic and Community Development Services Department Director. For the purposes of this Section 4.12, "interested citizens" include floodplain residents, the owners or managers of floodprone properties, business leaders, members of civic groups, farmers, landowners, developers, and employees of government agencies other than the County.

(d) Two (2) employees from the Emergency Management Division of the County Public Safety Department, to be appointed by the Public Safety Department Director. These two (2) individuals shall serve as Chair and Vice-Chair of the Committee, with the Public Safety Department Director to designate which employee shall serve in each position.

(e) Two (2) interested citizens, to be appointed by the Public Safety Department Director.

(f) Two (2) employees of the Roads/Stormwater Division of the County Public Works Department, to be appointed by the Public Works Department Director.

(g) Two (2) employees of the Engineering Division of the County Public Works Department, to be appointed by the Public Works Department Director.

(h) Four (4) interested citizens, to be appointed by the Public Works Department Director.

(2) Committee meetings shall take place once monthly beginning in October 2010.

(3) The Emergency Management Division of the Public Safety Department shall provide administrative support to the Committee and shall serve as the Committee's liaison to the Seminole County Board of County Commissioners.

(4) Upon appointment, members of the Committee shall serve until completion of the County's Floodplain Management Plan or one year, whichever is less. Upon adoption of the Floodplain Management Plan by the Board of County Commissioners, this Committee shall dissolve, its purpose having been fulfilled and completed.

(5) At all times interested citizens shall constitute a minimum of fifty percent (50%) of the Committee's membership, and shall be replaced as necessary by Department Directors.

D. LEGAL ISSUES.

(1) Financial Disclosure is not required to serve on the Seminole County Floodplain Management Planning Committee.

(2) The Loyalty Oath is not required of representatives on the Seminole County Floodplain Management Planning Committee.

(3) Sunshine and Public Records laws apply to the meetings and records of the Seminole County Floodplain Management Planning Committee.

(4) Membership on the Committee does not constitute an office for purposes of constitutional prohibition on dual office holding.

E. AUTHORITY. Resolution 2010-R-202 adopted September 28, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.15 SEMINOLE COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY ("SCIDA")

A. PURPOSE. SCIDA seeks to strengthen and increase the economic development of Seminole County through industrial development thereby increasing employment opportunities and increasing the tax base of the County.

B. DUTIES/RESPONSIBILITIES. SCIDA normally meets once a month. The major function of the Board is to assist the SCIDA Director in the role of attracting new and desirable industry to Seminole County as well as the required technical assistance to those existing firms that may wish to expand their market area or facility into a larger corporation.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. Five (5) persons who are residents and electors of the County and two (2) alternate members. There will be no payment for services to members.

(2) Appointment Process. Each Commissioner appoints one (1) member. Alternate members will be designated as such and appointed on a rotating basis. Vacancies will be filled for the unexpired term.

(3) Term of Office. Four (4) year terms. Appointees are eligible for reappointment.

D. FINANCIAL DISCLOSURE. The Board of County Commissioners requires and mandates that the members of the SCIDA shall annually file a statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

E. LOYALTY OATH. Required

F. AUTHORITY. Resolution adopted July 8, 1980
Chapter 159.45, Florida Statutes
Resolution 2007-R-236 adopted December 11, 2007
Resolution 2007-R-238 adopted December 11, 2007

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.16 SEMINOLE COUNTY PORT AUTHORITY ("SCOPA")

A. PURPOSE. As a dependent special district created by special act of the Florida Legislature, SCOPA promotes and encourages domestic and foreign commerce and the activities of SCOPA. Further, SCOPA engages in the development of projects and acts as a general riverine, port, harbor, and wharf agency (over the Port of Sanford).

B. DUTIES/RESPONSIBILITIES. SCOPA normally meets once a month. The major powers of SCOPA are:

(1) To engage in a wide array of activities relating to the diverse projects that pertain to port activities and related matters;

(2) To acquire property and to exercise the power of eminent domain;

(3) To issue bonds, pledge revenues, and engage in activities relating to such bonds;

(4) To enter a wide array of contracts and other agreements;

(5) To fix, regulate, and collect various charges;

(6) To promote and encourage domestic and foreign commerce and the activities of SCOPA;

(7) To grant franchises for diverse activities related to SCOPA projects; and

(8) To exercise certain other governmental functions including the adoption of rules and regulations.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. Nine (9) persons who are residents and electors of the County. There will be no payment for services to members.

(2) Appointment Process. Eight of the members shall be appointed by the Board of County Commissioners of Seminole County. One member shall be selected annually by the Board of County Commissioners to serve as the ninth member whose term shall expire on the first Tuesday after the first Monday in January of the year succeeding his appointment. Vacancies will be filled for the unexpired term.

(3) Term of Office. Four (4) year terms. Appointees are eligible for reappointment.

D. FINANCIAL DISCLOSURE. The Board of County Commissioners mandates and requires that the members of the SCOPA shall annually file a statement of financial interests on CE Form 1 as otherwise required for "local officers" under State Statute.

E. LOYALTY OATH. Required

F. AUTHORITY. Established Chapter 65-2270, Laws of Florida
Resolution adopted July 2, 1965
Membership Revised by Chapter 88-477, Laws of Florida
Resolution 2007-R-237 adopted December 11, 2007
Resolution 2007-R-238 adopted December 11, 2007

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.20 LIBRARY ADVISORY BOARD

A. PURPOSE. The Library Advisory Board ("LAB") is appointed to monitor and oversee the operation of the Seminole County Public Library System.

B. DUTIES/RESPONSIBILITIES. LAB shall hold monthly meetings and have a quorum that consist of a simple majority, but not less than four (4) of the total members. Officers shall consist of a Chairperson, Vice Chairperson, Secretary and Treasurer. Special meetings may be called by the Secretary at the discretion of the Chairperson or at least three (3) of the LAB members. The Chairperson may appoint committees as needed. The LAB is responsible to the BCC; however, the Library Services Division Manager should be advised of all recommendations made by the LAB.

BCC Areas of Responsibility:

(1) Budget (overall funding level).

(2) Personnel organizational chart (Number of positions).

(3) General personnel policies and pay plan.

(4) Adopt policies for operation of library system as set for in DOM.

(5) Action of LAB needing BCC approval.

Library Services Division Manager Areas of Responsibility:

(1) Act as technical advisor for LAB and BCC on library services.

(2) Suggest needed policies to Leisure Services Department Director for BCC consideration.

(3) Carry out policies as approved by BCC.

(4) Maintain active program of public relations in coordination with LAB.

(5) Select and order all books and other library materials.

(6) Prepare annual budget for library with input from the LAB relative to programs and services.

(7) Suggest and carry out plans for extending library services.

(8) Prepare regular reports as required by County embodying library progress on established goals, objectives and long range plans.

(9) Recommend employment of all personnel and supervise their work, subject to County Personnel Policies.

(10) Develop goals and objectives with input from the LAB.

(11) Attend all LAB meetings.

(12) Develop long range plans in coordination with Leisure Services Department Director, BCC and LAB.

(13) Affiliate with state and national professional organizations and attend professional meetings and workshops.

(14) Maintain use of services and counselors of the State Library.

(15) Report regularly to the Leisure Services Department Director and LAB.

(16) Recommend site locations to Leisure Services Department Director for LAB consideration.

LAB Areas of Responsibility:

(1) Required tour of one day of all library facilities for all new members.

(2) Attend LAB meetings.

(3) Maintain accurate records of LAB meetings.

(4) Support and participate in public relations programs for the library in coordination with Library Services Division Manager.

(5) Participate in efforts to secure adequate funds from the appropriating agency and from other sources, if necessary, to carry out the libraries programs and make the objectives for consistently improved service a reality.

(6) Monitor library service in Seminole County.

(7) Serve as a general citizens advisory board to the Seminole County BCC and Library Services Division Manager.

(8) Advise Library Services Division Manager in preparation of budget as it relates to new programs and services.

(9) Know programs and needs of the library in relation to Seminole County and keep abreast of standards and library trends.

(10) Know local and state organizations and actively support library legislation in state and nation.

(11) Attend regional, state and national workshops and affiliate with appropriate organizations.

(12) Be aware of the services of the State Library.

(13) Report annually to the BCC and general public regarding the current status of library services.

(14) Know local, state and federal library laws.

(15) Develop LAB goals and objectives in coordination with the Library Services Division Manager.

(16) Develop long range plans in coordination with Library Services Division Manager.

(17) Propose site locations of future branches in coordination with Library Services Division Manager, Leisure Services Department Director, and BCC.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. Seven (7) Members

(2) Appointment Process. Member will be appointed by the Board of County Commissioners. The LAB shall consist of one member appointed by each district commissioner and two members to be appointed on a rotating basis. LAB appointments become effective on January 1. Any member absent three consecutive meetings or fails to attend 2/3 of the regular meetings in any 12 month period, without prior authorization, shall be recommended for replacement subject to BCC action

(3) Term of Office. All members are to be appointed for two (2) year terms, with a limit of six (6) consecutive years.

D. FINANCIAL DISCLOSURE. None

E. LOYALTY OATH. None

F. AUTHORITY. Resolution adopted August 14, 1979
Resolution adopted September 1, 1981
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.22 MOSQUITO CONTROL ADVISORY COMMITTEE

A. PURPOSE. The purpose of the Seminole County Mosquito Control Advisory Committee (MCAC) is to serve as an advisory committee to the BCC on issues and policies regarding the Countywide Mosquito Control Program.

B. DUTIES/RESPONSIBILITIES. The MCAC shall serve as an advisory committee and recommending body for implementation by the County of the Countywide Mosquito Control Program on issues and policies regarding the program. All meetings shall be open public meetings and subject to laws relating to conflicts of interest and the Code of Ethics relating to public officers and employees.

C. FINANCIAL DISCLOSURE. Not required.

D. LOYALTY OATH. Not required.

E. MEMBERSHIP STRUCTURE.

(1) Appointment Process. The MCAC shall be comprised of the Seminole County Mosquito Control Program Manager, or successor, and a representative from each of the seven (7) cities appointed by the appropriate entity for each respective city.

(2) Term of Office. The term of office for each city committee member shall be two (2) calendar years. To ensure continuity and experience on the committee, the members' terms of office shall be staggered. To implement staggered terms of office, the committee members' initial term of office shall be as follows: two (2) year term of office for the representatives of Altamonte Springs, Lake Mary and Oviedo; and three (3) year term of office for the representatives of Casselberry, Longwood, Sanford and Winter Springs.

F. AUTHORITY. Memorandum of Agreement dated October 29, 2007 between Seminole County and the cities of Altamonte Springs, Casselberry, Lake Mary, Longwood Oviedo, Sanford and Winter Springs
Resolution 2008-R-9 adopted January 8, 2008

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.30 PARKS AND PRESERVATION ADVISORY COMMITTEE

A. PURPOSE. The Seminole County Parks and Preservation Advisory Committee is established to serve the Board of County Commissioners by providing input and recommendations to determine and advise in the creation of and identification of policies, direction, recommendation of important natural/environmental land acquisitions, development of quality countywide trails and greenways, parks, and recreational facilities and opportunities.

B. DUTIES/RESPONSIBILITIES. The Parks and Preservation Advisory Committee shall have the following duties and responsibilities:

(1) The Committee shall elect a Chairperson and a Vice-Chairperson annually.

(2) The Committee shall work with County staff to review important natural lands and environmental lands and make recommendations relating to lands which should be purchased.

(3) The Committee shall work with County staff to review important trails and greenways land and make recommendations relating to lands which should be purchased and developed for the creation of a County-wide trails and greenways system.

(4) The Committee shall work with County staff to recommend and review plans for future growth, development use and beautification of all County parks, as well as make recommendations for appropriate budgeting of special parks, trails, natural lands, and recreation needs.

(5) The Leisure Services Department Director shall be designated as the staff liaison for the Parks and Preservation Advisory Committee with assistance from other County staff as necessary.

C. MEMBERSHIP STRUCTURE.

(1) The Parks and Preservation Advisory Committee shall consist of fifteen (15) members, appointed by the Board of County Commissioners for terms of two (2) years with a maximum of eight (8) consecutive years.

(2) At least five (5) of the fifteen (15) membership slots for this Committee shall be appointed having academic or professional training in the biological or environmental sciences, by being an active member of a conservation group or agency, or by having experience in the passive recreational use of environmentally sensitive lands for public purposes.

(3) At least five (5) of the fifteen (15) membership slots for this Committee shall be comprised from a cross section of trail/user interest groups.

(4) The remaining five (5) of the fifteen (15) membership slots for this Committee shall be comprised of Seminole County parks and recreation participants and/or citizens interested in advising the Board of County Commissioners in the creation, direction and stewardship of the County's parks and recreation facilities and services.

D. LEGAL ISSUES

(1) Financial Disclosure is not required.

(2) Loyalty Oath is not required.

(3) Sunshine and Public Records laws apply to the meetings and records of the Committee.

(4) Membership on the Committee does not constitute an office for purposes of the constitutional prohibition on dual office holding.

F. AUTHORITY. Resolution 2008-R-4 adopted January 8, 2008
Resolution 2009-R-123 adopted June 23, 2009
Resolution 2011-R-69 adopted April 12, 2011
Resolution 2012-R-107 adopted June 12, 2012

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.35 PROGRAM REVIEW COMMITTEE

A. PURPOSE. The Seminole County Program Review Committee ("PRC") is to gather information and make recommendations to the BCC regarding matters that would benefit the quality of life of the people of Seminole County. Approval of the BCC is required before proceeding with any program of work.

B. DUTIES/RESPONSIBILITIES. The Chairperson may call meetings of the PRC; provided, however, that a majority of the members attend. The PRC must meet in January of each year to elect its Chairperson and Vice Chairperson. The PRC shall establish a time, date and location for regularly occurring PRC meetings. All recommendations of the PRC shall be presented to the BCC by the Chairperson or his/her designee. The PRC shall adhere and comply with State law relative to ethics in government, public meetings and public records.

A vacancy will occur if a PRC member misses three (3) consecutive meetings or five (5) meetings during any one (1) year. The Chairperson or Vice Chairperson will notify the appointing Commissioner or his/her successor of the absentee member so a replacement may be appointed.

C. FINANCIAL DISCLOSURE. Not Required.

D. LOYALTY OATH. Not Required.

E. MEMBERSHIP STRUCTURE.

(1) Requirements. The PRC shall be composed of ten (10) members who are not required to be residents of Seminole County.

(2) Appointment Process. Each Commissioner shall appoint two (2) PRC members.

(3) Term of Office. Each PRC Member shall serve a term that is consistent with the term of the Commissioner who appoints the member. Regardless of when the appointment is made, the member's term expires at the end of their County Commissioner's four-year term. If a term expires without the incumbent PRC member being replaced by a new appointee, he/she shall continue to serve on the PRC until a replacement is appointed. Appointees to vacancies shall serve the unexpired portion of the term of the member they replaced.

F. AUTHORITY. Resolution 97-R-177 adopted August 26, 1997

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.40 ROAD IMPACT FEE CITIZENS' ADVISORY COMMITTEE

A. PURPOSE. The Seminole County Road Impact Fee Citizens' Advisory Committee ("RIFCAC") shall assist the County Manager and the BCC in their reviews of Road Impact Fees pursuant to Section 120.41 and 120.43 of the Land Development Code of Seminole County.

B. DUTIES/RESPONSIBILITIES. The RIFCAC shall set its own rules of procedure and meeting dates and shall meet additionally as requested by the County Manager. The RIFCAC shall provide their comments and recommendations as necessary and appropriate to the County Manager.

C. FINANCIAL DISCLOSURE. Not Required.

D. LOYALTY OATH. Not Required.

E. MEMBERSHIP STRUCTURE.

(1) Requirements. The RIFCAC shall consist of ten (10) members representative of the business community, the industrial community, the homebuilders and the homeowners from both the municipal and unincorporated areas of Seminole County.

(2) Appointment Process. RIFCAC members shall be appointed by the BCC.

(3) Term of Office. The terms of members shall be staggered to ensure continuity and experience on the RIFCAC.

F. AUTHORITY. Resolution 95-R-153 adopted June 26, 1995

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.45 TOURIST DEVELOPMENT COUNCIL

A. PURPOSE. The Seminole County Tourist Development Council ("TDC") shall prepare and submit a plan to BCC for tourist development. Such a plan shall set forth anticipated net tourist development tax revenue and a list of the proposed uses of said tax revenue by specific project or special use and the approximate cost of allocation for each project or special use.

B. DUTIES/RESPONSIBILITIES. The TDC shall prepare and submit a plan for tourist development to the BCC no later than the beginning of each fiscal year along with recommendations for the effective operations of special projects or uses of the tourist development tax revenue. The TDC shall review expenditures of revenues from the Tourist Development Trust Fund and shall receive at least quarterly, expenditure reports from the County governing board or its designees.

C. FINANCIAL DISCLOSURE. Not Required.

D. LOYALTY OATH. Not Required.

E. MEMBERSHIP STRUCTURE.

(1) Requirements. The TDC shall consist of nine (9) members who must be electors of the County. One (1) member shall be the Chairman of the BCC or the Chairman may designate another member of the County Commission; Two (2) members shall be elected representatives (one of which shall be from the largest municipality); Three (3) members shall be general managers or owners of tourist accommodations subject to the tourist tax; three (3) non-hotel appointees involved in the tourist industry and who have demonstrated an interest in tourist development but do not own or operate accommodations subject to the tourist tax.

(2) Appointment Process. Each Commissioner shall appoint one (1) member. The four (4) remaining members are Board appointments.

(3) Term of Office. Members of the Council will serve one (1) four-year term and will not be eligible for reappointment for one (1) year. A member appointed to serve out an unexpired term due to resignation or termination will be eligible to serve an additional full four-year term if appointed.

(4) Attendance. Members are expected to attend all meetings. Absence without TDC office notification is considered unexcused. Four (4) absences in a 12-month period will result in termination of member's appointment.

F. ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

(1) Election of Chairman and Vice Chairman will be held at the January meeting.

(2) The Chair will rotate annually as such: hotelier, non-hotelier, elected official.

(3) Following that same rotation, the Vice Chairman will be elected from the category that will become Chairman the following year.

G. AUTHORITY. Resolution 88-R-71 adopted February 9, 1988
Approved by BCC October 12, 1999 (Revisions)

SECTION 5. CONSTITUTIONAL OFFICERS

5.5 BUDGET SUBMITTALS

A. GENERAL

(1) Section 129.03, Florida Statutes, requires that on or before June 1, the Sheriff, Clerk of the Circuit Court, Tax Collector and Supervisor of Elections each submit to the Board of County Commissioners (BCC) a tentative budget for their respective offices for the ensuing year.

(2) Section 129.03, Florida Statutes, also states that the BCC may, by resolution, require the tentative budgets to be submitted by May 1 of each year. The BCC has determined that the May 1 time frame is preferable for adequate budget preparation.

(3) The Constitutional Officers, with the exception of the Sheriff, are required to submit tentative budgets to the BCC and shall submit tentative budgets for their respective offices on or before May 1 for the ensuing year.

(4) As a result of the Sheriff's Office having agreed to a process that would establish a target budget prior to development of a tentative budget, the Sheriff's Office shall submit its tentative budget by June 1.

(5) The Clerk of the Circuit Court, Tax Collector and Supervisor of Elections shall submit their respective tentative budgets by May 1 for the ensuing year.

B. AUTHORITY.

* Resolution 90-R-49 adopted January 23, 1990
* Seminole County/Seminole County Sheriff's Office Interlocal Agreement dated June 13, 2003
* Resolution 2004-R-67 adopted April 13, 2004

SECTION 8. RESOURCE MANAGEMENT DEPARTMENT

8.5 RISK MANAGEMENT EXECUTIVE SETTLEMENT AUTHORITY

A. PURPOSE. To provide for effective and expeditious settlement of certain claims against Seminole County and certain claims made by Seminole County in compliance with the requirements of Florida Statutes and the Seminole County Code.

B. ORGANIZATIONS AFFECTED. All Seminole County Departments, Divisions, Boards, Commissions, the Seminole County Risk Management Executive Committee, etc.

C. RISK MANAGEMENT EXECUTIVE COMMITTEE. There is hereby established the Risk Management Executive Committee. The Committee shall review and make recommendations to the Board of County Commissioners on such issues that may from time to time be presented to them in the areas of insurance and claims management.

(1) The Risk Management Executive Committee shall be composed of the five voting members: three (3) County Commissioners appointed by the Chairman of the Board of County Commissioners, the County Manager and the Deputy County Manager. The Resource Management Department Director or designee shall serve as the non-voting chair of the committee.

(2) In addition, the Risk Management Executive Committee shall also have, as ex officio non-voting members, the County Attorney, the Risk Manager and the Resource Management Department Director or designee.

D. PROCEDURES.

(1) Negotiations. Subject to the settlement procedures set forth in subsections (2), (3), and (4) below:

(a) The Resource Management Department Director or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County up to TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) per claimant, per occurrence.

(b) The County Manager or his/her designee is authorized to negotiate proposed settlements of claims against Seminole County and claims made by Seminole County.

(2) Settlement Authority for Third Party Claims:

(a) The Resource Management Department Director or designee may delegate settlement authorization to the County's Third Party Administrator for pre-litigation claims up to and including FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00) per claimant, per occurrence when the County does not dispute liability.

(b) The Resource Management Department Director or designee is authorized to settle claims up to and including TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) per claimant, per occurrence.

(c) The County Manager is authorized to settle claims requiring the expenditure of up to and including FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) per claimant, per occurrence. The County Manager may also settle any claim that is recommended by the excess carrier if the funds to pay any amount that exceeds the authorization set forth herein are provided by the excess carrier or others.

(d) The Risk Management Executive Committee may recommend settlement of claims greater than FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) per occurrence to the Board of County Commissioners. The Board of County Commissioners reserves the authority to settle claims requiring the expenditure of more than FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) per claimant, per occurrence.

(3) Settlement Authority for County Claims:

(a) The Resource Management Department Director or designee is authorized to settle claims when the estimated loss does not exceed the recovery by more than TEN THOUSAND AND NO/100 DOLLARS ($10,000.00).

(b) The County Manager is authorized to settle claims when the estimated loss does not exceed the recovery by more than FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00).

(c) The Risk Management Executive Committee is authorized to recommend settlement to the Board of County Commissioners of Seminole County of claims when the estimated loss exceeds the recovery by more then FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00).

(4) Settlement of Other Claims. Authority to settle claims, lawsuits, or other proceedings not addressed in subsection (2) or (3) above when the County is a party is reserved by the Board of County Commissioners.

(5) Excluded Payments. Payments from the County's Self-Insured Fund for non-settlement related expenses are not subject to these settlement procedures, these include, but are not limited to, lawfully mandated payments, court ordered payments, and payments necessary to investigate, prosecute, and defend claims.

E. AUTHORITY. Approved by the BCC on June 10, 2003
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 10. COUNTY MANAGER

10.5 ALLOCATION AND USE OF GOVERNMENT CABLE CHANNEL (SGTV)

A. PURPOSE. To provide each municipality within Seminole County, Florida, the Seminole State College of Florida and the Seminole County School District the opportunity to participate in and provide programming for the County's government/education channel.

B. ALLOCATION

(1) The County will allocate a portion of the programming time available on the County's government/education channel to the Seminole Television Council for its use subject to the County's Operating Policies, Operating Procedures and Production Standards.

(2) The time allocated to the Seminole Television Council shall be, at a minimum, twenty-eight (28) hours per week, with such hours being between the hours of 8 A.M. and 10 P.M. The County will periodically evaluate the amount of time allocated to the Seminole Television Council in order to determine whether the amount of time allocated should be decreased or increased, provided, however, that the minimum allocation of twenty-eight (28) hours per week shall not be reduced. Determinations as to the amount of time allocated, Operating Policies, Operating Procedures, Production Standards and other matters relating to the channel shall be made by the County Manager or his/her designee. The recommendations of the Seminole Television Council on time allocation and other matters relating to the channel shall be considered by the County Manager or his/her designee.

(3) In the event the amount of time allocated to the Seminole Television Council is not fully utilized by the Seminole Television Council, the County will use the time as it deems appropriate.

(4) Although neither a member of the Seminole Television Council or a signatory of the interlocal agreement establishing the Seminole Television Council, the County shall designate a liaison to attend meetings of the Seminole Television Council.

C. AUTHORITY. Resolution 99-R-22 adopted February 9, 1999
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 10. COUNTY MANAGER

10.6 SPORTS AND SPECIAL EVENT INCENTIVE PROGRAM

A. PURPOSE. To create a Sports and Special Event Incentive Program authorizing payment of incentives from tourist tax monies to third party organizations that bring sports tournaments and/or special events to Seminole County thereby generating a substantial amount of hotel room nights and economic impact for the County. Payment of such incentives is to be mutually beneficial and in a manner consistent with all applicable policies set by Seminole County Government. Specifically this Program shall:

(1) uphold the County's stewardship role to safeguard the County's assets and interests;

(2) provide guidelines and procedures for all sports and special event incentive agreements based on, and in line with, best practices; and

(3) provide sports and special event incentives to events that will increase tourism in Seminole County and thereby generate visitation, hotel room nights, and economic impact.

B. DEFINITION OF SPORTS AND SPECIAL EVENT INCENTIVE PROGRAM. "Sports and Special Event Incentive Program" shall mean a mutually beneficial contractual business arrangement between the County and a third party sports event or special event organizer, wherein the third party event organizer receives a monetary incentive from the County that will be paid from tourist tax funds for authorized uses of the those funds as defined and set forth in Section 125.0104(5), Florida Statutes.

Examples of authorized uses of funds are field and facility rentals at certain designated publicly owned and operated public facilities throughout Seminole County, and reimbursement for advertising and marketing expenses outside of Seminole County to promote sports and special events in an effort to bring visitors to the County. All sports and special event incentives would come from budgeted and approved tourist tax funds.

C. POLICIES AND PROCEDURES. The County Manager's Office is authorized to administer this Sports and Special Event Incentive Program. Policies and Procedures governing this Program shall be incorporated into the County Managers Policies.

D. PROGRAM MANAGEMENT. The administration, coordination, and Sports and Special Event Incentive Program record keeping will be accomplished through the County Manager's Office of Economic Development and Community Relations, with the Sports Tourism Manager serving as the Sports and Special Event Incentive Program Manager. Some of the Sports and Special Event Incentive Program responsibilities will include, but not be limited to:

(1) explain the Sports and Special Event Incentive Program to interested third party event organizers;

(2) administer applications and review same for all potential sports and special event incentives;

(3) administer the Sports and Special Event Incentive Program agreements;

(4) independently verify that hotel room night obligations have been satisfied before incentive expenditures are approved for payment by the County; and

(5) provide analysis and reports to the Board of County Commissioners and the Tourism Development Council, as required.

E. AUTHORITY. Resolution 2016-R-36 adopted March 8, 2016

SECTION 12. COMMUNITY SERVICES DEPARTMENT

12.5. BURIALS AND CREMATIONS POLICY

A. PURPOSE. The purpose of this policy is to establish appropriate procedures for cremation or burials of bodies of deceased indigent individuals who die in Seminole County or who have unknown identity or whose body is unclaimed.

B. FINANCIAL LIMITATION. A cap of payment to Seminole County funeral homes of $950.00 per burial and $400.00 per cremation has been established by the BCC. The County also provides a burial plot at the County owned cemetery at Five Points for unclaimed and unknown individuals.

C. RESPONSIBILITY. The Community Services Department is responsible for administration of the burial/cremation services.

D. ELIGIBILITY CRITERIA.

(1) Indigent* Seminole County residents who die in Seminole County.

(2) Indigents* who are not Seminole County residents but who die in Seminole County and whose bodies are not transported to their home county for burial or cremation.

(3) People with unknown identity who die in Seminole County.

(4) People with known or unknown identity who die in Seminole County and whose body is unclaimed.

In the case where the body of the deceased is claimed, the person claiming the body (relative) as well as the deceased must be low income in order to qualify for County funding.

* Indigent refers to individuals who are at or below the current Federal poverty level.

E. GENERAL ISSUES. Cremation. Cremation will be approved for eligible cases only with written authority of next of kin.

F. AUTHORITY. Approved by the BCC October 5, 1982
Chapter 406, Florida Statutes
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2016-R-27 adopted February 23, 2016

SECTION 14. COUNTY ATTORNEY

14.5 CREATION OF THE COUNTY ATTORNEY'S OFFICE

A. PURPOSE. At the General Election of November 8, 1994, voters approved amending Seminole County Home Rule Charter relating to the County Attorney thereby making the County Attorney the attorney to and for the County directly responsible to the Board of County Commissioners of Seminole County and not the County Manager, and provided that the employees of the County Attorney's Office are exempt from the County's civil service system and made, by Charter, "at will" employees serving at the pleasure of the County Attorney. The County Attorney's Office shall provide legal services for the benefit of the citizens of Seminole County which are ongoing in nature, funded by the Board of County Commissioners, and which require that certain administrative matters be implemented as a result of the amendment.

B. ADMINISTRATIVE MATTERS.* In order to effectuate the change in the Seminole County Home Rule Charter providing that the County Attorney and his/her office shall serve as legal counsel to the County and be directly responsible to the Board of County Commissioners as determined by the voters of Seminole County, the following administrative matters are hereby proclaimed and directed:

(1) The County Attorney and the County's legal department shall be referred to as the County Attorney and the County Attorney's Office and serve as legal counsel to the County and be directly responsible to the Board of County Commissioners.

(2) In light of the change in employment status of the employees of the County Attorney's Office from career service employees to "at will" employees, the following provisions apply:

(a) County Attorney has authority to enter into employment contracts with employees of the County Attorney's Office that include severance provisions relating to termination without cause that are not in conflict with adopted personnel policies applicable to the County Attorney's Office.

(3) The County Attorney's Office shall remain in place and functioning as currently configured and organized. Unless and until the Board of County Commissioners takes official action to modify any applicable ordinances, policies or procedures, the current personnel policies pertaining to employees of the County Manager shall be applicable to the employees of the County Attorney except that where the term "County Manager" is used and the context is consistent with the intent of this Resolution, the term "County Attorney" shall be interposed. Chapters 10, Appeals and Grievances of the County's Personnel Policies shall not be applicable to the Office of the County Attorney, but the purpose and effect of all other chapters shall be applicable to the extent that the terms and provisions of said chapters comport with the terms and intent of the Charter and this Resolution.**

(4) In general, the County Attorney shall have the same duties, responsibilities, powers and obligations relating to the legal matters of Seminole County as the County Manager has relative to the scope of authority invested in his/her office by Charter, Code, ordinance or policy provision. The County Attorney shall have all powers necessary to implement the legal programs of the Board of County Commissioners and meet the legal requirements and needs of the Board provided, however, that all actions must comply with the provisions of the Seminole County Home Rule Charter and State law.

(5) The County Manager and his/her staff including, but not limited to, the Manager of the County's Human Resources Division shall cooperate with the County Attorney in preparing amendments to the Administrative Code, Seminole County Organizational Chart and other Codes, Ordinances and policies of the County required to implement the provisions and intent of this Resolution and the amendment to the Seminole County Home Rule Charter in order to ensure that the Office of the County Attorney and the County Attorney are fully established as legal counsel directly responsible to the Board of County Commissioners.

(6) This section shall not be construed to create any right or privileges upon any employee of the County Attorney's Office that could form the basis of any legal claims or actions.

C. AUTHORITY. Resolution 94-R-316 adopted November 22, 1994
Resolution 2010-R-26 adopted January 26, 2010

* 1. Temporary provisions of Resolution 94-R-316 have not been codified.

** 2. Effective March 29, 1999, the County Attorney was authorized to promulgate a separate Personnel Policy Manual applicable to the operation of the County Attorney's Office.

SECTION 18. ENVIRONMENTAL SERVICES DEPARTMENT

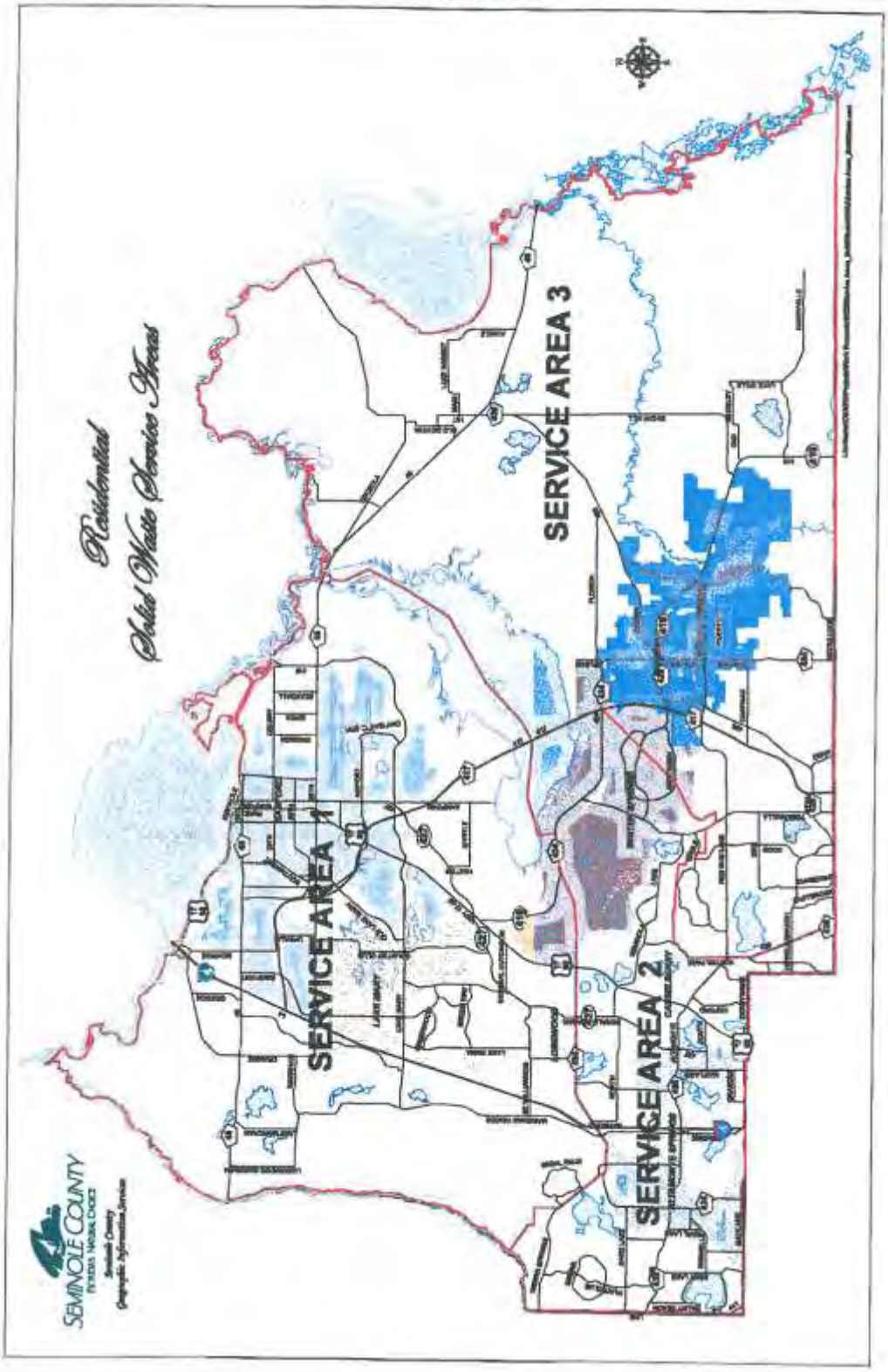
18.5 SOLID WASTE SERVICE AREAS.

A. PURPOSE. To establish Service Area boundaries for the provision of Residential Collection Service.

The boundary of each Service Area is depicted herein as Exhibit A. The contractors for exclusive provision of Residential Collection Service have been awarded Residential Franchise Contracts.

B. AUTHORITY. Resolution 2005-R-38 adopted March 8, 2005
Resolution 2010-R-63 adopted March 23, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2013-R-215 adopted August 27, 2013

EXHIBIT A


Residential
Solid Waste Service Areas
SERVICE AREA 1
SERVICE AREA 2
SERVICE AREA 3
SEMINOLE COUNTY

SECTION 20. FEE RESOLUTIONS

20.1 ACCEPTANCE OF CREDIT AND DEBIT CARDS

A. PURPOSE. To allow payment via credit or debit cards to Seminole County Government and to allow Seminole County Government to recover all associated expenses from those who use this service.

B. FEES. Payments made by credit or debit cards shall be subject to a Convenience Fee as allowed under Section 215.322, Florida Statutes. Convenience Fees are hereby established at a minimum of One Dollar ($1.00) to a maximum of Five Dollars ($5.00) per transaction as recommended by the Clerk of the Circuit Court and Comptroller to remain revenue neutral per Section 215.322(3)(b), Florida Statutes. The maximum amount of any transaction that can be paid by credit or debit card shall be One Thousand Four Hundred Ninety-Nine and 99/100 Dollars ($1,499.99). Said Convenience Fees are intended to ensure that interchange and other associated fees levied by merchant service providers and debit/credit card companies are recovered in full from those who are using the service but which do not exceed those costs. In furtherance of the statutory requirements that Convenience Fees not exceed the actual costs incurred, staff, in cooperation with the Clerk of the Circuit Court and Comptroller's County Finance Division, shall at least annually review and verify the transaction records, as well as the adequacy of the Convenience Fees, and report those findings to the County Manager along with recommended changes to the Convenience Fees that will satisfy the statutory requirements regarding cost recovery. All proposed or recommended changes to Convenience Fees must be submitted to the Seminole County Clerk of Circuit Court and Comptroller and the Board of County Commissioners for formal approval prior to implementation.

C. DONATIONS TO SEMINOLE COUNTY GOVERNMENT. Customers may donate money to Seminole County Government via credit or debit card. Departments accepting donations via credit or debit card will follow all procedures within the established County Manager Policies. Donations via credit or debit card are final and will not be refunded.

D. AUTHORITY. Resolution 2013-R-10 adopted January 8, 2013
Resolution 2015-R-92 adopted May 12, 2015

SECTION 20. FEE RESOLUTIONS

20.2 ADULT ENTERTAINMENT ESTABLISHMENT AND SEXUALLY ORIENTED BUSINESS LICENSE FEES

A. PURPOSE. To establish fees necessary for examination and inspection of adult entertainment establishments and sexually oriented businesses.

B. FEES.

(1) There shall be collected under this section annual license fees for the following classifications of adult entertainment establishments and sexually oriented businesses:

(a)	Adult bookstore/adult video store	$500.00
(b)	Adult theater	$500.00
(c)	Adult performance establishments	$500.00
(d)	Adult motel	$500.00
(e)	Commercial bodily contact establishment	$500.00
(f)	Escort Service	$500.00

(2) The above described fees are declared regulatory in nature, collected for the purpose of examination and inspection of adult entertainment establishments and sexually oriented businesses under this Part and the administration thereof. These regulatory fees are in addition to and not in lieu of the occupational licenses taxes imposed by the Seminole County Code or State law and other land development or regulatory fees associated with general commercial activities and locations.

C. AUTHORITY. Resolution 2003-R-210 adopted December 9, 2003

SECTION 20. FEE RESOLUTIONS

20.5 ANIMAL SERVICES PROGRAM

A. PURPOSE. To establish fees for licensing, impoundment, and such other fees as necessary to carry out the duties and responsibilities of the Animal Services program.

B. SERVICES.

(1) Provides an Adoption Sterilization Program with contracted veterinarians located within Seminole County.

(2) Provides use of nuisance animal traps for domestic cats and dogs to County residents at no charge. Residents returning damaged traps that must be replaced by the County shall be charged a replacement fee of $75.00 per cat trap and $250.00 per dog trap.

(3) Provides microchip identification for animals adopted from the shelter as part of the adoption fee, and also microchip implantation of owned animals for a service fee of $10.00. These combined efforts facilitate reuniting any of these lost pets with their owners should they become lost, thus reducing euthanasia rates.

C. LICENSE FEES.

(1)	Annual License Fee for a sterilized dog, cat, or ferret	$ 5.00
(2)	Annual License Fee for an unsterilized dog, cat, or ferret	25.00
(3)	Rabies Vaccination fee	10.00
(4)	Annual Commercial Kennel License fee	150.00
(5)	Late fee for failure to renew annual Commercial Kennel License fee	
	(a) First month	25.00
	(b) Additional late fee, second month	50.00
	(c) Additional late fee, third and each succeeding month	75.00
(6)	Duplicate Kennel License for lost or damaged license	5.00
(7)	Replacement license tag for lost or damaged tag	2.00
(8)	Certificate of Registration for Dangerous Dog Annual Fee	300.00

D. WAIVER. The Division Manager or designee may waive any citations, fees or costs (in part or in full) that may be assessed to residents by the Division when such action is necessary in order to increase the number of animal adoptions and to reduce the County's euthanasia rate. In addition, the Division Manager may waive any citation issued for violations of the County's codes only when those citations have been issued in error or when any assessed citation fee would affect the redemption of the animal(s) involved with same.

E. REDEMPTION FEES.

(1) Redemption of a dog, cat or other like-size animals:

(a)	Impoundment fee, each animal	$50.00
(b)	additional board, per day	$10.00

(2) Redemption of livestock* (horse, cow, swine, goat or like-size animal)

(a) If picked up and impounded during normal working hours Monday through Saturday (8:00 a.m. – 5:00 p.m.):

(i)	impoundment fee, each animal	75.00
(ii)	additional board, per day	20.00

(b) If picked up and impounded outside normal working hours including Sunday and Holidays:

(i)	impoundment fee, each animal	100.00
(ii)	additional board, per day	20.00

* It is the owner's responsibility to provide safe and adequate transportation for redemption of livestock. Under no circumstances will Animal Services personnel provide transportation for redeemed livestock.

F. ADOPTION FEES.

(1) Dog: Fees may include microchip, vaccines, heartworm testing and sterilization.

(a)	requires sterilization (male or female)	80.00
(b)	existing sterilization (male or female)	20.00

(2) Cat: Fees may include microchip, vaccines, feline leukemia testing and sterilization.

(a)	requires sterilization (male or female)	60.00
(b)	existing sterilization (male or female)	10.00

(3) Livestock:

(a)	weighing under 350 pounds	35.00
(b)	weighing 350 pounds or more	125.00

(4) Small animals/livestock (i.e. rabbit, gerbils, etc) 5.00

(5) Pet Pals Program: Qualifying Seminole County residents must be present to adopt and license a pet of their choice: $5.00

(a) residents with disabilities or their family caretaker;

(b) residents 65 years of age or older;

(c) residents who are active duty military; or

(d) residents who are military veterans.

This program provides adoptions for a one-time reduced fee, which will reflect the established Annual County Pet License Fee for a sterilized dog, cat or ferret.

The reduced fee includes the costs of adoption, first year pet licensing, spaying or neutering, required vaccinations and an implanted microchip for identification.

This opportunity is limited to a one (1) time pet adoption per household, and requires government issued photo identification to verify residency. An exception may be made by the Division Manager or designee in the event that any pet adopted under this program has become deceased.

G. DISPOSAL FEES.

(1) Euthanasia/Disposal Fees (excludes livestock):

(a) private domestic

(i)	euthanasia	15.00
(ii)	disposal	10.00

(b) commercial

(i)	euthanasia	30.00
(ii)	disposal	10.00

H. COLLECTED FEES. All fees collected are to be deposited in the General Fund to help offset the operations of Animal Services.

I. AUTHORITY. Resolution 2005-R-14 adopted January 25, 2005
Resolution 2014-R-182 adopted September 23, 2014
Resolution 2016-R-40 adopted March 8, 2016

SECTION 20. FEE RESOLUTIONS

20.10 BUILDING, INSPECTION AND ADMINISTRATIVE CHARGES

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O. Additional Fee for Failure to Obtain Permit or License Prior to Commencing Work 22

P. Adult Entertainment Establishment and Sexually Oriented Business Inspection Fees 22

Q. Authority 22

A. PURPOSE. To establish a single comprehensive fee instrument containing all categories of land development permit and inspection fees.

B. ADMINISTRATION.

(1)	Copy of "Land Development Code of Seminole County, Florida"	Priced per MuniCode
(2)	Digitally generated county map	$5.00 for (1) sq. ft. or less, plus $1.00 for each additional sq. ft. or a fraction thereof
	Plus postage and handling	$5.25 folded maps $7.45 in a tube
(3)	Plat	$5.00
	Plus postage and handling	$5.25 folded plats $7.45 in a tube
(4)	County Subdivision Plat Index:	
	(2) CD ROM Set	$50.00
(5)	Copying or scanning of plans	$5.00 per page

Other copies will be charged as prescribed by resolution pertaining to making photo-copies of public records for the general public at fixed charges.

(6)	Lien, fee and violation verification request	$35.00
(7)	Emergency lien, fee and violation verification request:	
	48 hour turnaround (each company is limited to one request per work week)	$150.00
(8)	Release of lien to clear a title	$300.00
(9)	Request for a reduction of lien (the BCC can refund the fee if the lien is reduced due to financial hardship)	$500.00
(10)	Appeal to the BCC of the Deputy County Manager's denial of a lien reduction Request (the BCC can refund the fee if the lien is reduced due to financial hardship)	$200.00

C. ZONING. All per acre fees in this Section are calculated by rounding up to the nearest full acre.

(1)	Letter certifying property zoning/land use or zoning review of a Community Residential Home/ALF	$35.00
(2)	Letter certifying property zoning/land use and verification of a single permitted use	$50.00
(3)	Letter certifying property zoning/land use requiring extended research, site inspection and/or a code compliance review	$150.00
(4)	Alcoholic Beverage License review for Incidental Sales or Temporary Licenses	$50.00
(5)	Alcoholic Beverage License review for On-Premise Consumption or Package Stores	$150.00
(6)	Special notification by mail of pending zoning issues	$2.00 each notice
(7)	Non-residential Variance	$500.00
	Plus	$75.00 for each additional Variance
(8)	Residential or Agricultural Variance	$150.00
	Plus	$50.00 for each additional Variance
(9)	Administrative Variance	$150.00
	Plus	$50.00 for each additional Variance
(10)	Special Exception	$1000.00
(11)	Special Exception to permit mobile home	$500.00
(12)	Limited Use mobile home or RV	$300.00
(13)	Appeals to BCC from decision of the BOA	$500.00
(14)	Appeal administrative decision to the BOA or BCC (including, but not limited to, decisions of the Manager, Director or DRC)	$1000.00

(15)	Rezoning applications (excluding PD):		
	(a)	Single Family/Duplex/Agriculture	$2,000.00
		Plus	$75.00 for each acre
		Maximum fee	$3,500.00
	(b)	All Other Classifications	$2,500.00
		Plus	$75.00 for each acre
		Maximum fee	$4,500.00
(16)	Planned Development (PD):		
	(a)	Rezoning and Master Development Plan	$3,500.00
		Plus	$75.00 for each acre
		Maximum fee	$8,000.00
	(b)	Final Development Plan	$1,000.00
	(c)	Final Development Plan filing extension	$500.00
	(d)	Major Amendment	Same as Rezone Fee
	(e)	Minor Amendment	$1000.00
	(f)	Final Development Plan is an engineered site plan	$2,000.00
		Plus	$25.00 per 1,000 square feet of impervious surfaces.
		Maximum Original Fee*	$8,500.00

* Allows two resubmittals. Additional resubmittals are per the Site Plan Resubmittal Fees.

(17)	Rezonings filed concurrently with Comprehensive Plan Amendment or Development of Regional Impact	50% of normal rezoning fee
(18)	Camouflage Cell Tower Determination	$500.00
(19)	Administrative Adjustment or Waiver requiring BCC approval	$500.00
	Plus	Any advertising costs required

(20)	Administrative Adjustment or Waiver not requiring BCC approval	$300.00
(21)	Outdoor Advertising Sign Agreement (Billboard)	$2,500.00
(22)	Motion Picture & Television Permit	$75.00**
(23)	Special Event Permit requiring BCC approval	$300.00
(24)	Special Event Permit not requiring BCC approval	$75.00**
(25)	Noise Exemption Permit, Doggie Dining Permit or Outdoor Sales of Merchandise Permit	$75.00**
(26)	Temporary POD Permit for Seasonal Deliveries	$100.00 per POD**

** Changes to the permit application after approval require payment of the original fee amount.

D. SUBDIVISION REGULATIONS.

(1) Subdivision Plat-All fees include two resubmittals

(a)	Development Plan	$250.00
	Plus	$5.00 per lot
(b)	Preliminary Plan	$1,500.00
	Plus	$15.00 per lot
	Maximum fee	$3,500.00
(c)	Final Engineering Plan (includes Arbor Permit)	$4,000.00
	Plus	$25.00 per lot
	Maximum fee	$6,500.00
(d)	Final Plat	$500.00

	(e) Major Subdivision Plat Resubmittal; fee applicable with all resubmittals after the second (requires review by more than two (2) Development Review Committee members)	50% of the original application fee with no maximum
	(f) Minor Subdivision Plat Resubmittal; Fee applicable with all resubmittals after the second (requires review by two (2) or fewer Development Review Committee members)	25% of the original application fee with no maximum
(2)	Minor Plat	$1,500.00
	Plus	$75.00 per lot
(3)	Minor Plat Evaluation (applied towards application fee)	$110.00
(4)	Lot Split	$250.00
(5)	Major Construction Revision (requires review by more than two (2) Development Review Committee members)	$1,500.00
(6)	Minor Construction Revision (requires review by two (2) or fewer Development Review Committee members)	$300.00
(7)	Expedited Subdivision Plat Review, excluding affordable housing projects and final plats	Additional 50% of the application fee
	Expedited Resubmittals	Additional 50% of the resubmittal fee

(8)	Engineering inspections for required improvements		2.06% of total construction cost of all committed improvements under $500,000 for which no other permits apply and 1.80% of total construction cost of all committed improvements over $500,000 for which no other permits apply
	Minimum fee		$110.00
(9)	Inspection of water and sewer utilities		2.50% of all water & sewer system construction cost under $50,000 2.30% of all water & sewer system construction cost $50,000 and up
	Minimum fee		$110.00
(10)	Vacate and abandonment:		
	(a)	ROW	$1,500.00
	(b)	Plats	$750.00
		Plus	Advertising and recording fees as required
	(c)	Drainage easements	$500.00
		Plus	Advertising and recording fees as required
	(d)	Utility easements	$500.00
		Plus	Advertising and recording fees as required
	(e)	Conservation easements	$1,500.00
	(f)	Any other type of easement	$750.00
		Plus	Advertising and recording fees as required

(11)	Inspections:		
	(a)	Reinspection	$28.00
	(b)	Any other reinspection on same item	$50.00
	(c)	Final inspection	One final inspection is covered in original permit fees
	(d)	Final Reinspections	$150.00 each
	(e)	Requested After Hours Inspections:	
		Weekend and holidays	$40.00 per hour (4) hour Minimum (in addition to applicable permit/inspection fees.)
		Weekday	$40.00 per hour (2) hour Minimum (in addition to applicable permit/inspection fees.)
(12)	Waiver to Land Development Code		$100.00
(13)	Lot Buildability Letter:		
	(a)	Platted lots	$50.00
	(b)	Unplatted lots	$110.00

E. SITE PLAN.

(1)	Site Plan Review and Arbor Permit		
	(a)	For those site plans that are required to be reviewed by the Development Review Committee (allows two (2) resubmittals)	$1,500.00
		Plus	$25.00 per 1,000 square feet of impervious surface subject to review.
		Maximum original fee	$9,000.00
	(b)	Major Site Plan Resubmittal; fee applicable with all resubmittals after the second (requires review by more than two (2) Development Review Committee members)	50% of the original application fee with no maximum

	(c) Minor Site Plan Resubmittal; fee applicable with all resubmittals after the second (requires review by two (2) or fewer Development Review Committee members)	25% of the original application fee with no maximum
(2)	Small Site Plan Review and Arbor Permit (less than 2,500 square feet of impervious surface under review)	$500.00
(3)	Major Construction Revision (requires review by more than two (2) Development Review Committee members)	$1,500.00
(4)	Minor Construction Revision (requires review by two (2) or fewer Development Review Committee members)	$300.00
(5)	Expedited Site Plan Review (excluding affordable housing projects)	Additional 50% of the application fee
	Expedited Resubmittals	Additional 50% of the resubmittal fee
(6)	Inspection of water and sewer utilities	2.50% of all water & sewer system construction cost under $50,000 and 2.30% of all water & sewer system construction cost $50,000 and up
	Minimum fee	$110.00
(7)	Engineering inspection of committed improvements	1.44% of total construction cost of ALL committed improvements for which no other current permit applies
	Minimum fee	$110.00
(8)	Inspections:	
	(a) Final inspection (including commitment)	One final inspection is covered in other inspection fees

	(b)	Final Reinspections, each	$150.00
	(c)	Reinspection	$28.00
	(d)	Any other reinspection on same item	$50.00
	(e)	Requested After Hours Inspections:	
		Weekend and holidays	$40.00 per hour (4) hour Minimum (in addition to applicable permit/inspection fees)
		Weekday	$40.00 per hour (2) hour Minimum (in addition to applicable permit/inspection fees)
(9)		Land Development Code waiver request	$100.00

F. ARBOR.

(1)	Remove, relocate, or replace trees (includes logging permit)	$75.00 per acre or a fraction thereof of the area to be inspected
	Maximum fee	$500.00
(2)	Process sworn statement of intent relating to exceptions for bona fide agricultural lands	$50.00

G. BORROW PIT.

(1)	Application for borrow pit operation over 500 cubic yards	$1,000.00
	Plus	$150.00 per acre excavated
	Maximum Fee	$5,000.00
(2)	Application for borrow pit operation 500 cubic yards or less	$100.00
(3)	Annual Inspection Fee	$300.00 (up to 100,000 cubic yards)
	Plus	$0.30 per 1,000 cubic yard thereafter
	Maximum Fee	$1,000.00

(4) Borrow Pit Reinspections $100.00

H. DREDGE AND FILL.

(1) Application for dredge and fill permit $750.00

(2) Application for Dredge/Fill in conjunction with a SFR Building Permit $400.00

I. WETLANDS.

(1) Econ or Wekiva Protection Zone Building Permit Review for non-exempt applications

Improvements valued at $5,000 or more $50.00

Improvements valued less than $5,000 $10.00

(2) Wetlands review of Building Permit for non-exempt applications

Improvements valued at $5,000 or more $50.00

Improvements value less than $5,000 $10.00

J. RIGHT-OF-WAY USE.

(1) Inspection of utilization of right-of-way:

(a) Longitudinal cuts:

Basic fee $90.00

Plus:

Cut less than 1 foot wide $1.75 per 100 feet***

Cut 1 foot to 3 feet wide $4.25 per 100 feet***

Cut greater than 3 feet wide $8.00 per 100 feet***

*** or fraction thereof

(b) Transverse cuts:

(i) Open cut - paved areas (each cut):

Cut greater than 15 square feet $270.00

Cut 15 square feet or less $90.00

(ii) Open cut-unpaved areas (each cut) $108.00

		(iii) Bore and jack (each operation)	$99.00
	(c)	Overhead Utilities:	
		(i) Installation of poles (other than repair or maintenance)	$75.00
		Plus	$1.50 per pole up to 50 feet in height
		Plus	$2.00 per pole in excess of 50 feet in height
		(ii) Work on previously permitted over-head utility poles (including the addition of intermediate poles in an existing overhead line)	$28.00
		Plus	$1.00 per existing or additional pole
		(iii) Reinspection	$57.00
		(iv) Direct service drop	No Charge
(2)	Inspection of Curb Cuts (driveway):		
	(a)	Residential driveway	$45.00
	(b)	Commercial driveway (Fee is waived if site inspection fee is applicable. No fees for curb cut in State of Florida right-of-way jurisdiction. Permits must be obtained from the Florida Department of Transportation for driveways under their jurisdiction)	$425.00 per driveway
(3)	Site Inspections		2.58% of the total construction cost of ALL committed improvements for which no other current permits apply. This fee is not applicable if fee is paid under Section III “Subdivision Regulations”, or Section IV, “Site Plan”
	Minimum fee		$110.00

(4)	Inspection of water and sewer utilities	2.50% of all water & sewer system construction cost under $50,000 and 2.30% of all water and sewer system construction cost $50,000 and up
	Minimum fee	$110.00
(5)	Repairs of previously permitted utilities:	
	(a) No pavement cut	No charge (no permit required)
	(b) Pavement cut	Same as fee set out in paragraph J(a)(1) and (2), above
(6)	Construction of roads and other subdivision improvements on public rights-of-way dedicated to the public on recorded plats, the development of which is not governed by current subdivision regulations	1.69% of the total construction cost of ALL committed improvements for which no other permits apply
(7)	Miscellaneous inspections for construction on public lands (except County utility easements)	1.24% of the total construction costs for any other construction over, through or upon public lands not covered by any other fees
(8)	Landscape Permit for residential local street	$10.00 per 100 feet
(9)	Inspections	
	(a) Final inspection	One final inspection is covered in initial permit fee
	(b) Final Reinspections, each	$150.00
	(c) First Reinspection	$28.00
	(d) Any other reinspection on same item	$50.00

(e) Requested After Hours Inspections:

Weekend and holidays	$40.00 per hour (4) hour Minimum (in addition to applicable permit/inspection fees)
Weekday	$40.00 per hour (2) hour Minimum (in addition to applicable permit/inspection fees)

Fees imposed in Sections D, E, and I are waived when the permit holder is required to relocate improvements within the right-of-way due to construction or reconstruction of any road by the County and such relocation takes place in conjunction with said construction. Similarly, fees will be waived whenever utilities are placed in the right-of-way during and in conjunction with the construction or reconstruction of any road by the County.

K. ADDRESSING FEE. To be charged at the time addresses are initially assigned to the development.

(1) Assign address:

First 10 addresses	$25.00 per address
11th through 20th address	$15.00 per address
21st through 50th address	$10.00 per address
Each additional address	$5.00
(2) Street Name Change	$175.00
(3) Variance Request	$150.00

L. PERMIT FEES.

(1) Building Permit Fees (Value of construction is determined by the most recent publishing of the International Code Council estimates per square foot, excluding the regional modifier, of all areas under roof according to the type of construction and use):

(a) Building Permit Fees for Buildings:

(i) Residential Construction

Base Permit Fee	$50.00
Plus:	
Fee per $1,000 value of construction	$4.00

(ii) Residential Alterations

Base Permit Fee	$50.00
Plus:	
Fee per $1,000 value of construction	$4.00

(iii) Commercial Construction

Base Permit Fee	$50.00
Plus:	
Fee per $1,000 value of construction	$5.00

(iv) Commercial Alterations

Base Permit Fee	$50.00
Plus:	
Fee per $1,000 value of construction	$5.00

(b) Building Permit Fees for Structures Other than Buildings:

Base Permit Fee	$25.00
Plus:	
Fee per $1,000 value of construction	$5.00

Examples of structures other than buildings:

Single Family Res. - Bring up to code	Range hood
Model change	Remove underground gas tanks
Temporary sales office	Solar panels
Aluminum or vinyl siding	Install fire alarm system
Permanent power pole	Wood deck
Aluminum roof or cover	Install fire sprinklers & main
Misc. building	Range hood suppression system
Retaining wall	Slab
Seawall and/or repairs	Satellite dish

Install & replace windows	Above ground gas tanks
Aluminum & roof-over mobile home	Awning/canopy
Canopy-gas station	Install soffit & fascia
Dry chemical fire system	Boat Dock
Install underground gas tanks	Install oil tanks
Gas station island pump	Subdivision wall

(c)	Swimming pools	$400.00
(d)	Pool Enclosures	$25.00
	Plus:	
	Fee per $1,000 value of construction	$3.00
(e)	Re-roof	$25.00
	Plus:	
	Fee per $1,000 value of construction	$5.00
(f)	Fences	$35.00
	Plus:	
	Fee per $1,000 value of construction	$4.00
(g)	Update building permit if work has not commenced within 180 days, or there is a lapse of construction for a period or 180 days	50% of original permit fee
(h)	First reinspection (all trades)	$40.00
(i)	Second reinspection (all trades)	$50.00
(j)	Each additional reinspection (all trades)	$75.00
(k)	Revisions – approved altered plans	
	(i) Residential plans	$35.00
	(ii) Commercial plans (per page)	$6.00
	Minimum	$60.00
(l)	Restamping, recertification/approval of unaltered plans:	
	(i) Residential plans	$55.00

		(ii)	Commercial plans	$5.00 per page
			Minimum	$60.00
	(m)	Extra set of plans for builder		$3.00 per page
	(n)	Duplicate copies of Certificate of Occupancy without record search:		
		(i)	Mailed	$15.00
		(ii)	Picked up/called for	$15.00
	(o)	Roof permit with building permit (if by roofing contractor)		$50.00
	(p)	Temporary commercial Certificate of Occupancy (includes prepower agreement)		$150.00
	(q)	Prepower agreements (non-refundable)		$80.00 first 90 days
	(r)	Extension request for prepower		$50.00 each 90 days
(2)	Mechanical Permit Fees:			
	(a)	For Single Family Residential (new construction):		
		Mechanical permit fee		$90.00
	(b)	For all permits other than single family residential new construction:		
		(i)	Base Mechanical permit fee (other)	$40.00
			Fee per $1,000 value of work	$5.00
		(ii)	Installation, or alteration, of refrigeration for food products, beverage, or produce:	
			1. For Name Plate HP up to and including 5 HP	$10.00 per HP
			2. For Name Plate HP Above 5 HP, use value of work method above	

(3) Plumbing Permit Fees:

(a) For single family residential (new construction):

Plumbing permit fee	$190.00

(b) For all permits other than single family residential new construction:

Base Plumbing permit fee (other)	$40.00
Fee per $1,000 value of work	$5.00

(4) Electrical Permit Fees:

(a) For single family residential (new construction):

Electrical permit fee (Includes T-pole)	$180.00

(b) For all permits other than single family residential new construction:

Base Electrical permit fee (other)	$40.00
Fee per $1,000 value of work	$5.00

(5) Well Drilling or Pump Installation or Repair Permit:

(a)	Construction of water well	$90.00
(b)	Abandonment of water well	$70.00
(c)	Installation of pump or pumping equipment	$50.00
(d)	Irrigation-Deep Well (60 amp only)	$90.00

(6) Gas Installation Permit Fees:

Base gas permit fee	$110.00
Fee per outlet per permit	$20.00

(7) Other Permit Fees:

(a)	Political sign (under 32 sq. ft.)	$72.00 (plus $100 deposit paid to the Clerk of the Circuit Court which will be returned after signs are removed.)

(b)	All other signs (both sides if used)	$2.50 per square foot
	Minimum fee	$50.00
(c)	Floodzone review fee (1st time review)	$230.00
(d)	Floodzone review fee (2nd & subsequent)	$50.00
(e)	Floodzone determination (not related to new construction)	$45.00
(f)	Christmas tree lot inspections	$55.00
(g)	Haunted house inspections	$95.00
(h)	Demolition permit	$100.00
(i)	House moving permit	$400.00
(j)	Out-of-County inspection	$300.00
(k)	Tent permit	$115.00 per tent
(l)	Temporary Permits for Stages, Platforms, Bleachers, Seating, Canopies, etc.	$50.00
(m)	Mobile home tie down permit	$300.00
(n)	Stocking permit (moving equipment/materials Into building before final inspection.)	$110.00
(o)	Change of prime contractor	$20.00
(p)	Change of sub-contractor	$5.00
(q)	Contractor annual administration fee	$15.00
(r)	Letter of reciprocity	$15.00
(s)	Fine to contractor from the Licensing Board for material violations of the Building Code per violation	$500.00 min/$5,000.00 max

NO REFUNDS will be made on permits of $50 or less unless permit is issued in error by the County.

NO REFUNDS will be made on any permits more than six (6) months from date of issuance unless permit is issued in error by County.

(8) Construction Plan Review:

(a) Plan submittal fee (all applications for building permits will be accompanied by a non-refundable plan submittal fee which will be applied against the building permit fee upon issuance):

(i) One and two family dwellings:

Value of Construction:	
$0 - $100,000	$100.00
$100,001 - $200,000	$200.00
$200,001 and up	$300.00

(ii)	Structure Other than Buildings	$25.00
(iii)	All others	50% of the estimated permit fee

(b) Plan review fee (a charge will be Placed against permit Applications for second and subsequent resubmittals):

Initial application and first resubmittal	No Charge
Second and subsequent resubmittals	$20.00 per affected page

(9) Requested After Hours Inspections/Zoning/ Plan Review & Updating:

(a)	Weekend and Holidays	$320.00 ($80.00/hr above 4 hours)
(b)	Weekday	$160.00 ($80.00/hr above 2 hours)

M. FIRE SAFETY.

(1) The following fees will be charged for the review of any plans in connection with development review of multi-family and commercial construction plans, plans related to the installation of fire safety equipment, flammable liquid and LP gas installation. 50% of all fees will be collected at the time of permit application. This fee includes review and one final inspection.

(a) New Construction:

(i)	Building Construction	$0.35 per $1,000 valuation
	Minimum	$92.00

(ii)	Fire alarm system	$4.00 per $1,000 valuation
	Minimum	$92.00
(iii)	Fire sprinkler system	$4.00 per $1,000 valuation
	Minimum	$92.00 minimum
(iv)	Fuel tank installation	$4.00 per $1,000 valuation
	Three tank system	$188.00 minimum
(v)	Above ground fuel tank	$4.00 per $1,000 valuation
	Minimum	$116.00

(b) Other than new construction:

Base fee	$35.00
Fee per $1,000 value of construction	$4.00

(a) Chemical fire extinguishing systems

(b) Move underground lines and pumps

(c) Gas station island pumps

(d) Remove underground tanks

(e) Renovate and repair fire alarm systems

(f) Install, renovate and repair rangehood suppression systems

(g) Remove above ground fuel tanks

(h) Install oil tanks (commercial) over 550 gallons

(2) Other permit fees:

(a) Reinspections:

1st reinspection	$25.00
2nd reinspection on the same item	$45.00

(b)	Update building permit if work is not commenced within 180 days of issuance, or there is a lapse of construction for a period of 180 days	50% of original permit
	Maximum	$100.00
(c)	Restamping, recertification/approval of unaltered commercial plans	$5.00 per page
	Minimum fee	$35.00
(d)	Plan Review Fee (commercial only). A charge will be placed against permit Applications for second and subsequent resubmittals.	
	Initial Application and First Resubmittal	No Charge
	Second and Subsequent resubmittals	$20.00 per affected page
	Maximum fee	$500.00
(e)	Alterations to commercial plans, review, approval, documentation (A charge will be made for each separate change request as an event not item by item)	$5.00 per page
	Minimum fee	$35.00
(f)	Extra set of plans for builder	$2.00 per page
(g)	Other inspections (Special inspections not listed, i.e. tents, temporary commercial Certificate of Occupancy, prepower agreements, etc.)	$25.00 per hour collected prior to inspection based on estimated time by inspector to perform the inspection (One hour minimum)

(h) Requested After Hours Inspections:

Weekend and holidays	$40.00 per hour (4) hour minimum (in addition to applicable permit/inspection fees)
Weekday	$40.00 per hour (2) hour minimum (in addition to applicable permit/inspection fees.)

N. PLANNING. All per acre fees in this Section are calculated by rounding up to the nearest full acre.

(1) Application for Comprehensive Plan Amendment:

Large Scale (>10 Acres)	$350.00 per acre, $10,000.00 max
Small Scale (< 10 Acres)	$3,000.00
Text Amendment in association with a Land Use Amendment	$1,000.00
Text Amendment without a Land Use Amendment	$3,000.00

(2) Application for new Development of Regional Impact (DRI):

(a) With plan amendment	$16,000.00
(b) Without plan amendment	$13,000.00

(3) Application for Determination of Substantial Deviation or any other change to existing DRI $3,500.00

O. ADDITIONAL FEE FOR FAILURE TO OBTAIN PERMIT PRIOR TO COMMENCING WORK.

If a person, legal entity, association or any applicant commences work for which a license or permit is required without having first obtained the license or permit, such person, legal entity, association or applicant shall, if subsequently permitted to obtain the license or permit, pay a license or permit fee of twice the otherwise required license or permit fee. The provision in the above paragraph does not apply to emergency work if there is, or would have been, an unreasonable delay in obtaining the permit.

In the case of emergency work requiring pavement cuts, the permit must be obtained within three (3) working days after emergency work is performed.

The payment of the fee required herein does not preclude a prosecution for commencing work without a license or permit.

P. ADULT ENTERTAINMENT ESTABLISHMENT AND SEXUALLY ORIENTED BUSINESS INSPECTION FEES.

(a) There shall be collected under this Part annual inspection fees for the following classifications of adult entertainment establishments and sexually oriented businesses:

(1) Adult bookstore/adult video store - FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(2) Adult theater - FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(3) Adult performance establishments - FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(4) Adult motel - FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(5) Commercial bodily contact establishment - FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(6) Escort Service - FIVE HUNDRED AND NO/100 DOLLARS ($500.00).

(b) The above described fees are declared regulatory in nature, collected for the purpose of examination and inspection of adult entertainment establishments and sexually oriented businesses under this Part and the administration thereof. These regulatory fees are in addition to and not in lieu of the occupational licenses taxes imposed by the Seminole County Code or State law and other land development or regulatory fees associated with general commercial activities and locations.

(c) The Board of County Commissioners has further found and determined that certain of the adult entertainment and sexually oriented businesses are entitled to a refund of those annual license or inspection and examination fees heretofore paid between January 1, 2002 and September 30, 2002 and which are in excess of FIVE HUNDRED AND NO/100 DOLLARS ($500.00). Accordingly, it is hereby ordered that such excess payments shall be promptly refunded to those establishments that have previously made such excess payments.

Q. AUTHORITY. Section 5.14, Land Development Code of Seminole County
Resolution 2014-R-40 adopted February 11, 2014

SECTION 20. FEE RESOLUTIONS

20.15 CONCURRENCY MANAGEMENT SYSTEM

A. PURPOSE. Chapter 163, Florida Statutes, requires the Board of County Commissioners to establish a Concurrency Management System to benefit the community at large but has certain components that are directly attributable to and that should be born by applicants for concurrency determinations, vesting determinations and appeals.

B. FEES FOR CONCURRENCY RELATED REVIEWS AND APPEALS.

(1) Concurrency Determination for applications up to the following thresholds: $250.00

RESIDENTIAL

≤ 50 dwelling units

NON-RESIDENTIAL

Retail	≤	2,000 sq. ft. *
Office	≤	20,000 sq. ft. *
Industrial	≤	50,000 sq. ft.
Warehouse	≤	50,000 sq. ft.

(* Excluding small high traffic generators such as fast food, convenience store, medical office, clinics).

(2) Concurrency Determination for (non-DRI) applications exceeding the thresholds defined in (1) above and the following high traffic generators: $800.00

Fast Food Restaurants (with drive thru)
Convenience Stores
Medical Offices and Clinics
Veterinary Clinics
Dental Offices
Banks
Gas Stations

(3) General/Non-Binding Facility Capacity Review for applications up to the following thresholds:

RESIDENTIAL

1 – 50 Units	$ 25.00
51 – 250 Units	$ 50.00
251 – 500 Units	$ 75.00
≥ 501 Units	$100.00

NON-RESIDENTIAL

Retail	≤	2,000 sq. ft. *	$ 50.00
Office	≤	20,000 sq. ft. *	
Industrial	≤	50,000 sq. ft.	
Warehouse	≤	50,000 sq. ft.	

(* Excluding small high traffic generators such as fast food, convenience store, medical offices and clinics, veterinary clinics, dental offices, banks, gas stations).

Retail**	2,001 – 50,000 sq. ft. *	$ 75.00
Office**	20,001 – 200,000 sq. ft. *	
Industrial	50,001 - 250,000 sq. ft.	
Warehouse	50,001 – 250,000 sq. ft.	

(** Inclusive of small high traffic generators).

Retail	≥	50,001 sq. ft. *	$100.00
Office	≥	200,001 sq. ft. *	
Industrial	≥	250,001 sq. ft.	
Warehouse	≥	250,001 sq. ft.	

MIXED OR UNSPECIFIED USES/SIZES

Covering immediately adjacent roads/area only	$ 50.00
Covering up to a 1 mile radius for roads	$ 75.00
Covering roads for a radius ≥ 1 mile	$100.00

(4) Determination of De minimus Impact not in conjunction with a Concurrency Determination Application $ 25.00

(5)	Concurrency Determination for Right-of-Way Utilization Permits. (Applications up to Thresholds in (1) above).	$ 65.00
(6)	Concurrency Determination for Right-of-Way Utilization Permits. (Exceeding thresholds In (1) above).	$260.00
(7)	Concurrency Determination Appeal to a Hearing Officer (Base Fee).	$385.00
(8)	Concurrency or Vesting Determination Appeal to a Hearing Officer (Hearing Officer and Court Recorder fees) to be paid by non-prevailing party. Court Recorder.	Actual costs of Hearing Officer and
(9)	Appeal of Hearing Officer's Concurrency Decision to the Board of County Commissioners.	$225.00
(10)	Statutory Vesting Determination. $110.00	
(11)	Common Law Vesting Determination.	$590.00
(12)	Vesting Determination Appeal to a Hearing Officer (Base Fee).	$335.00
(13)	Appeal of Hearing Officer's Vesting Determination to the Board of County Commissioners.	$210.00

C. EFFECTIVE. All fees established herein shall go into effect on July 1, 1995, with collection to be in conjunction with filing the application.

D. AUTHORITY. Resolution 95-R-152 adopted June 26, 1995.

SECTION 20. FEE RESOLUTIONS

20.16 COOPERATIVE EXTENSION SCHEDULE

A. PURPOSE. To establish a fee schedule for the Cooperative Extension System in the day-to-day operations.

B. COOPERATIVE EXTENSION FEE SCHEDULE.

(1) Soil Tests .....$ 2.00

(2) Lost auditorium key..... 5.00

(3) Auditorium Use

For Profit 32.00/hour

The auditorium may be utilized by County Departments, governmental entities and non-profit organizations at no cost subject to availability. Non-profit organizations must submit a tax exempt certificate or other proof of non-profit status.

C. AUTHORITY. Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-33 adopted February 24, 2009
Resolution 2010-R-33 adopted January 26, 2010

SECTION 20. FEE RESOLUTIONS

20.20 "E 911" TELEPHONE SYSTEM SERVICE

A. PURPOSE. To establish fees for "E911" Telephone System Service and equipment in Seminole County.

(1) All telephone companies shall spread the payment of the nonrecurring charges for the implementation, installation and maintaining of the year 2000 compliance equipment, "E911" emergency telephone system service and equipment within Seminole County over a period of eighteen (18) months and shall spread the payment of the recurring charges for operation and maintenance of such service and equipment over such period as the "E911" service is in operation. Pursuant thereto, all telephone companies shall bill said nonrecurring and recurring charges pro rata to the local exchange subscribers within Seminole County served by the "E911" emergency telephone service on an individual access line basis per account bill rendered, at a rate to be established from time to time by Resolution of the Board of County Commissioners.

(2) Nonrecurring and recurring charges shall be those charges set forth at Section 365.171(13), Florida Statutes, or its successor provision, and those charges approved by the Florida Division of Communications or its successor agency, and

(3) Whereas, after a careful study of the needs of Seminole County to meet demands of growth and the cost operating the Countywide 911 system, the rate to be charged per individual access line shall be FIFTY CENTS ($.50) per month per telephone line, (up to a maximum of twenty-five (25) access lines per account bill rendered), beginning on October 1, 1999.

B. EMERGENCY TELEPHONE SYSTEM FEE. The emergency telephone system fee authorized by Section 365.171, Florida Statutes, and by Chapter 73, Seminole County Code, shall be established at a rate of FIFTY CENTS ($.50) per month per telephone line (up to a maximum of twenty-five (25) access lines per account bill rendered).

C. EFFECTIVE DATE AND TERMINATION DATE. The fee provided for herein shall be collected beginning October 1, 1999.

D. AUTHORITY. Resolution 99-R-77 adopted May 25, 1999

SECTION 20. FEE RESOLUTIONS

20.22 REGISTRATION AND MAINTENANCE OF FORECLOSED PROPERTIES PROGRAM

A. PURPOSE. To establish fees necessary to carry out the duties and responsibilities of the Registration and Maintenance of Foreclosed Properties Program.

B. FEE SCHEDULE.

Fee for registering a foreclosed property	$200.00

C. AUTHORITY. Resolution 2014-R-258 adopted December 9, 2014

SECTION 20. FEE RESOLUTIONS

20.26 HEALTH DEPARTMENT

A. PURPOSE. To establish public health service fees in order to expand existing public health services to the community at large.

B. PRIMARY CARE SERVICES.

(1) Family Planning - The fee will be derived by considering the type of visit, the client sliding fee group based on Federal OMB Guidelines, and the State Medicaid rate. Medicaid identification will be accepted as full payment in lieu of charges.

(2) School Physicals - A one-time service, $30.00 per physical. (Completion of School Health Entry Form)

(3) Dental Clinic - Adults from the ages of twenty-one (21) years to sixty-two (62) years with eligible Medicaid can be serviced at the Florida Department of Health in Seminole County for limited services. Residents of Seminole County who do not meet the requirement of being “active Medicaid”, from the ages of eighteen (18) to sixty-two (62) or pregnant (using Medicaid Services), can be screened through Community Assistance for basic dental services at this clinic. Additionally, children and adults who do not have valid Medicaid will be charged one hundred forty percent (140%) of the Medicaid Child Fee for certain dental services.

	Procedure	140% of the Child Medicaid Fee for Service
(a)	Exam	$33.00
(b)	PA x-ray	$8.00
(c)	2 Bitewing x-rays	$18.00
(d)	4 Bitewing x-rays	$22.00
(e)	Panoramic x-ray – Full Mouth Debridement	$62.00
(f)	Cleaning – Full Mouth Debridement	$75.00 (99% Child Medicaid fee)
(g)	Prophylaxis	$37.00
(h)	Fluoride Varnish	$23.00
(i)	Amalgam fillings (3 surfaces)	$106.00
(j)	Resin, Anterior (3 surfaces)	$92.00
(k)	Resin, Posterior (3 surfaces)	$106.00

(l)	Pulpotomy excluding Final Restoration	$104.00
(m)	Extraction - Simple	$56.00
(n)	Sealants, per tooth	$27.00
(4)	Pregnancy Test (urine or serum) - Nurse Consultation * The fee will be derived by considering the client sliding fee group which is calculated at eligibility determination, based on Federal OMB Guidelines.	$43.00 (or less*)
	Pregnancy Statement	$13.00
(5)	Pregnancy Test – under Age 19	No Charge
(6)	Natural Childbirth Classes (Healthy Start Clients)	$20.00
(7)	Thin-Prep PAP laboratory test	$35.00
(8)	Office visit for transfer of child physical information to school physical form with doctor's signature.	$13.00
(9)	Administration Fee - Injectable Medications	$15.00
(10)	Family Planning Initial or Annual Exam	$100.00
(11)	Family Planning Counseling and Supply Visit	$45.00
(12)	Adult Physical	$45.00

C. COMMUNITY PUBLIC HEALTH SERVICES

(1)	Tuberculin (TB) Skin Test, with reading and nurse assessment.	$30.00
(2)	Tuberculosis (TB) Symptom Assessment for previous positive reactors	$25.00
(3)	I-693 Forms for Immigration	$15.00
(4)	Quantiferon Gold TB Test	$40.00
(5)	Fit Testing for Respirators	$20.00

(6) Sexually Transmitted Diseases

(a) Exam - The fee will be derived by considering the client sliding fee group which is calculated at eligibility determination, based on Federal OMB Guidelines. The fee group will be applied to the rate established by the State Medicaid Program. Medicaid identification will be accepted as full payment in lieu of charges. Patients referred by the Disease Intervention Specialist for initial testing may be charged. $55.00

(b) STD screening tests including: Syphilis, HIV, Hepatitis (A, B and C), Chlamydia and Gonorrhea for asymptomatic clients. $45.00

(c) Cryo Wart Removal

One (1) Wart	$55.00
Two (2) to Five (5) Warts	$65.00
Six (6) to Ten (10) Warts	$85.00
Ten (10) or more Warts	$135.00

(d) Testing for HIV I Antibodies
Routine Serum or Rapid $20.00

(e) Herpes (HSV 1 and 2) Serum $30.00

(f) Herpes Culture and Typing $50.00

(g) Rectal Pap $25.00

(7) Immunization services for children and adults including international travel consults and vaccinations, recommended adult immunizations, form completions and replacements:

Adults

(a) (i) Flat Fee: Prevailing vaccine cost which does not exceed the lesser of either the highest current manufacturer or distributor price plus administration fee rounded up to the nearest whole dollar.

(ii) Administration Fee:

All Vaccines	$15.00
Patient Assistance Programs	$25.00

(iii) Malaria Prevention Prescription Fee $25.00

	(b)		Travel Consult Fee (a minimum of ten (10) minutes of consult time and printed travel information regarding disease prevention; fee waived for additional family members when seen together)	$45.00
	(c)		College Entry Forms	$10.00
	(d)	(i)	Administrative Form Processing Fee for original Form DH680 – certification for school entry and Form DH681 – Religious exemption.	$15.00
		(ii)	Replacement 680 and 681 Forms	$10.00
		(iii)	Administrative Form Replacement Fee for Yellow Fever Certificate	$10.00
(8)	Immunizations			
	(a)		Recommended for children 2 months through 18 years eligible for Vaccines For Children Program	No Charge
	(b)		Required for school/daycare entry through 18 years	No Charge
	(c)		Nurse visit for counseling and education	$15.00
	(d)		Special immunization clinics for populations at risk for complications of infection from vaccine preventable diseases, including flu, pneumonia and others as indicated through surveillance and reporting.	No Charge for Vaccine & Services
(9)	Laboratory Services: Prevailing lab cost plus blood drawing or urine collection fee.			
	Blood Drawing or Urine Collection Fee:			$15.00
(10)	Community Health and Wellness Program Activity (The fee shall cover the cost of community health and wellness program activities and/or program fees, not to exceed $50.00 above actual cost per unit for production and delivery of materials and services. Fees are based on the scope and duration of activity.)			$50.00

(11) Class/Seminar attendance registration
Per person charge for health care, social work and counseling employees

HIV 501 Update	$10.00
HIV 500	$15.00
HIV 501	$60.00

D. VITAL STATISTICS:

(1) Birth Certificates:

County Fee	$10.00
State Fee pursuant to Section 382.025, FS (Surcharge for Certificates Issued by Local Registrars)	$ 2.50
State Surcharge, Child Welfare Training Trust Fund	$ 1.50
Total Fee for Birth Certificates	$14.00

(2)	Additional Copies	$8.00
(3)	Protective covers	$3.00
(4)	Death Certificates - Certified Copy	$10.00
(5)	Additional Copies	$5.00
(6)	Fee to Expedite	$10.00

E. MEDICAL RECORDS:

Copying of Medical Record (per page) 50 cents

F. PUBLIC RECORDS:

Copying of Public Record (per page) 25 cents

G. ENVIRONMENTAL HEALTH SERVICES: The following Environmental Health fees are hereby adopted as authorized by State of Florida Administrative Code or Policy, unless otherwise indicated.

(1) Water

(a) Health Department Laboratory analysis per sample $20.00

(b) Chemical sampling per site visit

State Fee	$60.00
County Fee	$20.00
Total	$80.00

(c) Chemical sampling per site visit for Delineated areas

State Fee	$60.00
County Fee	$10.00
Total	$70.00

(d) Combined chemical/microbiological Sample visit

State Fee	$70.00
County Fee	$10.00
Total	$80.00

(e) Limited use public water system annual operating permit

State Fee (Initial)	$90.00
County Fee	$30.00
Total	$120.00
State Fee (Renewal)	$90.00
County Fee	$30.00
Total	$120.00

*Note: The Seminole County Health Department will charge no drinking water fee without authority to do so by Statute or rule.

(2) Swimming Pools and Bathing Places

(a) Annual operating permit - up to and Including 25,000 gallons

	$125.00
County Fee	$ 50.00
Total	$175.00

(b) Annual operating permit - more than 25,000 gallons

	$250.00
County Fee	$100.00
Total	$350.00

(c) Late fee - (on permits paid after June 30)

County Fee	$50.00

(d) Re-inspection Fee per each re-inspection

County Fee	$25.00

(e) Variance Applications $25.00

(f) Exempted Condo Pools

State Fee	$50.00
County Fee	$25.00
Total	$75.00

(3) Septic Tanks (Onsite Sewage Treatment and Disposal Systems) (OSTDS)

(a) New septic tank

State fee pursuant to Chapter 64E-6, F.A.C.	$350.00
County Fee	$ 75.00
Total fee for standard or filled septic tank	$425.00

(b) Septic Tank Modification(s)

State fees pursuant to Chapter 64E-6, F.A.C.	$330.00
County Fee	$ 70.00
Total fee for Septic Tank Modification(s)	$400.00

(c) Septic tank repair permit

State fee pursuant to Chapter 64E-6, F.A.C	$300.00
County Application Fee	$ 50.00
Total fee for septic tank repair permit	$350.00

(d) Re-inspection fee per each non-compliance re-inspection

County Fee	$25.00
State Fee pursuant to Chapter 64E-6, F.A.C.	$50.00
Total	$75.00

(e) Septic System Abandonment Permit

State Fee	$50.00
County Fee	$50.00
Total	$100.00

(f) Variance Application for a Single Family Residence per each lot or building site

State Fee	$200.00
County Fee	$ 75.00
Total	$275.00

(g) Variance Application for a Multi-family or Commercial building per each building site

State Fee	$300.00
County Fee	$ 75.00
Total	$375.00

(h) Onsite Sewage Consultation Fees and Field Work Requests Not Related to Formal Permitting

(i) Plan Review

County Fee	$50.00

(ii) Soil Profile Fee

County Fee	$100.00

(i)	Late Fees for Delinquent Onsite Sewage Operating Permits	
	County Fee	$50.00
(j)	Permit amendment	
	State Fee	$55.00
	County Fee	$20.00
	Total	$75.00
(k)	Voluntary timed inspection	$50.00
(l)	Fast Track Permitting Consultation for New, Modification & Existing Sewage	$75.00
(m)	DRC Plan Review Small Site Plan, Development Plan	$35.00
(n)	DRC Plan Review Site Plan, Preliminary & Final Engineering Subdivision (4 reviews)	$150.00
	(reviews after 4)	$ 35.00
(o)	Managed System Fee	
	County Fee	$50.00
(p)	Site Re-Evaluation Fee	
	State Fee	$ 75.00
	County Fee	$ 25.00
	Total	$100.00
(q)	Aerobic Treatment Unit Maintenance Annual Permit	
	State Fee	$25.00
	County Fee	$50.00
	Total	$75.00
(r)	Annual Operating Performance Permits for Performance Based Systems	
	State Fee	$100.00
	County Fee	$100.00
	Total	$200.00
(s)	Existing System Evaluations	
	(i) Inspected within last three (3) years	
	State Fee	$35.00
	County Fee	$50.00
	Total	$85.00

(ii) Not inspected within last three (3) years

State Fee	$ 85.00
County Fee	$ 50.00
Total	$135.00

(4) Food Service

(a) Late renewal of Annual Certificates

State Fee	$25.00
County Fee	$20.00
Total	$45.00

(b) Alcoholic Beverage Establishment Inspection

State Fee	$30.00
County Fee	$20.00
Total	$50.00

(c) Reinspection Fee (1st) $75.00

(d) Annual Permit – Adult Living Facilities

State Fee	$135.00
County Fee	$ 65.00
Total	$200.00

(e) Annual Permit – Schools

State Fee	$200.00
County Fee	$100.00
Total	$300.00

(f) Annual Permit – Civic Organizations

State Fee	$190.00
County Fee	$100.00
Total	$290.00

(g) Annual Permit – Detention Centers & Jails

State Fee	$250.00
County Fee	$ 50.00
Total	$300.00

(h) Food Service Plan Review

State Fee/hour (1 hour minimum)	$40.00
County Fee	$25.00
Total/hour (1 hour minimum)	$65.00

(5) Other Services

(a) Tanning Facilities

Re-inspection fee per each re-inspection

County Fee	$25.00

(b) Body Piercing

Re-Inspection fee per required re-inspection County Fee	$50.00

(c) Tattoo Establishments and Tattoo Artists

(i)	Tattoo Establishment License	$200.00
	County Fee	$ 50.00
	Total	$250.00
(ii)	Tattoo Artist License	$ 60.00
	County Fee	$ 50.00
	Total	$110.00
(iii)	Guest Tattoo Artist Registration (Appearing at fairs, festivals or other limited time events):	$35.00
	County Fee	$50.00
	Total	$85.00

(d) Rabies test (low-risk species) $100.00

(e) Group Care Homes and Facilities

(i)	Residential Group Home(s) Voluntary request for inspection - County Fee	$75.00
(ii)	Adult Living Facilities General sanitation inspection as required by Agency for Health Care Administration - County Fee	$75.00
(iii)	Day Care Centers Annual general sanitation inspections - County Fee	$75.00

(f) Foster Homes

(i)	Annual environmental health inspection County Fee	$75.00
(ii)	Foster Home Reinspection	$25.00

(g) Schools: Semi-annual environmental health inspection of school facilities (Annual Fee)
County Fee $100.00

(h) Housing and Public Buildings
Adult Entertainment Light meter reading $50.00

(i)	Indoor Air Inspection	$60.00
(j)	Any inspection mandated by State not set forth in paragraph (5)	$50.00
(k)	Biomedical Waste Permits	
	State Fee	$ 85.00
	County Fee	$ 50.00
	Total	$135.00
(l)	Mobile Home Parks	
(i)	State Fee (up to 25 spaces)	$100.00
	County Fee (up to 25 spaces)	$ 25.00
	Total	$125.00
(ii)	State Fee (26-149 spaces)	$ 4.00 per space
	County Fee (26-149 spaces)	$ 75.00 per park
(iii)	State Fee (150 spaces and over)	$600.00
	County Fee (150 spaces and over)	$100.00
	Total	$700.00

H. ACADEMIC INTERNSHIP.

Fee for fingerprinting and Level 2 Background Screening, per person (Required in accordance with Section 435.04, Florida Statutes) $50.00

I. AUTHORITY.

Resolution 2004-R-23 adopted February 10, 2004
Resolution 2006-R-130 adopted June 13, 2006
Resolution 2006-R-213 adopted September 26, 2006
Resolution 2007-R-170 adopted September 25, 2007
Resolution 2008-R-219 adopted September 23, 2008
Resolution 2009-R-191 adopted October 13, 2009
Resolution 2010-R-196 adopted September 28, 2010
Resolution 2011-R-1 adopted January 11, 2011
Resolution 2011-R-187 adopted October 11, 2011
Resolution 2012-R-164 adopted September 11, 2012
Resolution 2013-R-221 adopted September 24, 2013
Resolution 2014-R-39 adopted February 11, 2014
Resolution 2014-R-76 adopted April 8, 2014
Resolution 2014-R-160 adopted August 26, 2014
Resolution 2015-R-39 adopted February 24, 2015
Resolution 2015-R-157 adopted September 22, 2015

SECTION 20. FEE RESOLUTIONS

20.30 LIBRARY SERVICES SCHEDULE

A. PURPOSE. To establish a fee schedule for the Library System in the day-to-day operations.

B. LIBRARY SERVICES FEE SCHEDULE

(1) LIBRARY CARDS

(a) Issuance of library card:

(i) Seminole County residents or property owners ..... ….	No Charge
(ii) Seminole County Governmental employees and all children attending public schools in Seminole County, regardless of residency ..... …..	No Charge
(iii) Non-Seminole County residents, Full Service, per family, per year (excluding persons listed in ii above) ..... …..	$50.00
(iv) Orange County Library District cardholders (Minimum Service)..... …..	No Charge
(v) Lake County Library System cardholders (Minimum Service)..... …..	No Charge

(b) Replacement card ..... ….	2.00

(2) OVERDUE MATERIAL

(a) Cataloged Books and Audios, per item, per day, ... ……	$ 0.20
Maximum fine for cataloged books, all days overdue, per item ..... ……	10.00
(b) State Library of Florida audiovisual materials ..... …… (per item, per day)	1.00
Maximum fine for all days overdue not to exceed replacement cost..... ……	10.00

(3) DAMAGED MATERIAL

Charges for damaged material will be determined by the librarian in charge based on the amount of damage. All damaged materials remain the property of Seminole County, regardless of the amount charged for damage.

(4) LOST MATERIAL

(a) Non refundable processing fee ..... ……. $10.00
Plus:

(b) Replacement value of the book ..... ……replacement cost

(5) COLLECTION AGENCY FEES

Past due and lost material accounts referred to a collection agency will be charged to cover the cost of referral.

Collection fee…… $ 8.95

(6) COPIES MADE ON COIN OPERATED EQUIPMENT

(a) Per copy (Black and White) ..... …….. $ 0.15

(b) Per copy (Color)..... …….. 0.60

(7) SALE OF COMPUTER DISKS

Per disk…… $ 1.00

(8) INTERNET GUEST CARDS…… …… $ 1.00/45 minute session

(9) MEETING ROOMS

(a) Meeting Room Charge for For-Profit Organizations…… $32.00/hour

(b) Conference Room Charge for For-Profit Organizations……. $16.00/hour

C. AUTHORITY. Resolution 04-R-220 adopted December 14, 2004
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2008-R-123 adopted May 20, 2008
Resolution 2009-R-34 adopted February 24, 2009
Resolution 2011-R-228 adopted December 13, 2011

SECTION 20. FEE RESOLUTIONS

20.35 LEISURE SERVICES SCHEDULE

A. PURPOSE. To establish a fee schedule for the Leisure Services Department's programs and services and to encourage co-sponsorship of sporting events between the County and sporting event sponsors.

B. LEISURE SERVICES FEE SCHEDULE [1]

(1) Programs	Fees
Memorial Trees	
15-gallon tree, plaque and installation	$150
30-gallon tree, plaque and installation	$200
Programs/workshops/classes/camps/ staff-directed activities	10% above direct cost

(2) Facility Rentals	
Athletic Field Rental & Outside Tournaments	$25/hour/field before 5pm $35/hour/field after 5pm
Campsites	
Up to 4 campers	$15/site/day
Group – 5 or more	$30/site/day
Ed Yarborough Nature Center Meeting Room[2]	$32/hour
Midway Community Center Rental	$50/day
Museum Annex Building	$32/hour
Museum Grounds	$32/hour
Park Pavilion Rental	
Large	$60/half day $100/day
Small	$40/half day $60/day
Raquetball Court Rental	$6/hour/court
Roller Hockey Rink Rental	$16/hour before 5pm $32/hour after 5pm
Tennis Ball Auto Feeder Court Rental	$11/hour
Tennis Court Rental & Outside Tournaments	$4/hour/court before 5pm $6/hour/court after 5pm
Tournament Parking Fee Allowance	$500 or 10% of gate, whichever is greater
Tournament Gate Fee Allowance	$500 or 10% of gate, whichever is greater

[1] NOTE: Fees are not reflective of additional sales tax required to remit to Florida Department of Revenue.

[2] Meeting Rooms may be utilized by County Departments and Agencies at no cost, subject to availability.

(3) Admission

Field Trip Admission/Guided Tour	$3/person
Museum Admission Fee	
Adults	$3/person
Students (ages 5 – 17 years)	$1/person
Youth (ages 4 and under)	No charge
Sports Complex Parking Fee	$5.00/car
Sports Complex Hub Gate Fee	$5.00/day or $10.00/3 day tournament

(4) Point of Sale

Merchandise for Resale	50% - 100% markup based on product cost and established market pricing range

(5) Administrative

Copies made for the public	$0.15 per page
Not for Profit Agency Discount	25% discount on all fees
Protest Fee (Sports Leagues)	$50/protest
Refund Processing Fee	$10 per occurrence. If balance is less than $10, charge will be 10%.
Tournament/Event Booking Incentive	10% Incentive Discount for multi-day tournament/event
Tournament/Event Staff Support	
After 3:30pm on weekdays and on weekends	$40/hour

(6) Co-managed or Co-sponsored Tournaments

Fees may be collected for events/tournaments owned and controlled by local, state, regional, or national organizations at a variable rate as determined by the Leisure Services Department Director and the County.

(7) Credits and Refunds

Credits and refunds are issued for injury, illness, and classes cancelled due to inclement weather. Administrative adjustments may be made to the above fees to provide for refunds and credits when approved by the Leisure Services Department Director.

(8) Damage Assessment Fees

Additional fees may be assessed if damage or loss occurs or if extra clean-up is required as determined by the Leisure Services Department Director.

(9) Deposits

For rentals utilizing fields: $300 no-refundable deposit is due upon rental confirmation. Final balance is due prior to start on event day. Deposit is applied to rental balance owed and there will be no refund of deposit.

C. AUTHORITY. Resolution 2007-R-42 adopted March 13, 2007
Resolution 2007-R-166 adopted September 11, 2007
Resolution 2008-R-98 adopted April 22, 2008
Resolution 2008-R-123 adopted May 20, 2008
Resolution 2008-R-246 adopted November 18, 2008
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-118 adopted July 28, 2015

SECTION 20. FEE RESOLUTIONS

20.36 PUBLIC RECORDS FEES

A. PURPOSE. To establish a uniform procedure for the photocopying of public records by the various departments and divisions of the Board of County Commissioner for the general public at a reasonable cost, and to establish accountability of monies received for making photocopies of public records and the mailing of same by the various departments and divisions. Section 119.07, Florida Statutes, authorizes the establishment of fees for the cost of providing copies of public records.

B. DEFINITIONS.

(1) "Board" means Board of County Commissioners of Seminole County, Florida.

(2) "Department" means departments or offices under the Board of County Commissioners and shall include Boards, Commissions and similar bodies appointed by the Board of County Commissioners.

(3) "Division" means an office under a department.

(4) "Public record" shall have the meaning set forth in Section 119.011(1), Florida Statutes.

(5) "Information technology resources" shall have the meaning set forth in Section 282.303 (10), Florida Statutes.

(6) "Extensive" shall mean use of staff resources in excess of 15 minutes.

C. SERVICE CHARGES.

(1) The Department or Division shall make the following charges for services rendered by their respective offices in responding to public records requests. Copies of public records shall be available on a cash and carry basis. Cash, money orders and personal checks will be accepted. Checks and money orders shall be made payable to the Seminole County Board of County Commissioners.

(a) Fifteen cents ($.15) for each copy of each page made by copy machine; provided that the copy paper size does not exceed 8 ½ " by 14" (legal size) and; provided, further that the copy is imprinted on one (1) side only.

(b) Twenty five cents ($.25) for each copy of each page made by copy machine for 11" by 17" (ledger) and; provided, further that the copy is imprinted on (1) side only.

(c) An additional five cents ($.05) for each copy as set forth in C. (1)(a) and (b), above, which is imprinted on two (2) sides.

(d) As to all other copies, the actual cost of duplication of the record or document.

(e) Electronic file copies shall be charged staff time, if extensive, as defined above.

(f) Video copies – Duplicate copies of televised meetings or productions shall be charged fees as set forth in the established SGTV policies.

(g) For Blueline Prints of Contour Aerials, FIVE AND NO/100 DOLLARS ($5.00) per copy.

(h) For Mylar Prints of Contour Aerials, TEN AND NO/100 DOLLARS ($10.00) per copy.

(i) For Blueline Prints of Historical Aerials, FIVE AND NO/100 DOLLARS ($5.00) per copy.

(j) For Blueline Prints of Engineering Drawings, FIVE AND NO/100 DOLLARS ($5.00) per copy.

(k) For Mylar Prints of Historical Aerials, TEN AND NO/100 DOLLARS ($10.00) per copy.

(l) Mylar Prints of Engineering Drawings, TEN AND NO/100 DOLLARS ($10.00) per copy.

(m) For Survey Corner Books, TWENTY AND NO/100 DOLLARS ($20.00) per copy.

(n) If the copies are to be mailed at the request of the requestor, a charge of $3.50 for handling plus all applicable postage expenses shall be made. Requests for public records to be mailed by a Department or Division shall be paid in advance.

(2) If the nature or volume of public records requested to be inspected, examined or copies is such to require extensive use of County technology resources or extensive clerical or supervisory assistance or both, the Department or division may charge an additional special service charge which shall be based on the cost incurred for the use of the technology resources as listed in the County Manager's policies setting forth such costs and hourly rate of personnel providing the services. This charge shall be based on the costs actually incurred.

(3) In the event that due to the size or configuration of a public record, it cannot be reproduced on equipment owned or operated by the County, the requestor shall pay in advance the estimated cost that will be charged to the County for outside reproduction services as the base copy charge. Full payment must be made prior to the release of the document to the requestor.

D. INSPECTION OF PUBLIC RECORDS. Public records are open to the general public to be inspected and examined by any person desiring to do so, at reasonable times, under reasonable conditions, and under the supervision by the custodian of the records or his designee. The Department or Division shall furnish photocopies of public records upon payment of charges within a reasonable time on a first-come-first-serve basis.

E. PREPRINTED AND PRE-PRICED DOCUMENTS. The charges established herein do not apply to preprinted or pre-priced documents which have established fee schedules approved by the Board, including, but not limited to, the Seminole County Code, the Land Development Code, County maps, aerial photographs.

F. RECEIPTS FOR SERVICE CHARGES. Departments and Divisions shall prepare a receipt for monies received for photocopying and mailing charges. One (1) copy will be given to the requestor, one (1) copy will be retained in the Department or Division and one (1) copy will be given to the Clerk's Office upon deposit of monies.

G. DEPOSIT OF MONIES. Any money received shall be deposited with the Clerk of the Circuit Court and credit that amount to a separate account in the general revenue ledger.

H. AUTHORITY. Resolution 98-R-104 adopted May 12, 1998
Resolution 2005-R-99 adopted June 14, 2005
Resolution 2007-R-42 adopted March 13, 2007

SECTION 20. FEE RESOLUTIONS

20.37 MUNICIPAL SERVICES BENEFIT UNIT APPLICATION FEE SCHEDULE

A. PURPOSE. To establish a fee schedule so that the application fee will align with the expenditures typically associated with initiating the Municipal Services Benefit Unit (MSBU) process.

B. APPLICATION FEES.

(1) Aquatic Weed Control

$550.00	Application Fee - Impaired/Corrective Services
$450.00	Application Fee – Maintenance of existing conditions/under contract
$150.00 plus mailing expenses	Application Fee – Reactivation & Redistribution of Petition

Note: MSBU application process may require lake analysis. Need for analysis will be determined prior to application, and price quote for analysis fee will be obtained at time of application. Prepayment for analysis will be due from applicant prior to scheduling analysis.

(2) Retention Pond of Lake Renovation

$550.00	Application Fee – Impaired/Corrective Services
$150.00 plus mailing expenses	Application Fee – Reactivation & Redistribution of Petition

Note: MSBU application process may require lake analysis. Need for analysis will be determined prior to application, and price quote for analysis fee will be obtained at time of application. Prepayment for analysis will be due from applicant prior to scheduling analysis.

(3) Road Paving & Drainage

$650.00	Application Fee – Rough cost estimate and coordination of preliminary engineering
$150.00 plus cost of mailing	Application Fee – Reactivation & Redistribution of Petition

Note: MSBU application process requires a preliminary engineering or cost analysis report. A price quote for preliminary engineering/cost analysis will be obtained at time of application. Prepayment for the services will be due from applicant prior to scheduling report/analysis.

(4) Street Lighting

$150.00	Application Fee – MSBU request involving single support source
$150.00	Application Fee – MSBU request involving 25 or fewer properties
$250.00	Application Fee – MSBU request involving greater than 25 properties
$150.00	Application Fee – Upgrade request involving 25 or fewer properties
$250.00	Application Fee – Upgrade request involving greater than 25 properties
$150.00	Application Fee - Reactivation & Redistribution of Petition

(5) Wall Reconstruction

$550.00	Application Fee – Single easement ownership; Construction Only
$750.00	Application Fee – Multiple easement ownership; Construction Only
$1,000.00	Application Fee – Single easement ownership; Pre-Paid Design plus Construction
$1,250.00	Application Fee – Multiple easement ownership; Pre-Paid Design plus Construction
$150.00 plus mailing expenses	Application Fee – Reactivation & Redistribution of Petition

Note: Application fee includes preparation of leasehold/easement legal documents required in conjunction with application process.

(6) Water and/or Sewer

$550.00	Application Fee – Water or Sewer
$150.00	Application Fee – Reactivation & Redistribution of Petition

Note: MSBU application process requires a preliminary engineering or cost analysis report. A price quote for preliminary engineering/cost analysis will be obtained at time of application. Prepayment for the services will be due from applicant prior to scheduling report/analysis.

(7) Sidewalk

$450.00	Application Fee – Sidewalk
$150.00 plus mailing expense	Application Fee – Reactivation & Redistribution of Petition

Note: MSBU application process requires a preliminary engineering or cost analysis report. A price quote for preliminary engineering/cost analysis will be obtained at time of application. Prepayment for the services will be due from applicant prior to scheduling report/analysis.

(8) Dissolution Application

$150.00 plus mailing expenses	Application Fee – Distribution of Petition

C. NON-REFUNDABLE EXPENSE. The application fee is deemed a non-refundable expense to the applicant if the requested MSBU is not established and/or the improvement is not provided.

D. CREDIT TOWARD ASSESSMENT. The application fee shall be credited towards the assessment assigned to the applicant's benefiting property, or may be refunded if applicant does not own property contained in the MSBU boundary, or the balance refunded if the application fee exceeds the final assessment allocation to referenced property if the requested MSBU is established by the Board, the requested improvement is completed, and assessments are collected from the benefiting property owners.

E. AUTHORITY. Resolution 2007-R-139 adopted August 14, 2007
Resolution 2009-R-6 adopted January 13, 2009

SECTION 20. FEE RESOLUTIONS

20.38 PUBLIC SAFETY FEES

A. PURPOSE. To establish fees for services, training, and the use of equipment and facilities provided by the Public Safety Department.

B. EMERGENCY MANAGEMENT – Review of Facility Emergency Management Plans

Pursuant to Chapter 252, Florida Statutes (2014), as this statute may be amended from time to time, the review of Facility Emergency Management Plans will be charged in accordance with the fee schedule established by the State of Florida, Emergency Management Division under Florida Administrative Code Rule 27P-20 (2014), as this regulation may be amended from time to time. County Emergency Management Agencies may charge any amount less than or equal to, but no more than, the review fees established by Rule 27P-20 (2014), as this regulation may be amended from time to time.

C. EMS FIRE RESCUE SERVICES – Wildland Fire Fees

The Public Safety Department shall seek reimbursement of costs incurred in response to a Wildland Fire from the responsible party, as authorized by Section 590.14, Florida Statutes (2014), as this statute may be amended from time to time. These costs include, but are not limited to: personnel, equipment, and materials for costs realized. The Public Safety Department shall establish and maintain a response fee schedule for these costs which is consistent with current industry rates and market analysis.

Response/Special Event Fees

Team/Unit		FEMA Schedule Cost Per Hour	Personnel Cost Per Hour	Total On Duty Cost Per Hour	Total Off Duty Cost Per Hour
Battalion Chief		$ 19.00	$ 40.00	$ 59.00	$ 59.00
Engine	1 Lieutenant/2 Firefighters	$ 95.00	$ 74.00	$169.00	$197.12
Tower	1 Lieutenant/2 Firefighters	$145.00	$ 74.00	$219.00	$247.12
Squad	1 Lieutenant/2 Firefighters	$145.00	$106.00	$251.00	$291.28
Rescue	2 Firefighters	$ 41.00	$ 44.00	$ 85.00	$101.72
Woods	1 Lieutenant/1 Firefighter	$ 25.00	$ 52.00	$ 77.00	$ 96.76
Bike	2 Firefighters	$ 0.00	$ 44.00	$ 44.00	$ 60.72

D. EMS FIRE RESCUE SERVICES – Training Center Fees

The Public Safety Department shall collect fees when conducting or hosting training courses, classes, and programs as well as for the use of County training facilities,

equipment, and instructors. Charges will include, but are not limited to: instructors, materials, equipment and facility usage, program development, and administration costs. Fees will be collected unless the fees are waived by the Board of County Commissioners after it determines it to be in the best interest of Seminole County, and when fiscally sound, reasonable, and appropriate. Seminole County First Response Members will receive a ten percent (10%) reduction of costs associated with all training activities performed at the Seminole County EMS Fire Training Center.

Training Center fees for the following classes are:

Fire Courses	**Hours**	**Cost**
Fire Skills Assessment	6	$125
Rope Rescue Operations	40	$350
Rope Rescue Technician	40	$350
Pump Operator	80	$500
CEVO Driving Course	8	$150
Smith System Driving	8	$100
Engine Company Operations	40	$525
Firefighter Survival	40	$320
Rapid Intervention/Mayday	40	$425
SI30 (Wild Land)	12	$175
S190 (Wild Land)	12	$175
Special Operations Courses	**Hours**	**Cost**
Vehicle Machinery Rescue (VMR) Operations – 40 hours	40	$550
Vehicle Machinery Rescue (VMR) Tech – 40 hours	40	$550
Hazardous Materials (Hazmat) Chemistry	40	$25
Hazardous Materials (Hazmat) Tech S160	160	$1,350
Confined Space – 40 hours	40	$350
Trench Rescue	40	$425
Emergency Medical Service Courses	**Hours**	**Cost**
Advanced Cardiac Life Support	16	$275
Advanced Cardiac Life Support Refresher	8	$150
Advanced Cardiac Life Support Instructor	8	$125
Pediatric Emergency for Pre-Hospital Providers (PEEP)	16	$175
Pediatric Emergency for Pre-Hospital Providers Refresher	8	$100
Pre-Hospital Trauma Life Support (PHTLS	16	$175
Pre-Hospital Trauma Life Support Refresher	8	$120
Acquired Immune Deficiency Syndrome (AIDS)/Blood Borne	4	$25
Cardio-Pulmonary Resuscitation (CPR) – 8 hours	8	$100

Cardio-Pulmonary Resuscitation – Refresher 4 hours	4	$50
Facility Use	**For Profit Cost**	**Non-Profit Cost**
Classroom Fee	$32.00 per hour	$16.00 per hour
Hazmat Classroom with Props	$50.00 per hour	$25.00 per hour
Fire Training Tower*	N/A	$150.00 per hour

E. EMS TRANSPORT RATES

The Public Safety Department shall collect the following fees per transport for each of the following types of EMS transports:

(1) Basic Life Support (BLS) $475.00
(2) Basic Life Support (BLS) without transport $475.00
(3) Advanced Life Support Tier 1 (ALS1) $575.00
(4) Advanced Life Support Tier 2 (ALS2) $800.00
(5) Advanced Life Support without transport $800.00

In addition, the Public Safety Department is authorized to collect mileage of $10.00 per mile for each of these transports.

F. EMS FIRE RESCUE SERVICES – Special Events

The Public Safety Department shall seek reimbursement of costs incurred in the performance of EMS, Fire, and Rescue standbys from the responsible party. These costs include, but are not limited to: personnel, equipment, and materials. The Public Safety Department shall establish and maintain a response fee schedule for these costs which is consistent with current rates associated with personnel, equipment, and materials.

Response/Special Event Fees

Team/Unit		FEMA Schedule Cost Per Hour	Personnel Cost Per Hour	Total On Duty Cost Per Hour	Total Off Duty Cost Per Hour
Battalion Chief		$ 19.00	$ 41.00	$ 60.00	$ 60.00
Engine	1 Lieutenant/2 Firefighters	$ 95.00	$ 74.00	$169.00	$197.12
Tower	1 Lieutenant/2 Firefighters	$145.00	$ 74.00	$219.00	$247.12
Squad	1 Lieutenant/2 Firefighters	$145.00	$106.00	$251.00	$291.28
Rescue	2 Firefighters	$ 41.00	$ 44.00	$ 85.00	$101.72
Woods	1 Lieutenant/1 Firefighter	$ 25.00	$ 52.00	$ 77.00	$ 96.76
Bike Team	2 Firefighters	$ 0.00	$ 44.00	$ 44.00	$ 60.72

G. EMS FIRE RESCUE SERVICES – Hazardous Materials Response and Mitigation

The Public Safety Department shall seek reimbursement of costs incurred in response to a hazardous materials incident from the responsible party. These costs include, but are not limited to: personnel, equipment, supplies, and incidental or other costs realized. The Public Safety Department shall establish and maintain a fee schedule for these costs which is consistent with current industry standards and market analysis. Expendable items will be charged at a replacement rate for equal and like type items plus a five percent (5%) restocking fee.

H. AUTHORITY. Resolution 2009-R-18 adopted January 27, 2009
Resolution 2013-R-76 adopted February 26, 2013
Resolution 2014-R-247 adopted December 9, 2014

SECTION 20. FEE RESOLUTIONS

20.39 PAIN MANAGEMENT CLINICS LICENSE FEES

A. PURPOSE. To establish fees necessary for examination and inspection of Pain Management Clinics.

B. FEES.

(1) There shall be collected under this section an application fee and an annual license fee for the licensing of Pain Management Clinics.

(a)	Application Fee	$200.00
(b)	Annual License Fee	$500.00

(2) The non-refundable application fee shall be used to defray the costs of the application review process by various offices and departments; provided, however, that the fee shall be applied as a credit toward the annual license fee for licensing under Chapter 186, Seminole County Code. The above described fees are declared regulatory in nature, collected for the purpose of examination and inspection of Pain Management Clinics. These regulatory fees are in addition to and not in lieu of fees for the Business Tax Receipt imposed by the Seminole County Code or State law and other land development or regulatory fees associated with general commercial activities and locations.

C. AUTHORITY. Resolution 2012-R-217 adopted November 13, 2012

SECTION 20. FEE RESOLUTION.

20.40 SOLID WASTE LANDFILL AND TRANSFER STATION

A. PURPOSE. To maintain an efficient solid waste transfer and disposal system to meet the needs of all Seminole County residents; maintain a system compliant with applicable Federal, State and local regulations; to operate within its revenue to the greatest extent possible; and regulate fees charged at transfer stations and the landfill by the Solid Waste Management Division.

B. DISPOSAL FEES. The Board of County Commissioners established the following fees for disposing of waste at the Transfer Station and Landfill:

(1) Non-weighed (flat) rates for disposal of up to eight (8) bags or cans of non-commercial refuse.

	Covered	Uncovered
Transfer Station and Landfill Per load	$4	$8

(2) Non-weighed (flat) rate for disposal of more than eight (8) bags or cans of refuse up to one (1) pickup truck load. A pickup truck shall be considered a truck bed or trailer with a load no larger than five feet by eight feet by three feet (5'x8'x3') (equivalent to the volume of the body of a pickup truck, with the load heaped no higher than the side of the bed, approximately two (2) cubic yards).

	Covered	Uncovered
Transfer Station per load	$14	$28
Landfill per load	$ 7	$14

(3) Non-weighed (flat) rate for disposal of more than one (1) pickup truck load up to four (4) cubic yards (approximately two (2) pickup truck loads). Pickup trucks with heaped loads or loads contained by side-boards will be charged this rate. Loads contained in both a truck and a trailer will be charged for two (2) loads.

	Covered	Uncovered
Landfill only Per load	$14	$28

(4) Weighed Rates. For loads of garbage, trash, yard waste, and other wastes, all commercial trucks or containers and non-commercial large trailers or trucks with capacity of one (1) ton or greater shall be weighed and the following disposal fees charged:

	Covered	Uncovered
Per ton	$33.17	$66.34
Cubic yard rates (apply if scale inoperable)		
Compacted waste per cubic yard	$13	$26
Non-compacted waste per cubic yard	$10	$20

(5) Program Recyclables. $0 per ton

Recyclables delivered to the Transfer Station in two (2) streams. A fiber stream consisting of newspaper, magazines, telephone books, paste board, cardboard (no greater than three feet by three feet (3' x 3')) and catalogs; and a commingled container stream consisting of plastic containers numbered 1-7, clear, green, and brown glass bottles and jars, aluminum and steel cans.

(6) Asbestos. (Landfill only)

	Covered	Uncovered
Per ton	$100	$200
Per cubic yard (if scales inoperable)	$ 33	$ 66

(7) Asbestos handling fee.

Per load $100

Loads of asbestos must be scheduled at least twenty-four (24) hours in advance of delivery and must be delivered in compliance with Federal, State, and local asbestos regulations.

(8) Special Approval Waste. (Landfill only) Waste requiring review by the Solid Waste Management Division prior to disposal. Examples include, but are not limited to, contaminated soil and industrial waste.

	Covered	Uncovered
Per ton	$33.17	$66.34
Per cubic yard (if scales inoperable)	$13	$26

(9) Clean Fill. (Landfill only) $0 per ton

Soil appropriate for use as initial cover or clean fill, as approved by the Solid Waste Management Division pursuant to the Florida Department of Environmental Protection guidelines. This waste type requires approval by the Solid Waste Management Division prior to delivery.

(10) Alternate daily cover. (Landfill only) Soil or soil like material, appropriate for use as initial cover as approved by the Solid Waste Management Division pursuant to the Florida Department of Environmental Protection guidelines. This waste type requires approval by the Solid Waste Management Division prior to delivery.

	Covered	Uncovered
Per ton	$15	$30
Per cubic yard (if scales inoperable)	$10	$20

(11) Public Works processing material. $0 per ton

Material delivered to the Landfill by the Seminole County Public Works Department. This material is processed by the Department into two (2) products – clean fill and residuals. Residuals will be charged the current per ton tip fee for disposal.

(12) Tires. (Landfill only)

	Covered	Uncovered
Per ton	$100	$200
Per cubic yard (if scales inoperable)	$ 35	$ 70

(13) Passenger and Light Truck Tires. $1 each
(Landfill or Transfer Station)
(Limit four (4) tires at Transfer Station)

Loads of more than ten (10) tires and loads of tires not from a passenger vehicle or light truck (oversized or off-road), as determined by the Solid Waste Management Division, will be charged by the ton.

C. CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY (COPCN) APPLICATION AND ANNUAL RENEWAL FEES. Commercial collection in Seminole County of Construction and Demolition Debris, Special Waste, or Source Separated Recyclables exclusively is in accordance with Chapter 235, Seminole County Code, through the issuance of Certificates of Public Convenience and Necessity (COPCN). Firms holding a commercial Non-Exclusive Commercial Solid Waste Collection Franchise or a Residential Waste Collection Service Franchise do not need to obtain a COPCN for the waste types authorized in the franchise.

(1) COPCN Application fee: $100
(2) COPCN per truck fee: $ 20

D. NON-EXCLUSIVE FRANCHISE APPLICATION AND ANNUAL RENEWAL FEES. Fees associated with the Non-Exclusive Commercial Solid Waste Collection Service Agreements are as follows:

(1) Franchise application and annual renewal fee $100

(2) Per truck application and renewal fee $ 20

E. PROHIBITIONS, RESTRICTIONS, AND RESERVATIONS.

(1) Scavenging at the Landfill and Transfer Station is prohibited except as expressly authorized by the Environmental Services Department Director or designee.

(2) The following items are not accepted at the Transfer Station:

(a) White goods (example: stoves, refrigerators, water heaters, etc.)

(b) Construction and demolition debris (example: roofing material, concrete, lumber, etc.)

(c) Any rigid items over four feet (4') in length that, as determined by the Solid Waste Management Division, are not easily crushed.

(d) Any item that may cause a safety hazard in handling or transportation due to its size, weight, or composition.

(3) The Solid Waste Management Division reserves the right to use computer stored average weights if the net weight of any vehicle cannot be determined and the fee shall be assessed at the full capacity of the vehicle.

(4) The Solid Waste Management Division reserves the right to weigh any vehicle at any time.

(5) The Solid Waste Management Division reserves the right to compute disposal fees in cubic yards. Cubic yardage rates apply when the scales are inoperable and are based on the Solid Waste Management Division's estimation of the load.

F. CHARGE ACCOUNTS.

(1) All persons, collectors, businesses and commercial firms using the Landfill or Transfer Station desiring to establish charge accounts with Seminole County may establish an account by placing on deposit with Seminole County an amount equal to the amount of disposal fees required for a two (2) month period of use of the Landfill and Transfer Station. The minimum amount of deposit shall be One Thousand and No/100 Dollars ($1,000.00) in either U.S. currency or a bond or letter of credit in a form acceptable to the County. In the event that a customer's average billing for two (2) months exceeds the amount on account, the County shall require the customer to increase the amount on account to equal (2) months' disposal fees and disposal privileges may be denied until the account balance is increased. The deposit shall be refunded upon written request after twelve (12) months to Landfill or Transfer Station users with a good payment history. No delinquent payment in the preceding twelve months shall constitute a good payment history. Charge account customers with two (2) or more delinquent payments in a twelve (12) month period shall be required to reestablish their charge account by placing required funds on account as established herein.

(2) Seminole County shall render to each customer with an established charge account a monthly invoice for disposal services used during the previous month. Payment in full by the customer is due within twenty-five (25) calendar days after billing date. Payments not received by the twenty-fifth (25th) calendar day after billing date shall be declared delinquent and the customer shall be assessed an interest charge. The interest charge shall be assessed at the rate of one and one-half percent (1.5%) per month of the unpaid balance or the maximum amount permitted by law. Failure to pay an account

within forty-five (45) calendar days after billing may result in any or all of the following:

(a) Discontinuance of the charge account.

(b) Future use of the Landfill or Transfer Station on a cash basis only.

(c) Recommendation to the Board of County Commissioners for suspension or revocation of the customer's Certificate of Public Convenience and Necessity; or

(d) Recommendation to the Board of County Commissioners for suspension or termination of the customer's Residential Franchise Agreement or Non-Exclusive Commercial Solid Waste Franchise Agreement.

(e) Denial of use of the Landfill or Transfer Station until the account is paid in full.

(3) Accounts may be closed by the customer providing a written request to close the account. On closing an account, the County shall return to the customer any amount on account.

G. MUNICIPAL SERVICES BENEFIT UNIT (MSBU) DISCOUNT AND MSBU CUSTOMER LIMITATIONS.

(1) A $3 per ton discount shall be provided to MSBU customers through the inter-fund transfer between the Solid Waste Municipal Benefit Unit Fund (151 Fund) and the Solid Waste Fund (402 Fund).

(2) Residents of unincorporated Seminole County paying the residential non-ad valorem assessment for collection and/or disposal of solid waste shall be allowed to deliver up to a combined 2.5 tons (5,000 pounds) of residential refuse each calendar year to the Landfill or Transfer Station. After 2.5 tons of waste have been delivered from a residence in one (1) calendar year, the applicable disposal fees shall be charged for waste deliveries.

H. DISPOSAL DISCOUNTS.

(1) For the purposes of this section, commercial solid waste means any garbage, bulky waste, trash, or yard waste that is not residential solid waste and is generated by commercial businesses, including, but not limited to, stores, offices, restaurants, warehouses, governmental and institutional office buildings, agricultural operations, industrial and manufacturing facilities, hotels, motels, condominiums, apartments, and other buildings and parcels that have more than four (4) residential units under one roof, and other sites not generating residential solid waste.

(2) For the purposes of this section, commercial franchise waste means commercial solid waste generated in unincorporated Seminole County and collected pursuant to a Non-Exclusive Commercial Solid Waste Collection Services Agreement awarded by the Board of County Commissioners.

(3) For the purposes of this section, Interlocal Agreement Commercial Solid

Waste means commercial solid waste generated in a municipality that has entered into a Solid Waste Management Agreement with Seminole County where the municipality has amended its commercial solid waste franchise(s) to require the disposal of commercial solid waste at the Landfill or Transfer Station.

(4) Any solid waste collected from residences under Seminole County's Residential Solid Waste Collection Service Franchise or a municipality's residential solid waste collection franchise is not eligible for disposal discounts under this section.

(5) Any solid waste collected in a municipality that has not entered into a Solid Waste Management Agreement with the County or has not amended its commercial solid waste franchise to require commercial waste to be disposed of at Seminole County's Landfill or Transfer Station is not eligible for disposal discounts under this section.

(6) Any waste collected outside of Seminole County is not eligible for disposal discounts under this section.

(7) Commercial Franchise Waste Discount. Entities delivering Commercial Franchise Waste to the Landfill or Transfer Station shall receive a $3 per ton credit on its monthly invoice for tipping fees, for each ton of commercial franchise waste delivered each month, when the entity remains in compliance with the terms of its Non-Exclusive Commercial Solid Waste Collection Services Agreement awarded by the Board of County Commissioners.

(8) Interlocal Agreement Commercial Waste Discount. Entities delivering Interlocal Agreement Commercial Solid Waste to the Landfill or Transfer Station shall receive a $3 per ton credit on its monthly invoices for each ton of Interlocal Agreement Commercial Waste delivered each month when such waste is delivered in conformance with a valid municipality's Solid Waste Management Agreement with Seminole County.

(9) To be eligible to receive disposal discounts, entities delivering commercial solid waste to the Landfill and Transfer Station must monthly provide, in a form deemed acceptable by the Solid Waste Management Division, information on the amount of commercial solid waste collected from unincorporated Seminole County, the incorporated municipalities within Seminole County, and from areas outside of Seminole County. The Solid Waste Management Division may modify as needed the information required to assure that accurate data is collected to support application of the disposal discounts.

I. VEHICLE WEIGHT DOCUMENT FEES. The Solid Waste Management Division maintains calibrated truck scales at the Landfill and Transfer Station, as permitted by the Florida Department of Agriculture and Consumer Services. Customers that are not disposing of waste but utilize the truck scales for obtaining vehicle weight, whether loaded or empty, shall be charged a weight documentation fee of $5 per vehicle. The Environmental Services Department Director or designee is authorized to waive the weight documentation fee for government vehicles.

J. NON-SUFFICIENT FUNDS (N.S.F.) FEE. A fee shall be charged for N.S.F. checks as provided by Florida Statutes.

K. CREDIT AND DEBIT CARD FEE. Payments made by credit or debit cards may also incur a convenience fee in accordance with County Code.

L. ADJUSTMENTS. The Environmental Services Department Director or designee is authorized to make adjustments to solid waste disposal customer accounts to correct billing errors. The Environmental Services Department Director or designee is authorized to make adjustments regarding new materials to be disposed and the assessment of appropriate fees.

M. AUTHORITY. Resolution 2003-R-153 adopted September 23, 2003
Resolution 2003-R-169 adopted October 14, 2003
Resolution 2011-R-117 adopted June 14, 2011
Resolution 2011- R-168 adopted September 13, 2011
Resolution 2012-R-107 adopted June 12, 2012

SECTION 20. FEE RESOLUTIONS

20.41 TRAFFIC ENGINEERING FEES

A. PURPOSE. To establish fees and charges for administering the permit applications for certain activities on County roadways systems, including processionals, special events and parades, races and charity walks or runs, oversize or overweight vehicles, and miscellaneous traffic related activities such as Traffic Enforcement Agreements for private roads and Decorative Sign Agreements.

B. DELEGATION. In order to address customer needs in a timely manner, the Board County Commissioners delegate the processing and execution of the application for Processionals, special events and parades to the County Traffic Engineer with the concurrence of Risk Management.

C. WAIVERS.

(1) The County Traffic Engineer is granted authority by the Board of County Commissioners to issue permits pursuant to Seminole County Code Section 250.60 through 250.63 and to waive insurance requirements for low risk events as determined appropriate.

(2) When a waiver of insurance is requested, applications will be individually evaluated to assess the significance of the risk associated with the event based on the criteria established for the permit (permit attached). A determination will then be made to either grant the insurance waiver, deny the insurance waiver, or place on the BCC agenda for approval.

(3) In neighborhoods with established Homeowner Associations, all applicants will have the Homeowner Association's approval and meet insurance requirements. If the applicant is an individual homeowner in a neighborhood without an Homeowner Association, a request for waiver will be considered if the following criteria are met:

(a) The closure does not present a significant risk or adverse impact to traffic operations and movement of emergency vehicles in the area as determined by the Traffic Engineer.

(b) The applicant agrees to adhere to all applicable laws and standards governing the closure.

(c) Risk Management concurs with the waiver.

(d) There are no physical features in or near the subject streets that would cause a hazard in connection with this event.

D. FEES AND CHARGES

(1)	Processionals, Special Events and Parades		$30.00
(2)	Oversize or Overweight Vehicle Permit		
	(a)	Application fee	$50.00
	(b)	Signal Crew (crew of 3) Per Hour	$70.25
	(c)	Signal Crew (crew of 2) Per Hour	$36.30
	(d)	Light truck Per Hour	$30.00
	(e)	Sign Truck Per Hour	$30.00
(3)	Decorative Sign Agreements		$40.00
(4)	Traffic Enforcement Agreements		$40.00

E. AUTHORITY. Resolution 1997-R-128 adopted June 10, 1997
BCC Approved Agenda Memo dated July 27, 1999
Resolution 2006-R-142 adopted June 13, 2006

SECTION 20. FEE RESOLUTIONS

20.45 WATER AND WASTEWATER CONNECTION FEES AND USER CHARGES

A. PURPOSE. To set rates, fees, and other charges for services furnished by the Seminole County Water and Wastewater System ("Systems) that are just and equitable to all classes of consumers served and properties benefited by the Systems, and to reasonably recover the costs of serving the various classes of consumers and properties benefited thereby and to comply with the provisions of the County's Bond Resolutions relating to the Systems' bonded indebtedness including, without limitation, the rate covenant and additional bonds tests set forth therein.

B. DEFINITIONS. For purposes of this Section, the definitions as set forth in Section 270.182, Seminole County Code, are hereby adopted.

C. CONNECTION FEES AND GENERAL CONDITIONS. Connection fees for water and wastewater service are hereby established and based upon the estimated amount of water usage and wastewater flow generated by a building or a development on an average daily basis as computed for a one (1) year period as proposed by the Applicant and agreed to by the Department in accordance with Water and Wastewater Service Capacity Guidelines set forth in Exhibit A, attached hereto and incorporated herein. Connection fees for water and wastewater service shall not be waived for any reason or condition; provided, however, that no connection fees shall be assessed for the construction, alteration or expansion of a private or public school.

D. WATER SERVICE CONNECTION FEES. The water connection fee is a one time charge for water predicated on the costs of pumping, treatment, transmission, plant capacity, and associated capital costs. Water service connection fees shall be computed based upon estimated average daily consumption utilizing capacity factors approved by the Department and outlined in Exhibit A. The minimum amount of purchase shall be one (1) equivalent residential connection (ERC) at the rate set forth in Exhibit B. This is equivalent to the capacity requirements of a single family residence. If water service is to be provided from an entity other than the County, the County may require a fee in addition to the water service connection fees to recoup the actual cost of the service provided by the other entity.

E. WASTEWATER SERVICE CONNECTION FEES. The wastewater service connection fee is a one time charge for wastewater predicated on the costs of collection, treatment, effluent disposal, plant capacity, and associated capital costs. Wastewater connection fees shall be computed based upon estimated average daily flows utilizing capacity factors approved by the Department and outlined in Exhibit A. The minimum amount of purchase shall be one (1) ERC at the rate set forth in Exhibit B. This is equivalent to the capacity requirements of a single family residence. If wastewater service is to be provided from an entity other than the County, the County may require a fee in addition to the wastewater service connection fees to recoup the actual cost of the service provided by the other entity.

F. PAYMENT OF CONNECTION FEES. An Applicant shall apply to the Department to purchase water service, wastewater service or both. Based upon the amount of water service demand, wastewater service demand, or both, estimated by the Applicant and agreed to by the Department, the Department shall allocate water service capacity, wastewater service capacity, or both, and reserve said capacity for the Applicant pursuant to a utility service agreement. Fees as set forth in Exhibit B shall be due and payable at the time a certificate of occupancy is issued. Additional connection fees may be assessed in accordance with the terms and conditions of the Seminole County Water System, Wastewater System, and Reclaimed Water System Rate Ordinance. The Department may authorize a single residential, single family connection fee to be paid over time on a form and pursuant to terms approved by the Director.

G. INDUSTRIAL WASTEWATER DISCHARGE PERMIT FEES. Some industrial users may be required to obtain a permit pursuant to Seminole County Code, Chapter 270, Part 8, Seminole County Wastewater System User Rules ("Industrial Pretreatment"). Such users shall apply for a permit and pay a permit fee according to the schedule set forth in Exhibit B, attached hereto and incorporated herein.

H. WATER SERVICE INSTALLATION CHARGES.

(1) Potable and Non-Potable Service Connections for Residential~~,~~ Single Family Service.

(a) There shall be a charge collected in advance from each Applicant requiring potable or non-potable service connections from the County. The charges shall be for each installation of a service connection (Tap-In) and meter, including backflow preventer, fittings and meter box (Meter Installation) for connection to the County's potable or reclaimed water systems. The charges shall be in addition to the Water Connection Fee and the monthly charges for service.

(b) If the Tap-In has already been installed by an entity other than the County, and subsequently dedicated to and accepted by the County, the Applicant shall be charged the Meter Installation Charge.

(c) If the Applicant performs the Meter Installation for a connection up to and including one inch (1"), the Applicant may purchase the materials from the County at the rates set forth in Exhibit B. For installations greater than one inch (1"), the Applicant shall be billed for the actual cost of the Tap-In and materials, as determined by the County.

(d) For County installed connections requiring a Meter Installation of one inch (1") or less, the charges for installation or connection to the County's potable or non-potable water systems may be increased when any size connection or Meter Installation requires larger than typical service lines, or service connections require the crossing of streets, roads, easements, or highways, or it has been determined by the Department that the cost of installation is extraordinary or not typical in nature. The Applicant shall pay the estimated costs required to perform the installation as determined by the Department. A County installed connection shall be defined as those requests for connection from an Applicant for the purpose of providing water service to

one single residence. The Applicant shall pay or be refunded an amount equal to the difference between the actual cost of the installation and the estimated costs.

(e) For connections requiring an installation of a meter size greater than one inch (1”), the charges for installation or connection to the County Water System shall be based on the estimated costs of materials, labor, and overhead, as determined by the Department. The Applicant requesting the installation and connection shall pay an estimated charge for the connection of service as required by the Applicant and shall be charged or refunded an amount equal to the difference between the actual cost of the installation and the estimated charge. An Applicant may elect to purchase the meter elsewhere if the required meter size exceeds two inches (2”); provided, however, that such meter must be approved by the Department prior to installation. The Applicant shall be responsible for separately purchasing an approved backflow prevention device for pipe diameters larger than one inch (1”).

(f) An Applicant for irrigation meter(s) shall be responsible for the purchase and installation of backflow prevention devices as approved by the Department.

(2) Potable and Non-Potable Connections for Residential~~,~~ Multi-Family, Commercial and Industrial Services.

(a) Each Applicant shall be responsible for the design, permitting, construction, and inspection of the service connection, including, but not limited to, the water main tap, service line, valves, corporation stop, meter, meter box, curb stop, and backflow prevention assembly by a plumber or certified underground utilities contractor and any construction requiring street, road, or highway crossing. Connections to the County’s potable or reclaimed Water Systems or any construction within County easements, property, or rights-of-way shall be performed by properly licensed and qualified individuals or contractors as determined by the County.

(b) A site plan, including details, shall be submitted to the Planning and Development Division of the Economic and Community Development Services Department for approval prior to application for service. The site plan shall include a site location map and show the location of the proposed connection point, the property line, tap size, service line size, meter size, backflow prevention assembly size and type, meter set location, and any other information requested by the Department to facilitate review and approval. The details and materials of construction shall conform to applicable Seminole County Water and Wastewater standards.

(c) Irrigation meters, including reclaimed water irrigation meters, shall be installed by the Applicant at the Applicant’s expense utilizing the criteria set forth in the Seminole County Land Development Code by a plumber or certified underground utilities inspector.

I. METER TESTING. Meter testing shall be performed at the Applicant’s request in accordance with the following guidelines:

(1) Meter Test Request. When an Applicant requests a field test of the water meter requiring a field visit to the Applicant's service location, the County shall apply a charge to defray the cost of testing in accordance with Exhibit B.

(2) The charge shall be retained by the County if the test shows that the meter registers within the acceptable accuracy limits as established by the Department. If the meter is determined by the County to register above the acceptable accuracy limits, the meter test field service charge shall be refunded, an adjustment made to the bill for the proper amount of water consumption, and the meter replaced by the County at no charge to the Applicant.

(3) For a test of meters not performed as a field service visit, the County shall charge for the test based upon actual costs incurred as determined by the Department.

J. ACCOUNT DEPOSITS FOR WATER SERVICE, RECLAIMED WATER SERVICE AND WASTEWATER SERVICE.

(1) An Applicant shall complete an application on a form approved by the Department and pay an initial deposit as set forth in Exhibit B prior to the initiation of water service, reclaimed water service, or wastewater service for each equivalent residential connection to be serviced. Realtors and property managers may elect to pay a blanket deposit as set forth in Exhibit B. Blanket deposits are released upon the request of the Applicant, once all accounts are final and paid in full.

(2) The Department may waive deposit requirements for a Residential, Single Family Applicant when the Applicant provides a letter from the Applicant's previous water, electric, or natural gas provider that the Applicant has not had any violation as described in Section 20.45(J)(3).

(3) Applicants with good payment history accounts for the previous twelve (12) month period shall be entitled to a refund of deposits. For purposes of this Section, a "good payment history" shall be defined as an account with:

(a) no disconnections for non- payment; and

(b) no dishonored payments charged to the account; and

(c) no delinquent payment notices.

(4) Applicants using fire hydrants as a water supply shall complete an application on a form approved by the Department and pay a deposit for utilization of the temporary hydrant meter prior to initiation of services as outlined in Exhibit B.

(5) For any period in which the Applicant maintains an account, the Applicant whose account has been disconnected for non-payment three (3) or more times, or have issued to the Department two (2) or more dishonored payments shall pay an additional deposit as set forth in Exhibit B prior to restoration of service.

K. INITIATION AND SERVICE CHARGES FOR WATER SERVICE, RECLAIMED WATER SERVICE AND WASTEWATER SERVICE.

(1) An Applicant shall be charged a fee to initiate utility service at a new location or to reestablish utility service at an existing location. These charges shall appear on the first bill for utility service. The initiation of service charge shall be in accordance with the schedule of fees shown on Exhibit B.

(2) When service is discontinued by the Department because of non-payment of amounts due, the County shall charge an account reconnection fee to reconnect the discontinued service as set forth in Exhibit B. The charges for the reestablishment of service shall be paid by the Applicant prior to reestablishment of service.

(3) At the request of the Applicant, a turn on or turn off service charge applicable to active accounts shall be charged prior to the initiation or discontinuation of service on a temporary basis. The fees for these services shall be in accordance with Exhibit B.

L. WATER SERVICE CHARGES.

(1) Applicants shall pay a monthly basic water service charge and volumetric service charge based on metered water consumption, if any, for such service as set forth in Exhibit B. In the event of no consumption, the basic water service charge shall be charged. The basic service charge may be prorated for the initial month and final month when the initial and final period are less than a month. The Department may authorize delinquent service charges to be paid over time on a form and pursuant to terms approved by the Director.

(2) Applicants using fire hydrants shall meter the consumption pursuant to County requirements and pay monthly basic service and volume charges as set forth in Exhibit B. A meter and backflow preventer assembly device shall be provided by the County upon application for hydrant service and payment of the temporary hydrant meter deposit. Deposits shall be refunded if the meter and backflow assembly device are returned undamaged and in good condition.

(3) Any unauthorized, unmetered connection to fire hydrants will be subject to an unauthorized connection charge in accordance with Exhibit B.

(4) Applicants with commercial private fire lines shall pay a monthly service charge associated with the cost of providing back-up facilities in the Water System.

(5) Applicants who reserve water service capacity shall pay a monthly basic service charge per ERC for maintenance of infrastructure within the development for which capacity is reserved. Such charge shall be assessed for each remaining unit or ERC which has not yet been issued a building permit within twenty-four (24) months from the date infrastructure is accepted by the Department.

(6) Wholesale water fees shall be based upon metered consumption and the wholesale water rate in accordance with Exhibit B.

(7) In the event the County adopts a resolution pursuant to Part 5, Chapter 270, Seminole County Code or its successor, declaring a water shortage by the St. Johns River Water Management District or regulating water supplies or conservation programs as deemed necessary, a surcharge as set forth in Exhibit B shall apply to the schedule of water service charges for residential, single family units. Accordingly, multi-family units, apartments, condominiums, motels, hotels, and any and all other dwelling units, and commercial users shall be charged a surcharge by the County pursuant to Exhibit B for consumption over ten thousand (10,000) gallons per month or any faction thereof.

M. WASTEWATER SERVICE CHARGES.

(1) Applicants shall pay a monthly wastewater basic service charge and volumetric service charge based upon metered water consumption, if any, for such services as set forth in Exhibit B. In the event of no consumption, the basic wastewater service charge shall be charged. Volumetric service charges shall not be assessed for residential, single family units for metered water consumption in excess of fifteen thousand (15,000) gallons per month. The basic service charge may be prorated for the initial month and final month when the initial and final period are less than a month. The Department may authorize delinquent service charges to be paid over time on a form and pursuant to terms approved by the Director.

(2) Applicants who reserve wastewater service capacity shall pay a monthly basic service charge per ERC for maintenance of infrastructure within the development for which capacity is reserved. Such charges shall be assessed for each remaining unit or ERC which has not been issued a building permit within twenty-four (24) months from the date that infrastructure is accepted by the Department.

(3) Wholesale wastewater treatment shall be based on metered wastewater flow and the wholesale wastewater rate in accordance with Exhibit B.

(4) Surcharge for High Strength Wastewater. A surcharge shall be charged for disposal of wastewater with an abnormally high biochemical oxygen demand (BOD), total suspended solids (TSS), or other parameters as established by the Industrial Pretreatment Ordinance in accordance with Exhibit B.

N. RECLAIMED WATER CHARGES. Applicants shall pay a monthly basic reclaimed water service charge in addition to a volumetric rate based on metered reclaimed water consumption for such service as set forth in Exhibit B. The Department may authorize delinquent service charges to be paid over time on a form and pursuant to terms approved by the Director.

O. RECONNECTION CHARGES.

(1) If any portion of a bill for water service, wastewater service, reclaimed water service, or any deposits or other charges remain unpaid by the next billing date, service shall be disconnected by the Department and the Applicant whose bill is past due shall not have service reconnected until all past due charges and deposits are paid including applicable account reconnection fees as set forth in Exhibit B.

(2) If an Applicant tenders payment on an account with a dishonored payment, the Department shall consider the payment void, the previous balance reinstated, and charge a fee in accordance with Exhibit B in addition to reconnection charges.

P. INDUSTRIAL PRETREATMENT FINES AND PENALTIES. Industrial users in violation of the Industrial Pretreatment Ordinance shall be subject to fines or penalties as set forth in Exhibit B.

Q. UNAUTHORIZED METER TURN ON CHARGE. Applicants who restore, without Department authorization, water service previously discontinued by the County shall pay a fee in accordance with Exhibit B. Service shall be disconnected until all outstanding fees and charges are paid to the County. On the third unauthorized meter turn on, the meter will be removed. In addition to all outstanding fees and charges, a material and installation charge in accordance with Exhibit B must be paid prior to the reinstallation of the meter and services being reestablished.

R. UNAUTHORIZED CONNECTION CHARGE. Applicants who connect into the County's water mains, wastewater collection mains, or reclaimed water mains without Department authorization shall pay a in accordance with Exhibit B. Service shall be disconnected until the service tap, water mains, wastewater collections mains, or reclaimed water mains are deemed acceptable by the Department.

S. OTHER REIMBURSABLE EXPENSES. In cases where Applicants request County utility personnel to perform specific utility services not the obligation of the County to perform, a fee based on actual time and materials shall be charged to recover those costs incurred by the County in performing such services. Fees for specific services are reflected in Exhibit B.

T. DISHONORED PAYMENTS. The Department shall charge a dishonored check fee for the collection of a dishonored check, draft, or other order for payment of money to the County for water, wastewater, or reclaimed water service.

U. AUTHORITY. Approved by the BCC April 14, 1992
Resolution 2004-R-116 adopted June 8, 2004
Resolution 2006-R-73 adopted March 28, 2006
Resolution 2006-R-260 adopted December 12, 2006
Resolution 2007-R-199 adopted November 13, 2007
Resolution 2008-R-251 adopted November 18, 2008
Resolution 2009-R-14 adopted January 13, 2009
Resolution 2009-R-235 adopted November 10, 2009
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2013-R-108 adopted March 26, 2013
Resolution 2013-R-147 adopted June 11, 2013
Resolution 2013-R-27 adopted January 28, 2014
Resolution 2014-R-161 adopted August 26, 2014
Resolution 2015-R-108 adopted June 23, 2015
Resolution 2015-R-158 adopted September 22, 2015

EXHIBIT A

SEMINOLE COUNTY WATER AND WASTEWATER SERVICE CAPACITY GUIDELINES

A. Water Meter Sizes and ERC Factor

Meter Sizes	ERC Factor
3/4”	1
1”	3
1 1/2"	5
2”	8
3”	17
4”	30
6”	63
8”	80

Single family residences that require a meter size greater than 3/4” to maintain proper water pressure shall be assessed one (1) ERC. The monthly basic service charge for water and wastewater service shall be charged as a single family structure and one (1) unit or ERC.

B. Capacity Factors

Establishment	**Unit**	**Water gpd**	**Wastewater gpd**
Residential			
Single Family	Dwelling Unit	350	300
Multi-Family (1-2 bedrooms)	Dwelling Unit	275	250
Multi-Family (3+ bedrooms)	Dwelling Unit	335	300
Mobile Homes (1-2 bedrooms)	Dwelling Unit	275	250
Mobile Homes (3+ bedrooms)	Dwelling Unit	335	300

Note: The above water consumption on multi-family units includes installation of irrigation meters. Multi-family units without irrigation meters will be assessed a higher usage to be determined by the Department Director.

Animal Kennels			
	Per kennel/cage	20	20
Church			
	Per seat	3	3
Commercial			
Barber Shop/Beauty Salons (including pedicure stations)	Per Operating Station	75	75
Bowling Alley	Per Lane	100	100

Establishment	Unit	Water gpd	Wastewater gpd
Doctor and Dentist Offices			
	Per Practitioner	250	250
	Add: Per Employee	15	15
Food Services			
Restaurant/Cafeteria	Per Seat	30	30
Restaurant (24 hour)	Per Seat	50	50
Restaurant (Fast Food)	Per Seat	25	25
Bar/Cocktail Lounge	Per Seat	30	30
Industrial Building			
(with showers)	Per employee	25	25
(without showers)	Per employee	15	15
Hospital			
	Per Bed	200	200
Hotel/Motel			
(without food services)	Per Bed	100	100
Laundry			
Self service	Per Machine	400	400
Nursing Home			
	Per bed	100	100
Office Buildings/Shopping Centers			
(without food service)	Per Sq. Ft.	0.1	0.1
Schools			
Day Type	Per Student	15	15
Boarding	Per Student	75	75
Service Station			
	Per Bay	300	300
	Per Wash Bay	960	960
	Per Toilet Room	300	300

Establishment	Unit	Water gpd	Wastewater gpd
Stores			
	Per square foot	0.1	0.1
Theater			
	Per Seat	5	5
Trailer Park (overnight)			
(with water/wastewater hook-up)	Per space	75	75
(without water/wastewater hook-up)	Per space	50	50
Warehouse			
	Per square foot	0.04	0.04

EXHIBIT B

SEMINOLE COUNTY WATER AND WASTEWATER SERVICE CHARGES

I. Schedule of Connection Fees

(A)	Water Service Connection Fee	$3.01 per gallon
(B)	Wastewater Service Connection Fee	$7.43 per gallon

II. Schedule of Potable Water Service Charges

(A) (1) Basic Service Charges

Single Family	$12.51 per unit or ERC
Commercial	12.51 per unit or ERC
Irrigation	12.51 per unit or ERC
Multi-Family (Master Metered)	9.82 per unit or ERC

(2) Volumetric-Single Family, Commercial (to be applied on a per ERC basis), Multi-Family (gallons)

0 – 10,000	$1.06 per 1,000 gallons
10,001 – 15,000	1.75 per 1,000 gallons
15,001 – 20,000	3.17 per 1,000 gallons
20,001 – 30,000	5.12 per 1,000 gallons
30,001 – 50,000	7.35 per 1,000 gallons
50,000 – over	9.96 per 1,000 gallons

(3) Volumetric – Irrigation (gallons)

0 – 10,000	$1.75 per 1,000 gallons
10,001 – 20,000	3.17 per 1,000 gallons
20,001 – 30,000	5.12 per 1,000 gallons
30,001 – 50,000	7.35 per 1,000 gallons
50,000 – over	9.96 per 1,000 gallons

(B) Fire Hydrants

Basic Service Charge	$77.70 per month
Volumetric (gallons)	1.70 per 1,000 gallons

(C)	Commercial Private Fire Lines	$5.40 per month

(D) Reserved Water Capacity

Monthly Basic Service Charge	$12.51/ERC per month

(E)	Wholesale Water	$1.70/1,000 gallons

(F) Water Shortage Surcharge

Consumption (gallons)	Surcharge
10,001 – 15,000	$1.75 per 1,000 gallons
15,001 – 20,000	3.17 per 1,000 gallons
20,001 – 30,000	5.12 per 1,000 gallons
30,001 – 50,000	7.35 per 1,000 gallons
50,000 – over	9.96 per 1,000 gallons

Potable water service charges will be increased each October 1, as follows:

10/1/2015	3%
10/1/2016	3%
10/1/2017	3%
10/1/2018	3%
10/1/2019	3%

III. Schedule of Wastewater Service Charges

(A) (1) Basic Service Charge

Single Family	$19.89 per unit or ERC
Commercial	19.89 per unit or ERC
Multi-Family (master metered)	16.89 per unit or ERC
Multi-Family (not master metered)	19.89 per unit or ERC

(2) Volumetric $4.52 per 1,000 gallons

(B) Reserved Wastewater Capacity

Monthly Basic Service Charge $19.89/ERC per month

(C) Wholesale Wastewater $4.13 per 1,000 gallons

(D) Out of County Industrial Wastewater $20.00 per 1,000 gallons

(E) Surcharge for High Strength Wastewater

Group A	$0.94 per 1,000 gallons
Group B	0.73 per 1,000 gallons

Wastewater service charges will be increased each October 1, as follows:

10/1/2015	3%
10/1/2016	3%
10/1/2017	3%
10/1/2018	3%
10/1/2019	3%

IV. Schedule of Reclaimed Water Charges

(A) Basic Reclaimed Water Service/Availability Charge

Single Family	$5.52 per month

(B) Volumetric – Single Family

0 – 10,000	$0.70 per 1,000 gallons
10,001 – 20,000	$1.16 per 1,000 gallons
20,001 – 30,000	$1.91 per 1,000 gallons
30,001 – 50,000	$3.15 per 1,000 gallons
50,000 – over	$4.26 per 1,000 gallons

(C) Volumetric – Commercial/Other $0.70 per 1,000 gallons

Reclaimed water service charges will be increased each October 1, as follows:

10/1/2015	3%
10/1/2016	3%
10/1/2017	3%
10/1/2018	3%
10/1/2019	3%

V. Miscellaneous Service Charges

(A) Initiate Service

Connection to Service	$30.00

(B) Delinquent Account Reconnection Fee

Regular Business Hours	$60.00
Non-Business Hours	$90.00
Wastewater Only	$75.00

(C) Turn On/Turn Off for Customer Convenience

Regular Business Hours	
Turn On Only	$30.00
Turn Off Only	$30.00
Non-Business Hours	
Turn On Only	$60.00
Turn Off Only	$60.00

(D) Turn On/Turn Off for Delinquent Backflow Test $30.00

(E) AMR Consumption Report $30.00

(F) Irrigation Consultation No Show $35.00

(G) Water Service Installation Charges

Meter Size	Tap in Charge	Materials Charge	Materials and Installation Charge
3/4"	$370.00	$308.00	$353.00
1”	$425.00	$396.00	$441.00
1 1/2"	Actual Charge	Actual Charge	Actual Charge
2”	Actual Charge	Actual Charge	Actual Charge
3”	Actual Charge	Actual Charge	Actual Charge
3” Compound	Actual Charge	Actual Charge	Actual Charge
4” Compound	Actual Charge	Actual Charge	Actual Charge

(H) Industrial Wastewater Discharge Permit (IWDP) Fees

	Charge	Duration
IWDP Fee	$250.00/year	not to exceed five (5) years
Temporary IWDP Fee	$200.00	less than one (1) year

(I) Food Service Establishment Fee $ 10.00 per month

(J) Account Deposits

Services	Residential, Single Family	All Other
Water Service	$45.00	Based on Meter Size ERC
Wastewater Service	$60.00	Based on Meter Size ERC
Irrigation Service	$45.00	Based on Meter Size ERC
Reclaimed Water Service	$45.00	Based on Meter Size ERC
Temporary Fire Hydrant Service		$1,890.00
Blanket Deposit		$250.00

For accounts disconnected pursuant to Section 20.45.J(5), an additional deposit shall be charged:

Services	Residential, Single Family	All Other
Water Service	$45.00	Based on Meter Size ERC
Wastewater Service	$60.00	Based on Meter Size ERC
Irrigation Service	$45.00	Based on Meter Size ERC
Reclaimed Water Service	$45.00	Based on Meter Size ERC

(K) Field Test of Meter $30.00

Field Test/Maintenance of Customer’s Backflow Prevention Assembly

Delinquent	Actual Cost
Non-Delinquent	Actual Cost

(L) Dishonored Payment Charges – The amount of the fee shall not exceed the greater of:

(1) Twenty-five dollars ($25.00), if the face value does not exceed $50.00;
(2) Thirty dollars ($30.00), if the face value is more than $50 but does not exceed $300.00;
(3) Forty dollars (40.00), if the face value is more than $300.00; or
(4) Five percent (5%) of the face value of the check, draft or other payment order.

(M) Unauthorized Meter Turn-On Charge $60.00

(N) Unauthorized Connection Charge $500.00

(O) Fines or Penalties for Violation of Industrial Pretreatment Ordinance (for Maximum Concentration or Mass Limits other than pH)

Industrial users violating the prohibited discharge limits or any provision of the Industrial Pretreatment Ordinance shall be subject to the following penalties:

Penalties for violation of Section 270.364 of the Industrial Pretreatment Ordinance:

Penalty Level	Violation Level	Penalty Amount Per Violation
1	Violation less than or equal to the limit	$0
2	Violation greater than the limit but less than two (2) times the limit	$0-$100.00
3	Violation equal to or greater than two (2) times the limit but less than three (3) times the limit	$101.00-$200.00
4	Violation equal to or greater than three (3) times the limit but less than four (4) times the limit	$201.00-$300.00
5	Violation equal to or greater than four (4) times the limit but less than five (5) times the limit	$301.00-$400.00

6	Violation equal to or greater than five (5) times the limit	$401.00-$1,000.00
Penalties for Violation of pH limits		$50.00-$100.00

(P) Penalties for Violation of Section 270.365 of the Industrial Pretreatment Ordinance: $100.00 per day

(Q) Other Industrial Pretreatment Fees

(1) Demand Monitoring and Sampling

(a)	Grab Sample	$ 75.00
(b)	Composite Sample	$150.00

(2) Non-Compliance Surveillance and Inspection of Industrial Users $ 30.00 per hour

(3) Compliance Monitoring and Sampling of Industrial Users

(a)	Grab Sample	$ 50.00
(b)	Composite Sample	$100.00

(4) Administrative Costs Resulting From Violation of the Industrial Pretreatment Ordinance $ 30.00 per hour

(5) Compliance/Non-Compliance Lab Analysis Actual Cost

(R) Industrial Pretreatment Surcharges

Users discharging to the Publicly Owned Treatment Works in excess of established limits for pollutants according to Section 270.364 of the Industrial Pretreatment Ordinance shall be subject to the following surcharges:

Table of Surcharge

Level	Violation Level	Fine per Violation
1	Violation greater than the limit but less than twice the limit	$0-$100.00
2	Violation equal to or greater than twice the limit but less than three (3) times the limit	$101.00-$200.00
3	Violation equal to or greater than three (3) times the limit	$201.00-$300.00

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.5 FINANCIAL POLICIES.

A. PURPOSE. The Financial Policies were established to facilitate management actions on financial decisions, as well as to assist readers in understanding County finances. These policy statements apply to County funds in general. Federal, State and local laws, regulations and standards and specific financial policies may supersede these statements. The benefits derived from consolidated financial policies include:

(1) The availability of a concise reference guide for consideration in decisions associated with County financial matters.

(2) Re-direction of the financial focus to the over-all financial condition of the County rather than to a narrow focus on single issues.

(3) Communication of a commitment to sound financial management and fiscal integrity, and strengthening credibility and confidence aspects for citizens, investors and rating agencies.

(4) Demonstration of compliance with applicable Florida statutory requirements.

The Financial Policies are grouped into the following categories:

- Budget
- Revenue
- Expenditure
- Reserves
- Debt
- Capital Improvement
- Capitalization
- Intradepartmental Transfers
- Fund Balances

B. BUDGET.

(1) Balanced Budget. The County's annual budget shall be balanced; that is, total estimated receipts, including balances brought forward, shall equal total appropriations and reserves (Florida Statutes 129.01(2)(b)).

(2) Budget Adoption. The Board of County Commissioners shall adopt the County’s annual budget at a fund level.

(3) Estimates of Receipts. Estimated receipts shall include 95% of all receipts reasonably anticipated from all sources, including taxes to be levied, and 100% of balance to be brought forward at the beginning of the fiscal year (Florida Statutes, 129.01(2)(b) and 200.065(2)(a)).

(4) Contingencies. A reserve for contingencies will be budgeted in operating and capital funds, amounts not to exceed 10% of the total budget, for reallocation by the Board of County Commissioners as needed to fund unforeseen needs during the budget year (Florida Statutes, 129.01(2(c)(1)).

(5) Reserve for Cash Carry Forward. A reserve for cash forward will be budgeted in any fund which requires monies to be carried forward into the budget year to support operations until sufficient current revenues are received. This reserve will not exceed 20% of the budget (Florida Statutes, 129.01(2)(c)(2)).

(6) New Positions. Submission of partial year funding requests for new permanent full time positions is prohibited unless specifically authorized by the Board of County Commissioners as a special or emergency need.

(7) Emergency Budget.

(a) In order to be fiscally prepared for all emergencies (either economic, natural disaster, or act of war), a budgetary procedure shall be in place to deal with emergency situations.

(b) Upon adoption of the annual budget, all Directors, in cooperation with the Resource Management Department, shall develop a plan to decrease overall expenditures for that fiscal year by 5% not later than December 1.

(c) The Resource Management Department Director shall review items to be decreased for overall operational impact and legal authority.

(d) A summary report identifying emergency budget decreases shall be prepared by the Resource Management Department outlining items and financial savings and submitted to the County Manager by January 1.

(e) The County Manager shall monitor economic trends.

(f) The County Manager shall monitor the emergency situation and provide the Board of County Commissioners (BCC) daily, weekly, or monthly updates, depending on the type of emergency, in order to provide the BCC with timely financial information.

(g) The County Manager shall report emergency situations to the BCC as soon as possible and all Department Directors notified as soon thereafter as possible.

(h) If an emergency budget is needed, based on the type or level of emergency, the County Manager shall notify the BCC of the impending emergency and request authorization to implement an emergency budget.

(i) The BCC shall authorize a change from emergency budget status to adopted budget status.

C. REVENUE.

(1) General Revenue.

(a) Generally, the County reviews estimated revenue and fee schedules as part of the budget process. Estimated revenue is conservatively projected (at 95% of estimate) for five (5) years and is updated annually. Proposed rate increases are based upon the following:

(i) Fee policies applicable to each fund or activity;

(ii) The related cost of the service provided;

(iii) The impact of inflation in the provision of services;

(iv) Equity of comparable fees.

(b) The revenue policy of Seminole County includes these informal policies, along with requirements for maintaining a diversified and stable revenue system to shelter the County from short-run fluctuations in any one revenue source.

(2) Revenue Summaries. As part of the annual budget process, a consolidated summary of revenue sources will be prepared and incorporated into the County's budget documents.

(3) Ad Valorem Taxes. The use of ad valorem tax revenues will be generally limited to the following funds:

(a) General

(b) Transportation Trust

(c) Fire

(d) Environmentally Sensitive Lands

(e) Debt Service

(f) Trails Construction Debt Service

(g) Stormwater Management

(4) Gas Taxes. The use of gas tax revenues will be generally limited to the following funds:

(a) Transportation Trust

(b) Mass Transit

(c) Local Option Gas Tax Refunding Bond Series 1993 Debt Service

(d) Road Bonds Series 1992 A Debt Service

(e) Road Bonds Series 1992 B Debt Service

(5) Sales Taxes. The use of state shared sales tax revenues will be generally limited to the following uses:

(a) General

(b) Capital Improvements

(c) Debt Service

(d) Infrastructure Improvement

(6) Impact Fees.

(a) Seminole County shall require development activity to pay fair share fees for new capital equipment and facilities or expansion of existing equipment and facilities. Fees shall not exceed a pro rata share of the reasonably anticipated costs of such improvements.

(b) Impact fees have been implemented for roads, libraries, fire/rescue, and water & sewer.

(7) Utility/Telecommunications Taxes. Utility and telecommunications taxes are levied on purchases of utilities and telecommunications services. It provides additional revenue necessary to maintain adopted levels of service for unincorporated transportation facilities, Fire/Rescue, Stormwater, and Seminole Government Television.

(8) Tourist Development Tax. Use of tourist development tax revenues will be generally limited to the Tourism Development Fund and Tourist Development Tax Debt Service Fund.

(9) Grants. Only such grants as can reasonably be expected to be received will be considered as revenue sources for budget development purposes. The County shall amend its budget to reflect additional grants received during the budget year.

(10) Restricted Revenues – Bonds. Revenues which have been pledged to bondholders will be restricted and shall conform in every respect to bond covenants.

(11) Countywide Revenues. Revenues collected on a countywide basis will be allocated only to funds which provide Countywide services.

(12) User Fees. User fees, where appropriate, should be established to offset the cost of providing specific services, and will be reviewed annually.

(13) Private Contributions.

(a) The County provides many services to its residents that enhance the "quality of life" in our County.

(b) To the extent possible, efforts should be made to secure private contributions, whether in the form of volunteer services, equipment, or cash contributions. This is particularly important in helping defray the taxpayer burden of

providing programs and activities that may be considered primarily "quality of life" in nature, such as various community services, cultural and recreational activities.

D. EXPENDITURES

(1) Community Service Agencies.

(a) As part of its annual budget process, the County sets aside an amount of funding to be granted to various community agencies that provide valuable services to the County's residents.

(b) Because of increasing demands on the County's limited resources, the Board of County Commissioners determines a total maximum to be allocated. In the event that a grant recipient requests additional County funding, such a request will be considered independent of the allocation process.

(2) Grant Supported County Programs.

(a) Seminole County supports a variety of programs that depend on additional grants for partial funding. If reductions occur in such grant funding amounts, program service levels will be streamlined or reduced. Additional County support will not be provided to compensate for the reduction in outside funding.

(b) Full recovery of annual and sick leave for employees working under a grant shall be undertaken.

(3) Performance Measures.

(a) The County will develop "performance measures" for each of its departments in order to assure that maximum productivity is being achieved.

(b) Where performance measures demonstrate that activities could more cost-effectively be provided by outsiders, contracting out of such activities will be considered.

(c) Performance measures will also provide management with criteria to use in evaluating departmental requests for increased funding levels.

(4) Categorization of Services. The County will segregate its budget into two distinct categories in order to set priorities for allocating available money. Categories are as follows:

(a) Basic Services. Services that are best performed at the County level and are associated with protecting the health and safety of citizens. Legally mandated services or commitments are also included in this category. Budgetarily, funding represents maintaining current service levels.

(b) Service Enhancements. An improvement and/or enhancement to the programmatic service level.

E. RESERVES. A formally adopted reserve policy is an important factor in maintaining the fiscal health of Seminole County. There are three primary types of reserves:

- Fund Balances/Operating Reserves
- Capital Reserves
- Debt Reserves

The degree of need for these reserves differs based on type of fund or operation involved. However, one policy statement for each type of reserve can be uniformly applied to most funds (excluding enterprise funds, which are subject to various regulatory requirements). Board approval is required to move funds from reserve accounts into expenditure line items.

(1) Fund Balances/Operating Reserves. It is the County's policy to establish and maintain target balance ranges for individual operating funds of the County to mitigate current or future financial risks, ensure stable tax rates and to facilitate responses to emergency situations. The County's Fund Balance Policy is detailed separately in Section 22.5 J. hereof.

(2) Capital Reserves. Capital reserves are established primarily to set aside funds to provide for additional future projects, renewal and replacement of fixed assets or additions to existing budgeted projects, which may be deemed appropriate for funding after the annual budget is adopted. Certain capital reserve account balances are established by bond indenture in connection with bond financed enterprise operations and capital financing.

(3) Debt Reserves.

(a) Debt reserves are established to protect bondholders from payment defaults. Adequate debt reserves are essential in maintaining good bond ratings and the marketability of bonds.

(b) The amount of debt reserves and investment requirements are established by bond indenture in association with each bond issuance.

F. DEBT. It is the County's policy to use competitive bidding; however, under the conditions described in Subsection (2)(c) hereof, the County may utilize a negotiated sale process for debt issued by the County. The complexity of the debt issuance process varies depending on the type of financing requiring the County to employ qualified consultants (bond counsel, financial advisors, independent accountants, etc.) to assist the County in obtaining the most cost effective financing. County staff and consultants should adhere to the following guidelines in structuring each debt issuance.

(1) Method of Financing. The County will use a "pay as you go" policy unless internal funding is not sufficient to meet capital needs or future citizens will realize a significant portion of the benefit of a project.

(2) Financing Parameters (Guidelines).

(a) Projects will not be financed for greater than the useful life of the improvement.

(b) Whenever economically feasible, the County will use revenue, special assessment or other self-supporting bonds instead of general obligation bonds.

(c) The County may pursue a negotiated sale if one or more of the following conditions exists:

(i) Unstable market conditions that require flexibility in pricing or precise timing which would not be expected through a competitive sale.

(ii) Concerns regarding credit quality and availability of credit enhancements.

(iii) Security for repayment is new, unproven, or may be perceived as unreliable by the market.

(iv) Innovative or unusual structuring techniques are advantageous.

(v) Changes or anticipated changes in laws or regulations would make prompt sale of bonds desirable.

(d) Credit enhancement will be utilized when necessary to lower total borrowing costs.

(e) The County will competitively bid investment of escrow funds for advance refundings if it is expected that bids will result in lower costs and the required securities are available in the market.

(3) Debt Issuance Plans. The County will include debt issuance plans in its long-term capital plan.

G. CAPITAL IMPROVEMENT.

(1) Five-Year Program.

(a) The County will develop a five-year Capital Improvements Program as part of each year's annual budget process, and will make all capital improvements in accordance with the adopted annual County budget.

(b) The County will identify the estimated costs and potential funding sources for each capital project before it is submitted to the Board of County Commissioners as a component of the five-year program.

(2) Operating Costs. Costs of operating and maintaining all proposed projects will be identified and incorporated in five-year financial projections.

(3) Capital Financing. The County Manager will determine and recommend to the Board of County Commissioners the least costly financing method for all capital projects.

(4) Renewal and Replacement.

(a) The County shall develop and implement a program for identifying, scheduling and budgeting renewal and replacement of capital facilities.

(b) These policy statements apply to County funds in general. Federal, State and local laws, regulations and standards and specific financial policies may supersede these statements.

H. CAPITALIZATION. The reporting model (Government Account Standards Board Statement No. 34 (GASB 34)) is for both capitalization and depreciation of the government's general assets such as buildings, equipment, roads, bridges and traffic systems, etc.

(1) Depreciation Reporting

(a) Record depreciation of capital assets valuing $5,000.00 or more. This will exclude recorded depreciation of assets less than $5,000.00 of value. Items currently not depreciated at all would still be budgeted and accounted for as capital items. All capital equipment will continue to be inventoried even if an item's purchase cost was less than $5,000.00.

(b) Use the "Modified Approach" for certain infrastructure reporting subject to staff evaluation. This approach eliminates the need to record depreciation expenses for certain types of infrastructure such as roads. County must demonstrate that the infrastructures asset has been maintained at or above a condition level established by government. County must disclose estimates of the amount needed to maintain or preserve the asset at the level established as well as the actual expense. Users of the financial statements should assess the government's long-term commitment to maintaining infrastructure assets.

I. BUDGET EXECUTION AND AMENDMENT. The County budget process is complex, yet must be flexible enough to meet the changing needs of department operations to facilitate uninterrupted service delivery throughout the fiscal year. The purpose of this policy is to formalize the County's level of budgetary control, and to provide for the administrative realignment of funds to best accommodate unanticipated needs without negatively impacting service to the public. This policy provides budgetary guidelines, covering amendments to meet ongoing operational needs within the framework of applicable Florida Statutes and local requirements.

(1) Definitions.

(a) Budget Amendment - Modification of the originally adopted budget either through formal action of the Board or through delegated authority by the Board.

(b) Business Unit – A budgetary and financial system cost center internally established to monitor and track costs related to a specific program or service.

(c) Family of Projects – A group of child projects belonging to the same parent, where the child projects represent the established work program approved by the Board.

(d) Fund – Fiscal and accounting entity with a self-balancing set of accounts recording cash and other financial resources, together with all related liabilities and residual equities or balances, and changes therein, that are segregated for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations. The fund is maintained on both a budgetary and accounting basis. The fund level is used for Financial Statement Reporting purposes.

(e) Interfund Transfer – A transfer of financial resources from one fund to another fund as a form of subsidy, without a requirement for repayment. A non-exchange transaction that does not constitute revenue of the receiving fund or an expenditure of the paying fund.

(f) Internal Charges – An Object Classification established to provide for transfers required to facilitate proper accounting of direct and indirect internal service charges and fees across the agency.

(g) Intrafund Transfer – A transfer of financial resources between subfunds which are aggregated into a single reporting unit (fund) for financial reporting purposes.

(h) Intra-departmental – A transfer of financial appropriations between divisions/business units within the same fund or sub-fund under the same department.

(i) Object Classification - Identifies the article purchased or the service obtained, rather than the purpose for which the article or service was purchased or obtained. Established by the State of Florida, Department of Financial Services' Uniform Account System are the following Object Classifications:

(i) Personal Services

(ii) Operating Expenditures/Expenses

(iii) Internal Charges

(iv) Capital Outlay

(v) Debt Service

(vi) Grants and Aids

(vii) Other Uses

(j) Operations – Departmental budget appropriations, excluding project appropriations.

(k) Project – A budgetary and financial system identifier assigned internally to monitor and track costs associated with capital outlay and operating projects.

(l) Project Contingency – Appropriation of funds to a project for the purpose of covering additional appropriation requirements for approved capital outlay projects within a specific capital fund/sub-fund. Expenditures may not be charged directly to the contingency.

(m) Subfund – Subdivision of a fund on a budgetary and accounting basis, used to segregate specific funding for managerial and compliance tracking purposes. Combined to main Fund for Financial Statement Reporting purposes.

(n) Sub-Object Classification – Subdivision in an expenditure object classification as established by the State of Florida, Department of Financial Services' Uniform Account System (e.g., *professional services* is a sub-object classification within the *Operating Expenditures/Expenses* object classification.

(2) Level of Budgetary Control – The Board annually adopts the budget by resolution for all funds/subfunds of the County, exclusive of some Agency Funds. Budgetary authority is legally maintained at the fund level; however, managerial controls are maintained at each level of appropriation.

(a) System Control - Encumbrances/expenditures are checked against budget at two levels:

(i) Operations Level – Encumbrances/expenditures are subject to budgetary control by Object Classification at the business unit level, excluding budgetary amounts tied to specific projects.

(1) Amendment to the budget is only necessary when expenditures are anticipated to exceed the total budget for the Object Classification Level within a business unit. Individual sub-object account lines may run negative as long as the total Object Classification Level budget is sufficient to cover expenditures.

(2) The County Manager or designee may, as deemed necessary from time to time, designate through written directive a specific sub-object(s) to be temporarily restricted.

(ii) Project Level - Encumbrances/expenditures are subject to budgetary control at the Project Level for the cumulative project budget across object classifications within a business unit, unless otherwise provided.

(1) Amendment to the budget is only necessary when expenditures are anticipated to exceed the total budget for the project within a business unit. Individual Project/sub-objects may run negative as long as the total project budget is sufficient to cover expenditures.

(2) When a "Family of Projects" is identified the combined total of the family is considered the Project Level. Consequently, individual

(child) project budgets are combined for purposes of assessing budget control. Individual projects within the same Family may run negative as long as the total Family budget is sufficient to cover expenditures for all projects within the Family.

(b) Year-End Encumbrances – As the County intends to honor all outstanding commitments related to projects that cross fiscal years, the balance of encumbrances related to projects will be reappropriated in the subsequent year's budget ensuring resources are available to honor these commitments.

(3) Approval Authority for Budget Amendment

(a) Board - Formal action of the Board is required to amend the original budget for recognition of the following:

(i) Unanticipated excess or deficiency in the amount of originally anticipated revenue.

(ii) Unanticipated revenue from an unanticipated source received for a particular purpose.

(iii) Increased receipts for proprietary funds received for a particular purpose.

(iv) Allocation from fund reserves to increase funding for an existing need or to create an appropriation for an additional need.

(v) Substitutions or purchases of capital equipment not anticipated within the adopted budget.

(vi) Additions of permanent staffing positions.

(vii) Modification of intrafund or interfund transfers.

(viii) Transfer of appropriations that substantially alter or amend a Department's or Division's Board approved work plan.

(ix) Transfer of appropriations for expenditure from one department to another.

(x) All other amendments to the budget not specifically addressed in this policy.

(b) County Manager – The Board empowers the County Manager or designee, as designated Budget Officer, to authorize intra-departmental budget amendments for the following:

(i) Transfers of non-project appropriations within a fund or subfund and within a department or division that do not alter or amend a Department's or Division's Board approved work plan.

(ii) Transfers of appropriations among subfunds/business units and object classifications established to facilitate compliance with a specific grant funding agreement.

(iii) Transfers among sub-objects within a project within a fund or subfund or among a Family of Projects, when deemed necessary as a management tool.

(iv) Transfers from Project Contingency to provide additional funds required for a deficient capital outlay project.

(v) Transfers to Project Contingency from a capital outlay project upon completion of the unexpended budget.

(vi) Transfers required for the sole purpose of proper accounting treatment of the item, which do not modify the original budgetary intent.

(4) Execution

(a) It is the responsibility of the Resource Management Department, under the direction of the County Manager, to interpret and implement this policy.

(b) Reporting will be made to the Board on a regular basis of all budget amendments approved under the administrative authority granted and of budgetary performance and status throughout the fiscal year.

(c) Department Directors are responsible for monitoring their operating and capital outlay budgets to ensure proper fiscal management within appropriated resources.

(d) The County Manager may require any item within the administrative authority granted to obtain specific approval from the Board.

J. FUND BALANCES.

To establish a target unreserved/undesignated fund balance level for individual operating funds of the County. This policy is intended to assist the County in maintaining an adequate level of fund balance to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, and to respond to emergency situations. Adequate reserve levels are a necessary component of the County's overall financial management strategy; as well as a key factor in external agencies' measurement of the County's financial strength.

(1) Definitions.

(a) Fund Balance - fund balance means the difference between fund assets and fund liabilities. Fund balance is also referred to as net assets.

(b) Reserved Fund Balance - reserved fund balance is the portion of fund balance that is legally restricted and is not available for appropriation or expenditure.

(c) Unreserved Fund Balance - unreserved fund balance represents expendable available financial resources.

(d) Designated Fund Balance - designated fund balance is that portion of unreserved fund balance that reflects the County's self-imposed limitations on the use of otherwise available expendable financial resources.

(e) Undesignated Fund Balance - undesignated fund balance is that portion of unreserved fund balance that represents available financial resources which have not been obligated to a specific purpose.

(2) Unreserved/undesignated Fund Balance Level

(a) Unreserved/undesignated fund balance ranges are established for individual County funds whose operating expenditures are for tax-supported services. The range set for each fund is based on the predictability of revenues, volatility of expenditures, and liquidity requirements. Established levels should be reviewed on an annual basis to ensure sufficiency.

(b) In calculating the ratio of the unreserved/undesignated fund balance to estimated operating revenues, the fund balance from the latest audited financial statements shall be compared with the budgetary operating expenditures for that fund in effect when the financial statements are released. In essence this will mean the current year budgeted operating revenues will be compared with the prior year's unreserved/undesignated fund balance.

(1) General Fund - the unreserved/undesignated fund balance level for the General Fund (inclusive of all budgetary sub-funds) shall be maintained in the range of 5% to 10% of general fund operating revenues.

(2) Transportation Trust - the unreserved/undesignated fund balance level for the Transportation Trust Fund shall be maintained in the range of 5% to 10% of operating revenues; unless when combined with the County's General Fund, the combined unreserved/undesignated fund balance is not less than 5% of the combined operating revenues.

(3) Fire Protection - the unreserved/undesignated fund balance level for the Fire Protection Fund shall be maintained in the range of 5% to 10% of operating revenues.

(3) Surplus.

(a) If a surplus (an amount in excess of the established minimum level) is determined, it can be designated or appropriated during the next budget amendment for the following purposes:

(1) To fund unforeseen expenditure requirements or offset unanticipated revenue fluctuations.

(2) Reduction or Avoidance of Debt - if financial analysis demonstrates an advantage for the County, the surplus may be applied to reduce or eliminate short-term debt or reduce the principal amount the County needs to obtain from a scheduled borrowing.

(3) Tax, Fee, or Rate Stabilization - surplus funds may be designated for stabilization in order to avoid raising taxes, fees, or rates related to the fund in subsequent years.

(4) Applied to a Capital Replacement Program - surplus funds may be used to supplement or enhance a capital replacement program such as vehicle, personal computer, or heavy equipment replacement, or any other capital renewal and replacement program initiated by the County.

(5) One-time Capital Needs - since a surplus does not represent a recurring source of revenue it should not be seen as a source to fund recurring expenses; however, if a one-time capital expenditure has been identified, the surplus may be appropriated for this use. The operating impacts associated with the capital expenditure, if any, shall be evaluated simultaneously with the approval of the capital appropriation.

(4) Shortfall

(a) If a shortfall (an amount below the established minimum level) is determined, the unreserved/undesignated fund balance is to be rebuilt through the following mechanism.

(1) An appropriation during the next annual budget process of at least 20% of the established minimum level until it has been reached.

If this is financially infeasible,

(2) A written plan shall be forwarded by the County Manager to the Board of County Commissioners for approval in order to restore the unreserved/undesignated fund balance to the established minimum level within a time frame deemed reasonable and appropriate.

K. AUTHORITY. Annual Budget Book
Capitalization Approved by BCC at their meeting of December 11, 2001 Agenda Item 9 for Fiscal Services
Intradepartmental Transfers Resolution 2002-R-94 adopted May 28, 2002
Resolution 2006-R-219 adopted September 26, 2006
Resolution 2007-R-211 adopted November 13, 2007
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2014-R-218 adopted November 18, 2014

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.10 MUNICIPAL SERVICES BENEFIT UNIT PROGRAM

A. PURPOSE.

(1) Non-Ad valorem assessment is an alternative funding source for improvement projects and/or services that meet the guidelines for essential public purposes as are defined by and consistent with Chapter 125, Florida Statutes. Through the establishment of non-ad valorem assessment districts – individually referred to as a Municipal Services Benefit Unit [MSBU] – property owners benefit from essential improvements to neighborhood common areas, public infrastructure and facilities. The purpose of the Municipal Service Benefit Unit [MSBU] Program of Seminole County Government is to provide a centralized entity through which non-ad valorem assessments are managed and coordinated for unincorporated Seminole County. The MSBU Program shall serve as the liaison for the County for community initiated requests for establishing MSBUs.

(2) The MSBU Program will be an independent program coordinated within and subject to the directorship of the Resource Management Department. Operational guidelines and procedures consistent with the Administrative Code will be developed and maintained within the Resource Management Department.

(3) The MSBU Program will provide support services to the Solid Waste Division for the Collection and Disposal Service Contract established with the franchised haulers servicing the properties located in unincorporated areas. Support services provided by the MSBU Program will include the activities associated with the financial aspects of calculating, billing and collecting the non-ad valorem assessments required to fund the collection and disposal improvements. The MSBU Program will provide customer service support and database maintenance of customer records such as service level options, billing units, assessment rates, and optional billing formats. The Solid Waste Division of the Environmental Services Department will be responsible for the administration and management of the Collection and Disposal Service Contract and customer service activities associated with the contracted haulers, collection and disposal, service problems, days of service and recycling.

B. ADMINISTRATIVE CODE REVISION. The revised MSBU Program Administrative Code document approved by the Board will supersede and replace all other Administrative Code provisions for MSBU Program Guidelines and Procedures. The Board of County Commissioners may address exceptions to any of the administrative provisions on a case-by-case basis. Exception review requests received from potential applicants will be coordinated through the MSBU Program and may be presented by the MSBU Program to the Board of County Commissioners following County Manager confirmation for granting exception consideration. Exception requests shall include justification for allowing exception processing and staff recommendations for response.

C. STATUTORY AUTHORITY. Chapter 125.01(q)1 of the Florida Statutes authorizes the Board of County Commissioners to provide for the establishment, merging or abolishment of municipal service benefit units (MSBUs) for any part or all of

the unincorporated area of the county. It also provides for a county MSBU to include all or part of a municipality subject to consent by ordinance of the governing body of the municipality. The law permits such MSBUs to be created for the purpose of providing and maintaining improvements which specifically benefit property in a particular area. The improvements must provide a public purpose. Chapter 197.3632 of the Florida Statutes provides for the levy, collection and enforcement of non-ad valorem assessments through the uniform method.

D. ESTABLISHING AN MSBU AND GOVERNING AUTHORITY. The Municipal Service Benefit Units authorized by the Board will be established by Ordinance. Governing expectations, regulations and range of authority for managing the improvement project and the MSBU will be included in the respective governing ordinance. The process of establishing an MSBU may be initiated by Board action absent a community based request or by community based request.

(1) When the MSBU establishment process is initiated by Board action, the following steps, consistent with statutory requirements, will be involved in the process:

(a) Resolution of Intent to use the uniform method for levy, collection and enforcement of non-ad valorem assessments (if so required by nature of project or proposed improvement) – By definition, the uniform method includes the imposition of non-ad valorem assessment, assessment billing and collecting by Tax Collector via property tax statement, with standard statutory enforcement criteria.

(b) Ordinance Adoption – establishment of MSBU and governing parameters; adoption of Ordinance to be giving consideration at a public hearing.

(c) Preliminary Assessment Roll Adoption – identification of assessed property and assessment units, and approval of preliminary rate of assessment to be given consideration at a public hearing.

(2) When the MSBU establishment process is initiated by community based request, the following steps, as further defined in Section N, will be involved in the process:

(a) Application – community request to establish MSBU

(b) Petition – indicator of community support to establish MSBU

(c) Resolution of Intent to use the uniform method for levy, collection and enforcement of non-ad valorem assessments (if so required by nature of project or proposed improvement)

(d) Ordinance Adoption – establishment of MSBU and governing parameters; adoption of Ordinance to be given consideration at a public hearing

(e) Preliminary Assessment of Roll Adoption – identification of assessed property and assessment units, and approval of preliminary rate of assessment to be given consideration at a public hearing

(3) The Board reserves the right to amend, create, or dissolve MSBUs upon its own action, with or without the request or consent of the owners of the properties affected by such action.

E. ELIGIBLE & INELIGIBLE PROPERTY. Municipal Service Benefit Units may be created for the following types of areas and property categories in Seminole County:

(1) Platted and unplatted (acreage) residential areas where the proposed improvement benefits property owners in a definable geographic area.

(2) Commercial areas are considered on a case-by-case basis.

(3) Apartment complexes and/or condominiums are not eligible for construction MSBUs.

F. ELIGIBLE IMPROVEMENTS. The Board will give approval consideration for the creation of an MSBU when the following criterion is met:

(1) All parcels [100%] to be included in the MSBU are located in Seminole County. All parcels shall be within the unincorporated taxing district of the county or shall be authorized for inclusion in the defined MSBU boundaries by the designated city taxing authority.

(2) The property upon which the improvement is to be made is publicly owned or legally secured for public purposes.

(3) Two or more parcels receive benefit and participate in the MSBU.

(4) Improvement is deemed essential for health, safety or welfare.

(5) The desired improvements are consistent with the four following categories of MSBUs:

(a) Aquatic weed control;

(b) Construction/Reconstruction;

(i) Neighborhood Walls - Reconstruction of sound/light/security barrier perimeter;

(ii) Road Paving & Drainage;

(iii) Lake Restoration

(iv) Retention pond renovation;

(v) Sidewalk Construction and/or Repair;

(vi) Sewer Lines;

(vii) Water Transmission Lines;

(viii) Other public purpose construction projects deemed essential to health, safety or welfare and consistent with Statutes.

(c) Solid Waste Management - Collection & Disposal;

(d) Street Lighting for residential areas.

G. INELIGIBLE IMPROVEMENTS. Ineligible improvements include projects, services or improvements not deemed essential for public health, safety, or welfare. Ineligible improvements include, but are not limited to maintenance related services such as associated with landscaping, private roads, retention pond treatments, and routine upkeep of community common areas.

The project criteria for neighborhood wall reconstruction are restricted to the criteria outlined in Section N. Replacement of fencing structures, defined as a barrier enclosing or bordering property usually made of posts and wire or wood used to define subdivision/community boundaries are not eligible for replacement via non-ad valorem assessment. The potential use of the MSBU funding format to provide a reconstruction upgrade from a community fence structure to a community wall structure, or from no prior community structure to a permitted community wall is excluded from consideration.

H. IMPROVEMENT COSTS. All direct cost components associated with obtaining and/or providing the improvement will be assessed to a MSBU. The costs included in an assessment calculation for a MSBU will vary according to the type of MSBU established. The cost may include, but is not limited to the expenditures associated with contracted services, construction, engineering, MSBU administration, tax collection, and financing. Expenses for variable rate MSBUs may also include contingency funds, utility charges and rental charges. Interest expense on funds borrowed during the engineering and construction phase and/or operating phase of an MSBU will be included in assessment calculation.

I. FUNDING.

(1) The funding format for MSBUs will be determined according to the nature of the improvement. A fixed term funding format will be used for improvements, such as construction projects, that typically consist of a one-time expenditure that will be funded through non-ad valorem assessment to be paid on an installment basis over a period of years. A variable rate funding format will be utilized for improvements that are on-going and for which operating costs will vary over time. The non-ad valorem assessment rate for variable rate MSBUs will be revised annually through Board Resolution.

(2) Separate accounts are maintained for each MSBU. The cost associated with improvements will be allocated equitably and assessed accordingly to the benefiting property. Final determination regarding the terms of repayment will be made by the Board. When deemed necessary by the Board, a financing option will be provided to expedite implementation of the improvements. Unless otherwise merited, assessments will be collected through the uniform method which includes placement of the assigned assessment on the annual property tax bill of the benefiting properties.

(3) Final Assessments for construction improvements that are paid within 30 days of the Final Public Hearing will be exempt from long-term interest fees. Repayment after that date will be billed according to the uniform method of billing and collecting non-ad valorem assessments. Early payoff is permissible and payoff calculations will include principal balance and accrued interest.

(4) Installation and construction costs for street lighting requested by developers must be paid prior to project implementation.

J. BENEFITING PROPERTY. All benefiting properties will be assessed an equitable cost share of improvements provided to the MSBU. The properties typically receiving benefit and included in assessment calculations for each type of MSBU are as identified below:

(1) Aquatic Weed Control and/or Lake Restoration: Properties on waterfront with direct access to waterbody. Includes all zoning and DOR classifications. Community/common area waterfront property may be included as assessable participating property when defining the boundaries of an aquatic weed control or lake restoration MSBU if deemed appropriate by the MSBU Program and Board. Statutory provisions applicable to assessment allocation for common land will apply.

(2) Street Lighting: Both vacated & occupied properties, with or without building structure(s) are eligible for assessment. Benefit is generally confined to a specific subdivision or geographic area for which the infrastructure (lighting equipment) was intended to benefit. Determination of benefit may be conducted on a case-by-case basis by the MSBU Program.

(3) Solid Waste Management: Both vacated and occupied residential properties with habitable residential structures. Builders and/or individuals issued permits for new residential dwellings in unincorporated Seminole County are assigned a solid waste management assessment at the time of permit issuance.

(4) Construction MSBU: Assessable properties are determined on a case-by-case basis due to variations in types of construction improvements and benefits derived from each type of improvement.

(5) For All MSBU Categories other than aquatic weed control and/or lake restoration: Community/subdivision common areas are not directly assessed a cost share. Cost allocation for such properties is assessed indirectly as a result of the assessments assigned to the properties benefiting from the common property.

(6) For All MSBU Categories: Properties that have taxable value less than $100 will not be assessed, unless authorized as per above Section J(1).

(7) For All MSBU Categories: Parcels that are combined for consolidation of tax billing purposes will be assessed according to benefit definition for each sub-parcel unit included on consolidated billing statement.

K. SELECTION OF CONTRACTOR(S) AND/OR SERVICE PROVIDERS.

(1) Construction work is performed by independent contractors selected by the County. Bids for construction will be solicited by the Seminole County Purchasing and Contracts Division. The Award must be in conformance with Chapter 220 of the Seminole County Code.

(a) For community requested projects, when an approved project cost estimate is recalculated using information derived from final engineering or from responsive procurement bid(s), and the results represent a project cost increase of greater than 20% above the approved amount, an additional petition process reflecting the revised cost estimate will be conducted. When applicable, the secondary petition may include project scope alternatives for community consideration. The petition

response will be used to determine the continuation status of the project. Should the petition process demonstrate the standard level of required support, a secondary public hearing will be held to confirm project continuation. Should the petition fail to demonstrate the required support to continue the project, a public hearing will be held to consider dissolving the MSBU.

(b) All expenses incurred in support of the developing MSBU will be assessed against the MSBU properties whether or not the secondary petition provides the required support to move forward with the project.

(2) Service providers for street lighting MSBUs are subject to the utility franchise agreements set forth by the Public Service Commission. To accomplish the mission and purpose of providing street lighting to the MSBUs approved by the Board for inclusion in the Consolidated Street Lighting Ordinance, the MSBU Program is authorized to coordinate installation of the improvements with signature approval granted to the Resource Management Department Director or designee.

L. COORDINATION OF IMPROVEMENTS FOR ESTABLISHED MSBUS. The Board recognizes that the MSBU Program will be required to respond to administrative issues and customer requests for modification to the improvements provided to established MSBUs. To accomplish the mission and purpose of providing ongoing improvements for communities in which variable rate MSBUs are established the MSBU Program is authorized to accommodate administrative changes that are consistent with the intent of the MSBU Program Administrative Code. The MSBU Program is authorized to coordinate improvements for these MSBUs with signature approval granted to the Resource Management Department Director or designee. The range and/or limitations of this administrative authority shall be defined in the ordinance governing the MSBU(s).

M. MSBU DISSOLUTION. An MSBU established by Ordinance may be dissolved by a Resolution repealing the establishing Ordinance. The MSBU dissolution process is initiated when the services or improvements approved for provision through the MSBU process are canceled prior to being provided, or when the services or improvements are discontinued after having been provided for a period of time. The process of dissolution may be initiated by Board action or by community based request.

(1) When the MSBU dissolution process is initiated by Board action, the following steps will be involved in the process:

(a) Dissolution Request – the MSBU Program shall present dissolution request to Board with request to schedule public hearing to grant consideration for adopting a Resolution for such dissolution.

(b) Resolution of Intent to Dissolve MSBU – Resolution shall be considered at a public hearing. Resolution shall include details regarding any outstanding costs to be incurred and/or assessed as a result of or subsequent to dissolution.

(2) When the MSBU dissolution process is initiated by community based request, the following steps, as further defined in Section N, will be involved in the process:

(a) Application - community request to dissolve MSBU

(b) Petition - indicator of community support to dissolve MSBU. Petition shall include details regarding any outstanding costs to be incurred and/or assessed as a result of or subsequent to dissolution.

(c) Dissolution Request – the MSBU Program shall present dissolution request to Board with request to schedule public hearing to grant consideration for adopting a Resolution for such dissolution.

(d) Resolution of Intent to Dissolve MSBU – Resolution shall be considered at a public hearing. Resolution shall include details regarding any outstanding costs to be incurred and/or assessed as result of or subsequent to dissolution.

N. COMMUNITY BASED REQUESTS FOR MSBU CONSIDERATIONS. As specified in Section D, the process of establishing, modifying, or dissolving an MSBU may be initiated by community based requests. When requests are so initiated, the following steps are involved in the process:

(1) APPLICATION & PROCESSING FEE.

(a) A community initiated request for establishing an MSBU requires application. A completed application specific to the type of improvement requested and payment of the specified non-refundable application fee is required to initiate the MSBU process. The application documentation will include identification of a community liaison.

(b) Aquatic Weed Control and Construction MSBU projects are intended to assist established communities, and therefore, are not available during land development and/or new construction environments.

(b) Street Lighting MSBU applications may be submitted by interested property owner(s), homeowner associations, management companies or developers.

(d) Wall reconstruction projects are intended to assist established communities, and are therefore, not available during development and/or new/construction environments. In addition to the basic eligibility standards noted in Section F, the project specific criterion for wall reconstruction that must be met at time of application is as follows:

- Existence of a damaged, destroyed, and/or deteriorating community wall (brick, block, precast concrete)
- Community has no means to levy/enforce a private assessment for wall replacement
- Owner has signed Letter(s) of Intent for temporary easement/leasehold to be granted to the County from all owners of properties upon which the proposed wall will be located. NO WALL PROJECT MAY PROCEED WITHOUT THE COUNTY RECEIVING TRANSFER OF OWNERSHIP/EASEMENT DOCUMENTS FROM 100% OF THE OWNERS OF PROPERTY UPON WHICH THE PROPOSED WALL WILL BE LOCATED.
- Construction material requested is brick, block/stucco, or precast concrete
- Applicant: (1) will provide sealed design/engineering plans suitable for public bid/procurement, (2) will substantiate ability to fund preliminary engineering,

or (3) requests precast concrete construction that does not require design/engineering.

Community wall reconstruction projects may include provisions for:

- demolition and removal of existing wall
- receipt of wall design plans that are secured independent of County assistance via private funding or secured via wall design services that are: (1) County contracted and prepaid by the applicant or other community liaisons, and/or (2) obtained in conjunction with construction services base on preliminary drawings of desired design
- replacement construction

A community wall is defined as a permanent upright structure constructed of concrete block, brick, or precast concrete used to prevent entrance, provide sound barrier, provide light abatement, and/or to mark a subdivision or community boundary. Replacement of fencing structures, defined as a barrier enclosing or bordering property usually made of posts and wire or wood used to define subdivision/community boundaries are not eligible for replacement via non-ad valorem assessment. The potential use of the MSBU funding format to provide a reconstruction upgrade from a community fence structure to a community wall structure, or from no prior community structure to a permitted community wall is excluded from consideration.

(2) PRELIMINARY ENGINEERING & STATEMENT OF PROBABLE COST. Construction improvements require a preliminary engineering report or project analysis to obtain a valid “Opinion of Probable Cost” estimate. A Lake Analysis is required for MSBU aquatic weed control improvement requests. Preliminary Engineering Report fees and Lake Analysis fees must be received from the applicant(s) prior to these services being rendered. If the improvements are constructed or services performed, a credit against the assessment or a refund may be granted according to the amount and source of contribution(s) received for pre-funding the report/analysis fee. If the improvements are not constructed or the services are not performed, contributions toward the cost of preliminary lake/waterway analysis will not be refunded.

(3) PETITION FOR IMPROVEMENT.

(a) As a part of the application processing activities, a petition process is used for community requested MSBUs to ensure community awareness and involvement in the decision-making process, to increase recognition of the public nature of the improvements, and to highlight the property owner’s responsibility for payment of the assessments. Property owners not responding to the petition either “Favorable” or “Opposed” will be counted in the final tally as “Opposed”. The petition process may be waived when 100% of the properties to be included in a MSBU are owned by a single owner.

(b) All requests requiring petition approval, including MSBU dissolutions, are coordinated through the MSBU Program. A community liaison for the MSBU is authorized to assist in the petition collection activities for creating an MSBU.

(c) The minimum percentage required for petition acceptance is as follows:

(i) Street Lighting MSBU: At least 55% of the property owners representing 55% of the properties within the MSBU boundaries.

(ii) All Other MSBUs: At least 65% of the property owners representing 65% of the properties within the MSBU boundaries.

Note: Construction projects may also be subject to the requirements noted under Section M.

(d) Following the acceptance of the Petition and authorization by the Board to schedule and advertise a public hearing, the petition is no longer relevant to the final determination by the Board of County Commissioners to proceed (or not) with the project. The Board may waive the 55% or 65% property owner requirement, which remains consistent with Chapter 125.01(q)1, Florida Statutes.

(4) EASEMENTS, LEASEHOLD, DEED TRANSFERS. All MSBU projects that require the granting of easement, leasehold, and/or deed transfer are subject to mandatory agreement from 100% of the property owners from whom such easements, leaseholds, and/or deed transfers are required. The documents formalizing such agreement are required prior to scheduling a public hearing for Board consideration to establish the MSBU. Should the applicant/liaisons or designees fail to obtain 100% of the necessary signature agreements, the project will be rejected and/or subject to further petitioning if the resulting project parameters, due to limitations of documents received, deviate from parameters noted in qualifying petition.

(5) PUBLIC HEARING. The final determination of the scope and feasibility of an improvement will be made by the Board at a public hearing. The initial determination of property assessments proposed for the MSBU will be determined at the public hearing. Construction projects will be subject to a second public hearing following completion of the project. Property assessments will be determined at one of these two public hearings.

(6) DESIGN, ENGINEERING AND OTHER PROJECT RELATED EXPENDITURES. All direct costs incurred by the County on behalf of pursuing a Board authorized MSBU project will be recouped through non-ad valorem assessment assigned to the properties that are included in the assessment boundary of the MSBU. Direct costs are inclusive of, but not limited to project scope analysis, design and engineering, contracted services, project management, and financial administration. Such costs will be included in the final assessment calculation upon completion of the project, or shall be included in an assessment to be levied should the project continuation be withdrawn by the benefiting community, or by community based request for MSBU dissolution.

(7) DISSOLUTION PROCESS FOR MSBUS.

(a) A MSBU can only be dissolved after having first been created by ordinance at a public hearing. Community requested dissolution proceedings are initiated through the application process. The application process for dissolution includes, but is not limited to written application, payment of application fee, documented supportive response to the petition coordinated by the MSBU Program,

public hearing, confirmation by the Board that the MSBU may be dissolved, and determination of final assessments as a result of dissolution.

(b) A Petition for Dissolution of a street lighting MSBU must be signed by at least 55% of the current property owners representing 55% of the properties within the MSBU boundaries. Petition for Dissolution of all other MSBUs must be signed by at least 65% of the current property owners representing 65% of the properties within the MSBU boundaries.

(c) MSBUs having received supplemental funding from the County may be subject to dissolution restrictions.

O. AUTHORITY. Approved by the BCC June 27, 1989
Resolution 2007-R-140 adopted August 14, 2007
Resolution 2009-R-7 adopted January 13, 2009
Resolution 2009-R-215 adopted October 27, 2009
Resolution 2012-R-107 adopted June 12, 2012

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.15 PROMPT PAYMENT PROCEDURES

A. PURPOSE. To provide for prompt payment on all invoices received by Seminole County and to comply with the "Florida Prompt Payment Act" (Section 218.70, Florida Statutes).

B. ORGANIZATIONS AFFECTED. All Seminole County Departments, Divisions, Boards, Commissions, projects, etc.

C. PROCEDURES.

(1) Proper Invoices Required. All original invoices for payment must be submitted to Director of County Finance, P. O. Drawer Q, Sanford, Florida 32772-0869 on a Proper Invoice. A Proper Invoice shall be defined as any invoice acceptable by the Clerk of the Circuit Court, Finance Department, provided that the following information, at a minimum, is contained on such invoice:

(a) Date

(b) Description and quantity of items purchased or service rendered

(c) Purchase price or cost of service

(d) Name and address of vendor

(e) Purchase Order Number, Release Order Number, Blanket Purchase Order Number, Emergency Purchase Order Number, Confirming Purchase Order Number, Work Order Number, or Contract Number

(f) All other information required by the applicable contract, work order, purchase order, or similar instruments

(2) Invoice Requirements To Be Published and Distributed. County Finance shall make the requirements of a Proper Invoice available to all vendors upon request.

(3) Improper Invoices. Any invoice not meeting the requirements of a Proper Invoice is an Improper Invoice.

(4) Date Stamping Of All Invoices.

(a) All invoices received by Seminole County shall be marked as to the date the invoice is received by being stamped or clocked in the day received. The stamp or time clock shall include the date and words Seminole County and Received.

(b) If a Proper Invoice for payment is received by County Finance, it shall be stamped and held for authorization for payment from the department.

(c) All invoices received by a department directly from a vendor must be forwarded to County Finance within five (5) business days of receipt to determine if it meets the requirements of a Proper Invoice, regardless of authorization for payment.

(5) Review of Invoices.

(a) All invoices received by County Finance, either directly from a vendor or from a department, shall be reviewed by County Finance to determine if the invoice meets the requirements of a Proper Invoice.

(b) If determined by County Finance to be a Proper Invoice, the invoice shall be held by County Finance for authorization for payment from the department or forwarded to the department for authorization for payment by the department.

(c) If the invoice is determined by the County Finance to be an Improper Invoice, County Finance shall notify the vendor within ten (10) days of receipt of the Improper Invoice by the County that the invoice is an Improper Invoice and inform the vendor as to what corrective action is required to make the invoice a Proper Invoice. Copies of the notice to the vendor of an Improper Invoice shall be submitted to the department and the Purchasing and Contracts Division.

(d) Vendors are to be informed, by the Purchasing and Contracts Division, that all original invoices are to be submitted directly to County Finance.

(6) Department Authorization For Payment.

(a) Within five (5) business days of receipt of goods and/or services, departments shall submit the original invoice (if received from a vendor or County Finance), packing slip, bill of lading, receiving copy of the Purchase Order, or any other documentation designating receipt of goods and/or services with authorization, fund and account number, and date stamp visible to County Finance for payment.

(b) If authorization for payment is received by County Finance on documentation other than an invoice, County Finance shall be responsible to compare the invoice, document authorizing payment, and County Finance's copy of the purchase order to verify accuracy and completeness of the invoice. County Finance shall review and process all properly authorized invoices within seven (7) business days of receipt of the authorization, but not later than forty-five (45) days from receipt of the original invoice or receipt of goods and/or services if no invoice exists.

(c) If an invoice pertains to goods and/or services that are contracted and no purchase order exists, County Finance shall submit the original invoice to the department within three (3) business days of receipt for authorization for payment.

(d) If a purchase is of a complex nature, County Finance may refer the original invoice to the department for authorization for payment; OR a department may request from County Finance the original invoice be submitted to the department for authorization of payment.

(e) If County Finance has NOT received authorization for payment within five (5) business days of receipt of the invoice, County Finance shall contact the department to notify the department of the delinquency in forwarding the necessary authorization for payment. Upon follow-up notification from County Finance, the department shall submit, within two (2) business days, authorization for payment or

contact County Finance as to why authorization has not been submitted and the date authorization will be submitted.

(f) Upon review by County Finance, if an invoice differs from the purchase order, County Finance shall submit the invoice to Purchasing within two (2) business days of receipt for the submission of a Change Order.

(g) County Finance shall prepare the billhead for all invoices.

(7) Dispute Resolution Procedure.

(a) All original invoices, packing slips, bills of lading, receiving copies of Purchase Orders, or other documentation designating receipt of goods and/or services, not authorized for payment after review by a department, must be referred to the Purchasing and Contracts Division Manager within five (5) business days of receipt of the goods and/or services with a detailed explanation outlining the reasons for disapproval of payment, with notification given to County Finance.

(b) Within five (5) business days of receipt of documentation not authorizing payment of goods and/or services from a department, the Purchasing and Contracts Division Manager shall contact the department and review the reasons for the non-payment recommendation.

(c) Upon receipt of the Purchasing and Contracts Division Manager's decision to authorize or not authorize payment, the following action shall be taken:

(i) Within two (2) business days of the Purchasing and Contracts Division Manager's decision to make payment, Purchasing shall notify the department and authorize County Finance, in writing, to make payment to the vendor with a copy of said notice provided to the department.

(ii) Within two (2) business days of the Purchasing and Contracts Division Manager's decision to withhold payment, the Purchasing and Contracts Division shall send written notice to the vendor with a copy sent to County Finance and the applicable department.

(iii) Within five (5) days of the notice being sent to the vendor that an invoice or the County is withholding payment, the vendor, if desiring to contest that determination, must file a written protest with the Deputy County Manager/Administration who shall, within five (5) days determine if the invoice was, in fact, an Improper Invoice. This decision shall be final. Failure to make the protest described herein shall cause the invoice to be conclusive determination to be an Improper Invoice.

(8) Invoice For Interest Payment.

(a) All invoices seeking a payment of interest shall be forwarded to County Finance.

(b) All invoices seeking payment of interest shall be reviewed and investigated by County Finance within ten (10) days of receipt to determine whether the interest payment should be authorized.

(c) If County Finance determines that payment of interest is warranted, it shall authorize and process payment from an account established within each fund for the payment of such interest and notify the department of such payment.

(d) If County Finance determines that the payment of interest is not warranted, it shall report its findings in writing to the Purchasing and Contracts Division Manager. The Purchasing and Contracts Division Manager shall make the final decision regarding payment of interest and notify County Finance of the decision. Based on the Purchasing and Contracts Division Manager's decision, County Finance shall make payment or notify the vendor that payment is not authorized and the reasons for nonpayment of the interest. The vendor may protest as to such determination in accordance with the procedures set forth in Section C(7)(c)(iii).

(e) Not later than the 10th of the month following the month in which an interest payment was made, County Finance shall submit a report to the Resource Management Department disclosing the previous month's interest payments, the amount of each payment, an explanation outlining the reason for the payment, and the department associated with the interest payment. A final interest payment report shall be published by County Finance not later than December 31st following the close of the Fiscal Year and submitted to the Resource Management Department with a copy to the County Manager.

(f) The Resource Management Department shall review and monitor the monthly interest payment reports. If more than two (2) interest payments are made pertaining to one department, the Resource Management Department shall meet with the department to offer assistance in resolving the problem of late payment of invoices.

D. AUTHORITY. Approved by the BCC September 19, 1989, Agenda Item D6
Resolution 2012-R-107 adopted June 12, 2012

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.20 GRANTS MANAGEMENT

A. GENERAL POLICY. It is the policy of Seminole County (the "County") to encourage the pursuit of Federal, State, and private foundation grants-in-aid. Grants shall comply with OMB Circular A-133, "Audits of States, Local Governments, and Non Profit Organizations"; and/or Florida Statues Section 215.97, "Florida Single Audit Act"; and Rules of the Auditor General, Chapter 10.550, "Local Government Entity Audits." [OMB Circular A-133 applies if the County receives more than $500,000 from all Federal sources in a fiscal year.] Grants offer an important source of funding and supplement to County resources. As a matter of equity, it is the goal of the County to ensure that its taxpayers receive a fair share of Federal and State grants which are funded through their tax dollars.

B. DEFINITIONS.

(1) Budget Amendments – Modification of the originally adopted budget either through formal action of the Seminole County Board of County Commissioners ("BCC") or through delegated authority by the BCC.

(2) Competitive Grant Awards – Grant awards received as a result of a competitive application and review process. This process includes a grantor's evaluation of applications submitted by a variety of agencies and selections made according to established criteria.

(3) Entitlement Grant Awards – Grant awards the County has the right or guarantee to receive as a local government entity providing public services as defined by the grantor. Award amounts are most often based upon a formula set by the grantor and received by the County on an annual basis.

(4) Fixed Assets – A long-term asset such as equipment or vehicles.

(5) Grant – Financial assistance pursuant to written agreements/contracts to carry out a specific purpose.

(6) Grantee – The recipient of a grant.

(7) Grantor – The provider of a grant.

(8) Non-Material Amendments/Modifications – Changes to previously approved agreements/contracts not involving additional commitment of County resources (i.e. timeline extensions and minimal changes in project scope).

C. RESPONSIBILITIES.

(1) Grants Administrator. The Resource Management Department is responsible for countywide grant administration. Within the Resource Management Department, it is the responsibility of the Grants Administrator to promote grants awareness; establish grant procedures; facilitate department grant coordination; identify and disseminate grant opportunities; prepare and submit grant-related requests of the

BCC; establish and maintain a grants database; create and distribute quarterly activity reports; and coordinate the activities of the Grants Review Team.

(2) Grants Review Team. The Grants Review Team ("GRT") is a group of County staff members purposed to review potential grant opportunities and make recommendations to the County Manager and BCC regarding all grant applications. The Grants Administrator is a permanent member of the team. Other members shall be selected by the County Manager to represent the departments under the BCC. The participation of the Sheriff's Office and other elected officials receiving grant awards requiring BCC action is also encouraged.

D. PROCEDURES.

(1) Application Submission Process. As the County receives notification of opportunities for competitive grants, the Grants Administrator and appropriate department shall be responsible to review the grant guidelines for compatibility with pending or proposed projects. All requests for application submissions shall be approved by the respective department director in writing and provided to the Grants Administrator for review by the GRT and approval of the BCC (when applicable) prior to submission to the grantor. Entitlement grants are excluded from the application submission process.

(a) Grants Review Team Review. The GRT shall conduct a review of the requests for grant application submissions, which may include a presentation or discussion with the applying department. Such review shall include, but is not limited to, an evaluation of the actual cost of the grant including administrative and indirect costs; operating and maintenance costs; staffing; cost/benefit analysis; outcome(s) or objectives to be achieved by the grant; and plans for continuation of services following termination of grant.

(b) Approval to Submit. Coordinated by the Grants Administrator, approval by the BCC to submit or resubmit grant applications shall be required for all funding requests greater than $50,000 or if the terms and conditions of the grant are a component of the application. Funding requests equal to or less than $50,000 and not containing the terms and conditions for award and implementation shall require County Manager approval.

(c) Application Preparation. The appropriate department shall be responsible to prepare and submit applications within the required timeframe. Assistance from a contracted grant consultant and/or the Grants Administrator is encouraged. Proposed grant applications must be provided to the Grants Administrator for review prior to submission.

(d) Grant Application Signature Authority. In conjunction with the delegation authority stated in BCC Administrative Code Section 1.10, authority to sign grant applications is hereby delegated to the County Manager unless the Chairman's signature is required by the grantor or as otherwise provided in paragraph (D)(1)(b) of this Section.

(2) Grant Agreement Approval.

(a) Grant Agreements. Following review by the County Attorney, agreements in acceptance of both competitive and entitlement grant awards shall be approved by the BCC and executed by the Chairman. The Grants Administrator shall coordinate legal review and subsequent BCC approval for all grant agreements, except those agreements for which this coordination is deemed more appropriate at the department level. Anticipated entitlement funds received on an annual basis should be included in the budget preparation to the fullest extent possible.

(b) Amendments to existing grant agreements. Modifications impacting the commitment of County resources shall require BCC approval. Non-material changes, as defined in Section B(8), shall be approved and executed by the County Manager or his/her designee. Requests for approval of all amendments to existing grant agreements shall be coordinated by the Grants Administrator.

(3) Budget Amendments. Budget Amendments to allocate the anticipated revenue and expenditures applicable to the grant awards shall be approved by the BCC. This should occur in conjunction with or subsequent to the approval of grant agreements/contracts. This policy applies to cash and non-cash awards alike.

(4) Coordination with County Departments/Divisions

(a) Fleet. All fleet-related equipment purchases made using grant funds shall be approved by the Fleet/Facilities Division and shall conform to their specifications, policies, and procedures. This policy is also applicable in cases where an outside organization is the procuring agency for fleet equipment received by the County.

(b) Human Resources. Positions for any personnel hired using grant funds shall be posted and filled according to Seminole County's Personnel Policies and Procedures and Seminole County's Equal Employment Opportunity Plan. Personnel shall be advised that grant-funded positions are only funded for the duration of the grant.

(c) Information Technology. All computer related equipment and software purchases made using grant funds shall be pre-approved by the Information Services Department and shall conform to their specifications, policies and procedures.

(d) Purchasing and Contracts.

(i) Use of Grant Funds. All products and services procured using grant funds shall be made through the Purchasing and Contracts Division; and shall comply with BCC Administrative Code Section 3.55. The department shall ensure requisitions include all applicable grantor flow-down requirements (i.e. Davis-Bacon Act, etc.) so that the proper clauses are reflected in the purchase documents.

(ii) Fixed Assets. The department shall notify the Grants Administrator and the Purchasing and Contracts Division when fixed assets are awarded in lieu of or in addition to actual funds. In accordance with Section 3 above, a budget amendment shall be approved by the BCC to allocate the value of the fixed

assets. Upon receipt of the assets, the department shall notify the Purchasing and Contracts Division and provide all documentation required to record the assets (i.e. delivery documentation, copies of purchase orders, and documentation necessary to obtain title to equipment). This policy is also applicable in cases where an outside organization is the procuring agency for fixed assets received by the County.

(5) Grant Compliance. The department shall ensure compliance with all grant requirements as detailed in the respective grant agreements. The department shall prepare and submit financial and project reports, reimbursement requests, close out reports and any other items required by the grantor. All mandated documents shall be filed with the grantor in accordance with their required format, content requirements, and deadlines.

(6) Withdrawal. Should it be determined by the County Manager after consultation with the Grants Administrator and the recipient department that the County is unable to fulfill its obligation to a grantor, withdrawal of an application or award shall be made. The Grants Administrator shall process all requests for withdrawals.

(a) Application Withdrawal. Should it become necessary to rescind a grant application following its submission to the grantor and prior to notification of award/denial, the BCC shall approve the County Manager or his/her designee to execute a letter of withdrawal. Retraction of funding requests equal to or less than $50,000 shall solely require the County Manager or his/her designee approval and execution of the letter.

(b) Award Withdrawal. For competitive grants, the BCC shall approve termination of the previously approved agreement in the manner appropriate to the grant award. A budget amendment to remove the grant-related revenue and expenditure allocations shall be presented for approval by the BCC.

(7) File Maintenance. The Grants Administrator shall establish and maintain the official files for all competitive and entitlement grant awards. Each file shall contain copies of documents such as the grantor regulations; approved application; award notification; correspondence with the grantor; agreements; amendments; and reports (financial, programmatic, and close out). Documentation shall be provided by the department for the purpose of this policy.

E. PARTNERSHIPS WITH OUTSIDE AGENCIES. Requests from outside agencies ("requestor") for County partnership to apply for a grant shall be initially approved in writing by the director of the department whose job functions most closely correlates with the project for which the requestor is seeking grant funds. All requests for partnership with the County to submit a grant application shall be submitted to the Grants Administrator. BCC approval to partner and apply shall be obtained upon determination by the department director and Grants Administrator that the criterion below is met.

All requests for partnership shall compliment the County's strategic plan, mission, objectives and values towards providing services to its citizens. Identification of such alignment by the requestor is required. An evaluation of the agency and project for

which grant funding is being sought shall be completed by the County to ensure conformity. Requests submitted by nonprofit agencies must be accompanied by verified 501(c)3 status with the Internal Revenue Service and active registration with the State of Florida. The County reserves the right to deny a partnership request.

(1) County as Grantee.

(a) The project for which grant funding is being pursued shall provide for a specific, identifiable gap or need within the County.

(b) The amount requested of the grantor agency shall be equal to or greater than $25,000.

(c) In most cases, any cash match required by the grantor shall be provided by the requestor. County match of cash or in-kind services will be considered on a case-by-case basis.

(d) Financial statements, project budgets, and any other essential documents relative to the requestor's financial stability and ability to implement the respective project shall be provided to the County by the requestor. Requests for partnership and application submission shall not be presented to the BCC for consideration if the above or requested documents are not provided or if they are not provided within the timeframe required by the County.

(e) Relative to the project for which grant funding is being pursued, information and documentation as required to complete the grant application shall be provided by the requestor to the County and/or its designee within the timeframe required by the County. The requestor's failure to provide requested information and documentation essential to the purpose of the partnership shall result in denial of the request.

(f) The requestor shall consent to County oversight of the project for which grant funding is being pursued; and, upon notification of grant award, shall enter into a subcontract agreement which would detail the responsibility of each participating agency. Oversight shall include both program and financial activities under the grant and require access to all relevant documents and client files for auditing purposes.

(g) Seminole County reserves the right to retain a portion of the grant award as an administrative fee for oversight and management of the grant if allowable by the grantor. The amount requested for this oversight shall take into consideration the amount and extent of staff time to assist in execution, monitoring and review.

(2) Outside Agency as Grantee. Partnerships with the County are limited to municipalities, other counties, and public academic institutions. Requests by nonprofit agencies meeting the above requirements shall be considered only when attempting to secure a grant for a project having significant benefit to the citizens of Seminole County as determined by the department director, County Manager, and BCC.

(a) Upon approval of the BCC, letters of support shall be executed by the County and provided to the requestor for inclusion in the grant application. In most

cases, any cash match required by the grantor shall be provided by the requestor. County match of cash or in-kind services will be considered on a case-by-case basis.

(b) County staff shall provide information and technical assistance to requestors towards their preparation of grant applications if the project for which funding is being requested is an existing program financially supported by the BCC.

F. AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (ARRA). The ARRA ("Recovery Act" or "Act") was signed into law by President Obama on February 17, 2009. The Executive Office of the President/Office of Management and Budget states the purpose of the Act is "to preserve and create jobs and promote economic recovery, assist those most impacted by the recession, provide investments needed to increase economic efficiency by spurring technological advances in science and health, invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits, stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases". Recipients are instructed to use grant funds in a manner that maximizes job creation and economic benefit.

The County shall implement those policies and procedures as are necessary to best assure Recovery Act dollars are applied for the benefit of its citizens and in compliance with all requirements of the Act. The Grants Administrator shall monitor and communicate to all applicable departments any information issued by the Office of Management and Budget or by other credible sources relating to the Act.

(1) Recovery Act Compliance. In addition to the Grant Compliance procedures detailed in Section D(5) hereto, recipient departments shall comply with all Recovery Act requirements as detailed in the Office of Management and Budget issued guidance and in the grant agreement. Such requirements include, but are not limited to, the following:

- Davis-Bacon Act
- Buy American Rule
- Jobs Created and Retained Data Computation
- Reporting in FederalReporting.gov

(2) Recovery Act Accountability. The Grants Administrator shall coordinate a system of accountability for the management of ARRA funded projects and compliance with the requirements listed above. Included in the system are:

- ARRA Compliance Oversight Committee – comprised of representation from the County Manager's Office, the County Attorney's Office, the Resource Management Department Director, the Purchasing and Contracts Division Manager, and the Grants Administrator for establishment of procedures and general oversight of ARRA compliance.

- Project Management Procedures – required to be prepared and maintained by each applicable department detailing procedures to ensure compliance with ARRA requirements.
- Clerk of the Court – provided quarterly reports, compliance procedures and other ARRA compliance and project information for review as needed.

G. AUTHORITY. Resolution 2009-R-9 adopted January 13, 2009
Resolution 2010-R-250 adopted December 14, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.25 RECOVERY ZONE – BUILD AMERICA BONDS

RESOLUTION 2010-R-6 **SEMINOLE COUNTY, FLORIDA**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA DESIGNATING SEMINOLE COUNTY A RECOVERY ZONE FOR PURPOSES OF SECTIONS 1400U-1, 1400U-2 AND 1400U-3 OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED; PROVIDING FINDINGS OF FACT; PROVIDING FOR ELIGIBLE ACTIVITIES/PROJECTS FOR RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS; PROVIDING FOR ELIGIBLE ACTIVITIES/PROJECTS FOR RECOVERY ZONE FACILITY BONDS; PROVIDING FOR COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR A SUNSET DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 1401 of Title I of Division B of the American Recovery and Reinvestment Act of 2009 ("ARRA") added Sections 1400U-1 through 1400U-3 to the Internal Revenue Code (the "Code"), authorizing state and local governments to issue recovery zone economic development bonds ("Recovery Zone Economic Development Bonds") and recovery zone facility bonds ("Recovery Zone Facility Bonds" and together with the Recovery Zone Economic Development Bonds, the "Recovery Zone Bonds") through December 31, 2010 which provide tax incentives to state and local governments by lowering borrowing costs as a means to promote job creation and economic recovery to targeted areas particularly affected by employment declines; and

WHEREAS, the United States Treasury Department established a national bond volume limitation ("Volume Cap") of $10 billion for Recovery Zone Economic Development Bonds and $15 billion for Recovery Zone Facility Bonds which is allocated among the states in the proportion that each state's 2008 state employment decline bears to the aggregate of the 2008 state employment declines for all of the states ("Recovery Zone Bond Allocation"); and

WHEREAS, Recovery Zone Economic Development Bonds are taxable tax-credit governmental bonds that may be used to finance certain "qualified economic development purposes," defined as expenditures promoting development or other economic activity within an area designated by the County as a recovery zone (the "Recovery Zone"), including (1) capital expenditures paid or incurred with respect to property located in the Recovery Zone, (2) expenditures for public infrastructure and construction of public facilities, (3) expenditures for job training and educational programs, and (4) any other "qualified economic development purposes" as allowed under Internal Revenue Service Notice 2009-50 (Recovery Zone Bond Volume Cap Allocations) and under any further guidance that may be released by the Internal Revenue Service regarding Recovery Zone Economic Development Bonds. Recovery

Zone Facility Bonds are private activity bonds that may be used to finance certain property located within a designated Recovery Zone; and

WHEREAS, each state that has received a Recovery Zone Bond Allocation is required, without discretion, to reallocate such allocation among the counties and large municipalities (min. 100,000 population) in such state in the proportion that each county's or municipality's 2008 employment decline bears to the aggregate of the 2008 employment declines for all the counties and municipalities in such state; and

WHEREAS, the County has been allocated $12,243,000 in Recovery Zone Economic Development Bonds and $18,365,000 in Recovery Zone Facility Bonds, which must be issued on or before December 31, 2010; and

WHEREAS, Section 1400U-1(b) of the Code requires each governmental issuer of Recovery Zone Bonds to designate an eligible Recovery Zone or Zones within its geographical jurisdiction using the following criteria: (1) significant poverty, unemployment, rate of home foreclosures, or general distress; (2) any area distressed by reason of the closure or realignment of a military installation pursuant to the Defense Base Closure and Realignment Act of 1990; and (3) any area for which a designation as an empowerment zone or renewal community is in effect as of the effective date of ARRA; and

WHEREAS, the Florida Agency for Workforce Innovation in cooperation with the United States Department of Labor, Bureau of Labor Statistics reports that the seasonally unadjusted unemployment rate in the County for the most current reporting period through October 2009 is 10.5%, above the unadjusted national rate of 9.5% but lower than the unadjusted statewide rate of 11.2% for the same period; and

WHEREAS, according to RealtyTrac®, the leading on line marketplace for foreclosure properties reports that in the month of October, 2009, there were 1,288 new foreclosure filings in the County, a substantial and steady increase from approximately 800 for the month of October 2008 and worse, Seminole County's current foreclosure rate of 8.3 units per every 1000 properties substantially exceeds the state and national averages of 6 units per 1000 and 2.5 units per 1000, respectively and when compared by ranking according to metropolitan statistical areas ("MSA"), the Orlando-Kissimmee MSA, which includes the County, ranks 9th highest in the nation in number of reported foreclosures; and

WHEREAS, the stubbornly high unemployment and home foreclosure rates in the County have impacted citizens and businesses County-wide, resulting in general as well as economic distress throughout the County. Accordingly, it is in the best interests of the County that the entire geographic area of the County be designated a "Recovery Zone" for purposes of issuing Recovery Zone Bonds to promote job creation and economic recovery;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

SECTION 1. RECITALS. The above recitals constitute findings of fact determined by the Board and are incorporated herein by reference as an integral part of this Resolution.

SECTION 2. DESIGNATION OF RECOVERY ZONE. Pursuant to Section 1400U-1 of the Code, the entire geographic area of the County is hereby designated as a "Recovery Zone" for the purpose of issuing Recovery Zone Bonds.

SECTION 3. ISSUANCE OF RECOVERY ZONE BONDS. Issuance of Recovery Zone Bonds will be at the discretion of the Board of County Commissioners of Seminole County, Florida (the "Board") based on project qualifications as provided herein and further subject to Section 8 of this Resolution.

SECTION 4. RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS – ELIGIBLE ACTIVITIES/PROJECTS. Eligible activities/projects that qualify for issuance of Recovery Zone Economic Development Bonds shall include activities/projects within the Recovery Zone that promote economic development, as measured by such criteria as the Board deems appropriate and may include:

(A) Capital expenditures paid or incurred with respect to property located in the Recovery Zone, including working capital expenditures to promote development or other economic activity;

(B) Expenditures for public infrastructure and construction of public facilities; and

(C) Expenditures for job training and educational programs.

SECTION 5. RECOVERY ZONE FACILITY BONDS – ELIGIBLE ACTIVITIES/PROJECTS. Eligible activities/projects that qualify for issuance of Recovery Zone Facility Bonds include any and all private activity bonds issued on behalf of qualified borrowers for projects located within the Recovery Zone, including qualifying capital improvements and infrastructure projects; provided, however, qualifying projects do not include any private or commercial golf course, country club, massage parlor, hot tub facility, suntan facility, racetrack or other facility used for gambling, or any store the principal business of which is the sale of alcoholic beverages for consumption off premises.

SECTION 6. COMPLIANCE. Notwithstanding any provisions to the contrary which may be contained within this Resolution, activities/projects financed through the issuance of Recovery Zone Bonds shall comply with all applicable existing Federal, State, and local laws, rules, and regulations.

SECTION 7. SEVERABILITY CLAUSE. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications hereof which can be given effect without the invalid provision or applications. To this end, the provisions of this Resolution are declared severable.

SECTION 8. LIMITATIONS ON BOND ISSUANCE. Authority for the issuance of Recovery Zone Economic Development Bonds and Recovery Zone Facility Bonds shall automatically sunset at the later of (i) 11:59 p.m. Eastern Standard Time on December 31, 2010 or (ii) the last date on which such Bonds can be issued pursuant to any extension of, or an amendment to, Section 1401 of the Code and for which the County has received additional allocations.

SECTION 9. EFFECTIVE DATE. This Resolution shall be effective immediately upon its adoption.

SECTION 10. ADMINISTRATIVE CODE. The Seminole County Administrative Code is hereby codified with the addition of Section 22.25, "Recovery Zone – Build America Bonds" in the Administrative Code.

ADOPTED this 12th day of January, 2010.

AUTHORITY: Resolution 2010-R-6 adopted January 12, 2010
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 24. HUMAN RESOURCES

24.1 CODE OF ETHICS FOR COUNTY EMPLOYEES

AUTHORITY. Resolution 2014-R-44 adopted February 11, 2014

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Code of Ethics for County Employees

101.0 Ethical Standards

Policy:

Employees shall comply with the requirements set forth in the Code of Ethics for Public Officers and Employees established in Chapter 112, Florida Statutes, and the Code of Ethics established in Chapter 74 of the Seminole County Code of Ordinances. The following Code of Ethics for County Employees establishes specific standards that must be adhered to by each employee.

(1) In fulfilling their responsibilities, employees shall always use their positions of authority with fairness and honesty, as to avoid preferential treatment to any person, contractor or vendor.

(2) Employees must use the powers and resources of the County entrusted to them to support and implement the policies and programs adopted by the elected Board of County Commissioners and implemented by the County Manager.

(3) Employees shall be committed to being educated on a regular basis as to their ethical obligations.

(4) Employees shall not use their position of public trust in seeking personal gain for themselves, family members or other individuals.

(5) Employees shall operate with transparency, and without undue influence that could impair their impartiality in the performance of their public responsibilities.

(6) Employees shall avoid any conduct that might undermine the public trust, by making objective, fair, and impartial decisions.

(7) Employees shall avoid conduct and speech that interferes with good order and discipline. Employees shall treat each other and the public with the utmost courtesy and respect, and refrain from making any derogatory or demeaning remarks. Employees shall avoid conduct and speech which unjustly or maliciously criticizes County departments, divisions, offices, officers, employees, or the policies, programs, or actions of the County, or ridicules or interferes with the reasonable supervision or proper discipline of employees.

(8) Employees shall not act in any manner that may discredit the County, public officials, fellow employee(s) or themselves; however, employees shall have the right to report fraud, waste or abuse. The rights of employees under “whistleblower legislation” shall be honored and respected.

(9) Employees shall avoid personal relationships with co-workers or individuals doing business with the County that could give the appearance of favoritism, preferential treatment, personal gain, or can reasonably be expected to undermine discipline, authority or morale.

Code of Ethics for County Employees

102.0 Seeking Guidance

(1) If an employee is uncertain if any anticipated personal action, dealing or contractual relationship complies with Florida Statutes, the Seminole County Code of Ethics or other laws and/or regulations, he or she shall seek guidance with a complete factual background to the County Attorney's Office.

(2) The County Attorney's Office shall respond accordingly before any further action is taken by the employee.

Code of Ethics for County Employees

103.0 Educational Requirements

(1) All employees with Seminole County shall receive an electronic or written copy of the Code of Ethics for County Employees.

(2) All new employees shall be required to attend an initial ethics briefing from the County Attorney's Office.

(3) All employees shall participate in an instructor-led refresher training every three (3) years.

Code of Ethics for County Employees

104.0 Conflicting Employment or Contractual Relationship

(1) Employees who participate in approving, recommending or preparing any part of a purchase or procurement request; influence the content of any specification or procurement standard scope of services; or render advice, serve as an evaluation and review committee member, conduct financial transactions, investigate, audit or act in any other advisory capacity in the procurement process may not be employed by or perform work for any person or entity seeking to provide or providing contractual services to the County.

(2) Employees acting in their official capacities shall not, directly or indirectly, procure contractual services for the County or substantially participate in the procurement of contractual services for the County from any business entity in which a relative, as defined by Chapter 112.312, Florida Statutes, is an officer, partner, director, or owner or in which such employee or his/her spouse, child, or any combination thereof has a material interest.

(3) Employees are responsible for disclosing to the Division Manager, through their immediate supervisor, whenever a relative, or any person with whom the employee shares a residence or maintains a personal relationship akin to that of relative, is employed by in any capacity in an organization or business entity which is being considered or has been approved to provide goods or services to Seminole County and the employee will participate in the procurement process. This participation may include decision, approval, disapproval, recommendation, or preparation of any part of a purchase request by influencing the content of any specification or procurement standard; by the rendering of advice; by investigation; by auditing or by participating in any other advisory capacity in the procurement of contractual services or commodities. Division Managers are responsible for reporting such disclosures to the Purchasing and Contracts Division Manager and Department Director.

(4) Employees shall not use or attempt to use their positions or any County property or resource entrusted to them in an effort to obtain a special privilege, gain or benefit for themselves or others.

(5) Any employee who wishes to perform “outside employment”, or continue same if a new employee (e.g., working for an employer other than the County, engaging in private or self-employment for personal gain, or rendering service to private interests for compensation) may do so only after first obtaining written approval from his/her Division Manager and Department Director. A copy of the written request with appropriate approvals shall be forwarded to the Human Resources Division and placed in the employee’s personnel file.

(6) No employee shall be permitted to perform outside employment that would violate any provision of State law or this Code, or would present a conflict of interest, real or perceived, when viewed in the context of employee’s County position. The non-existence, existence, or perception of a conflict of interest shall be determined by the County Attorney’s Office, as provided in the “Seeking Guidance” provision of this Code.

(7) Outside employment shall not interfere with the employee's effectiveness in his/her County position or impede, be inconsistent with, or adversely affect the performance of his/her County employment.

(8) No equipment, supplies, facilities, vehicles, uniforms, or other property of the County may be used by employees to pursue or engage in outside employment. This prohibition shall include any County resource regardless of whether the employee intends to reimburse the County for costs.

(9) Permission to engage in outside employment may be denied or withdrawn at any time with concurrence of the Division Manager, Department Director, Human Resources Division Manager and County Manager upon a determination that such activity is interfering with or may likely interfere with the employee's efficiency or production, causes discredit, or is in conflict with the best interests of the Department or the County.

Code of Ethics for County Employees

105.0 Conflict of Interest Regarding Contracted County Work and/or Purchase of Property, Materials or Supplies Prohibited

(1) Employees are prohibited from seeking business with or submitting bids to the County or having a material interest as defined in Section 112.312, Florida Statutes, in any entity that seeks business with or submits bids to the County.

(2) Employees and entities in which they own a material interest may bid on surplus County property. However, employees that are in the decision making approval role to declare County property as surplus, and employees who work in the Department from which the property is being declared surplus, may not bid or purchase that property.

Code of Ethics for County Employees

106.0 Disclosure of Information

(1) Employees shall always comply with the Florida Public Records Law and seek guidance from the County Attorney's Office when a question arises as to the appropriateness of releasing public documents.

(2) Employees shall not, in order to gain any personal advantage for themselves or for another, use or furnish any information to anyone which is not available to the public generally, and which was obtained as a result of County employment. This policy does not limit, hinder, or prevent the giving or using of information in performing official duties.

(3) Confidential or legally sensitive information obtained in the course of official duties shall not be released except by those employees specifically charged with this responsibility; provided, however, the County shall comply with the laws of the State of Florida relating to access to public records.

Code of Ethics for County Employees

107.0 Solicitation/Acceptance of Gifts, Gratuities, Benefits, or Things of Value

(1) Employees shall not solicit or accept any gift, either directly or indirectly, from any person or entity doing business with, regulated by, or seeking to do business with the County, or from the agent or lobbyist of any such person or entity. Employees who are uncertain about accepting gifts should request an advisory opinion as set forth in the "Seeking Guidance" section of this Code. Employees shall not accept any gift authorized herein based upon an understanding that his/her official acts or judgment will be influenced thereby.

(2) The term "gift" means any gratuity, benefit, or any other thing which is accepted by, or given to an employee or another on the employee's behalf, either directly or indirectly, other than that provided to an employee in relation to officially approved County business, and includes by way of illustration and not limitation, the following:

(a) Real property and/or the use thereof;

(b) Tangible or intangible personal property (as defined in Section 192.001, Florida Statutes) and/or the use thereof;

(c) A preferential rate or terms on a debt, loan, goods, or services that is neither a government rate available to all other similarly situated government employees or officials or a rate which is available to the public.

(d) Forgiveness of an indebtedness;

(e) Transportation, lodging, or parking unless on County business and the provision of same is disclosed on a travel voucher;

(f) Food or beverage;

(g) Membership dues;

(h) Entrance fees, admission fees, or tickets to events, performances, or facilities;

(i) Services provided by persons pursuant to a professional license or certificate;

(j) Other personal services for which a fee is normally charged by the person providing the services; and

(k) Any and all other similar goods or services having value not already provided for in this definition.

(3) The term "gift" does not include:

(a) Salaries, benefits, services, fees, commissions, or expenses associated with the employee's employment;

(b) Contributions or expenditures reported pursuant to Chapter 106, Florida Statutes; campaign-related personal services provided without compensation by volunteers or any other contribution or expenditure by a political party;

(c) Conference travel expenses, including airfare, lodging and meals when provided by a state, regional or national organization which promotes the exchange of ideas between the government officials and employees and whose membership is primarily composed of elected and/or government officials and the conference is directly related to the employee's duties and responsibilities;

(d) An honorarium or an expense related to an honorarium event paid to individuals and/or family members provided, however, disclosure of same shall be made, in writing, to the Human Resources Division Manager;

(e) An award, plaque, certificate, or similar personalized item given in recognition of the employee's public, civic, charitable, or professional service;

(f) An honorary membership in a service or fraternal organization presented merely as a courtesy by such organization;

(g) The lawfully permitted use of a public facility or public property for an authorized and approved public purpose;

(h) Candy, food products, or plants which are generally distributed during holidays as an act of courtesy or benevolence; provided, however, that such items shall be placed in an area which allows and encourages all employees and the public to partake of such items;

(i) Office supplies such as calendars, pens, pencils, or address books of nominal value, and which are distributed generally to employees;

(j) Discounts offered to all employees; and

(k) Door prizes awarded "by chance" at business related conferences and seminars.

(4) Exceptions Regarding Gifts

(a) When an employee's duties and responsibilities include attendance (such as a speaker or program participant) at business, industry or public luncheons or dinner meetings with public, industry, or business committees, organizations, or associations and these meetings are related to County business, employees may participate. When a meal is provided at the function, the employee is authorized to accept the meal.

(b) Employees authorized to attend meetings, seminars, conventions, etc., sponsored by professional organizations are free to participate in the social functions that are part of the meetings or sanctioned by the host.

(c) It may be appropriate for employees to attend social functions sponsored by an industry, business, or profession for a broad spectrum of community groups (such as legislators, businesspersons, and local officials). However, in deciding to attend such functions, employees should be careful to avoid any appearance of impropriety. Employees may attend functions or events related to their official duties when tickets are

provided to the County for distribution to the appropriate employees. Employees who have any questions as to whether attendance at a function would be considered receipt of a gift, and an ethical violation, should seek guidance from the County Attorney prior to attendance.

(5) Reporting of Gifts. Any employee receiving a gift from any individual, partnership, association, corporation, or other organization, whether public or private, doing business with or subject to regulation by the County, or the agent or lobbyist of such individual or entity, shall report the gift to his/her Division Manager.

Upon completion of such notification, the employee will be advised as to how to return the prohibited gifts. The employee will be advised on the proper handling of the received gift.

Code of Ethics for County Employees

108.0 Bribery

(1) An attempt to bribe an employee is a flagrant attack on the integrity of the County. A bribery attempt occurs when an offer is made to give anything of value to an employee with the intention that the employee will do something or fail to do something relating to the performance of the employee's duties. Whether the action or inaction would have taken place anyway is not pertinent to whether a bribery attempt has occurred.

(2) Bribe offers are often made subtly rather than in direct fashion. Employees must be perceptive and alert to solicitations to accept gifts of money or anything else of value in return for acts or omissions involving their official functions and shall promptly report suspicious offers in order that trained personnel can evaluate the facts and initiate investigations when required. Any employee who has reasonable grounds for believing that a bribe attempt has occurred or will occur shall:

(a) Immediately report the matter to his/her appropriate Division Manager or Department Director and/or County Manager and the County Attorney; and

(b) Cooperate fully in any investigations conducted by County staff, the Office of the State Attorney, and any law enforcement agencies.

(c) Employees who fail to cooperate in investigations shall be subject to disciplinary actions.

Code of Ethics for County Employees

109.0 Additional Ethical Conduct Requirements for Employees with Regulatory Responsibilities

(1) The following definitions shall apply for the purposes of this Section:

(a) The term "regulatory responsibilities" means duties or responsibilities assigned to an employee by management within the County which involve:

(i) The direct responsibility for determination of whether or not an entity or the property of an entity is in compliance with Federal, State or local statutes, laws, rules, or regulations, or for determinations or recommendations as to whether any license, authority to conduct business, or other certificate of authority issuable by the County should be issued to an entity, be revoked, be canceled, or be suspended; or

(ii) Direct responsibility for the approval of purchases by the County from an entity.

(b) The term "entity" for the purposes of this Section means any individual, partnership, association, corporation (profit or non-profit), utility, or other organization, whether public or private, doing business with or subject to regulation by the County.

(2) Each employee exercising regulatory responsibility shall, within five (5) working days of making application for employment with a person or entities doing business with or subject to the regulation by the County, report to his/her Department Director or Division Manager, in writing, that such application has been made. The term "application" means a verbal or written communication whereby an employee holds himself or herself out as available for employment or for a contractual relationship for remuneration.

(3) Each employee exercising regulatory responsibility who receives an offer of employment or an offer for a contractual relationship for remuneration from any person or entity shall report such offer, in writing, to his/her Division Manager or Department Director within five (5) days of receipt of such offer. The term “offer” means a verbal or written communication in which a person or entity states an interest in retaining or employing the individual.

(4) Any employee exercising regulatory responsibility who has or who obtains a financial interest in an entity shall report such fact to the appropriate Department Director or Division Manager within five (5) working days of the acquisition of such financial interest. The term "financial interest", for the purpose of this Section, means any arrangement whereby an employee acquires an ownership or material interest, or the right to acquire an ownership or material interest, in an entity.

Code of Ethics for County Employees

110.0 Additional Ethical Conduct Requirements for Reporting Individuals and Procurement Employees

(1) As used in this Section:

(a) The term "reporting individual" means any employee who is required by law, pursuant to Section 112.3145, Florida Statutes, to file full or limited public disclosure of his/her financial interests (financial disclosure).

(b) The term "procurement employee" means any employee who participates through decision, approval, disapproval, recommendation, evaluation, or preparation of any part of a purchase request by influencing the content of any specification or procurement standard or scope of services; rendering of advice; by investigation or auditing; by accepting quotes; or by participating in any other advisory capacity in the procurement of contractual services or commodities.

(2) A reporting individual or procurement employee shall report the receipt of expenses relating to any honorarium event from a political committee, from a lobbyist who lobbies the County directly or indirectly, or from the partner, firm, employer, or principal of such lobbyist.

Code of Ethics for County Employees

111.0 Political Activity

(1) Employees may participate in political activities so long as such participation is not on County time or in County uniform. Political activity includes, but is not limited to, using County time to express support for a political candidate and using County resources emails or phones to solicit support for a candidate. This Section does not interfere with an employee's right to vote or engage in political activity while not on County time.

(2) If employees seek to qualify, run, and/or hold a political office, whether elected or appointed, they must first submit notification, in writing, to their Department Director, Division Manager and the Human Resources Division. The Department Director and the Human Resources Division Manager shall make a joint evaluation identifying any potential conflict of interest or potential impairment of work efficiency. The County Manager in consultation with the County Attorney's Office will make the final decision regarding whether a conflict of interest would be created. If the office sought does not constitute a conflict of interest or impair their work efficiency:

(a) The employee may request paid time off, administrative leave or leave without pay for campaign purposes.

(b) If elected, the employee may retain his/her position if the Human Resources Division Manager, the County Manager and the County Attorney's Office have, prior to the employee qualifying for office, determined that such election and employment does not conflict with Florida law or County policies.

(c) If the employee's request is not approved, the employee may:

i. resign his/her position with the County; or

ii. reject the appointment or choose not to qualify and run for office.

(3) This Section doesn't preclude public servants from performing their employment related duties connected to ballot propositions placed on the ballot by the Board of County Commissioners.

Code of Ethics for County Employees

112.0 Promotion of Private Business

Employees are prohibited from promoting private businesses while on County time on behalf of themselves or others. This Section does not apply to employees whose job duties include promoting economic development and tourism within Seminole County, provided such activity does not promote a business in which the employee, the employee's relative, or any person with whom the employee shares a residence or maintains a personal relationship akin to that of a relative, has a material interest as defined in Section 112.312, Florida Statutes.

SECTION 24. HUMAN RESOURCES

24.5 MANAGEMENT OFFICIALS

A. DEFINITION. A Management Official is defined as the Deputy County Manager, Assistant County Manager, Department Directors and Division Managers.

B. APPOINTMENT, RESIGNATION AND TERMINATION.

(1) In accordance with the Seminole County Home Rule Charter (Section 2.3 B), Management Officials are appointed by and shall be responsible to the County Manager. The Board of County Commissioners shall, by majority vote, confirm the appointment of Department Directors.

(2) Management Officials shall serve as at-will employees at the pleasure of the County Manager.

(3) The County Manager shall have the sole authority to suspend or terminate any Management Official with or without cause.

(4) In the event a Management Official, with or without a contract, resigns in lieu of termination without cause at the request of the County Manager, the employee may receive a lump sum payment of up to a maximum of four (4) weeks salary at the sole discretion of the County Manager unless a contract otherwise requires a specific amount under its terms.

C. MANAGEMENT OFFICIAL HEARING RIGHTS.

(1) Termination

(a) In the event of the termination of a Management Official, the official shall have the right to request a hearing before the County Manager for the purposes of introducing evidence, facts or reasons why employment should be allowed to continue and/or present justification for actions taken which resulted in the termination. The request for a hearing must be submitted in writing to the County Manager within five (5) calendar days of the Termination Action.

(2) The County Manager shall hold a hearing within a reasonable time following receipt of the request. Following hearing, the County Manager shall affirm, revoke or modify the Termination Action.

(3) The Management Official shall have no further right of review.

(4) The right to a termination hearing shall in no way limit or restrict the County Manager's right to terminate with or without cause.

(5) This policy does not void any present contract between the County Manager and the Management Official with respect to the right for severance pay for termination without cause.

D. AUTHORITY. Approved by the BCC on March 14, 1995.
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-216 adopted October 27, 2009
Resolution 2012-R-128 adopted June 26, 2012

SECTION 24. HUMAN RESOURCES

24.10 PAY ADMINISTRATION

AUTHORITY.

I. PAY ADMINISTRATION POLICY

A. PURPOSE. The classification plan is an occupational inventory of positions within county government. It is a fundamental tool of personnel administration in that it makes possible standardization of class titles for purposes of personnel recordkeeping, pay administration, organizational structure and related personnel administrative objectives.

B. ELIGIBILITY. All permanent employees of Seminole County Government Board of County Commissioners fall within the guidelines as set forth herein.

C. PHILOSOPHY OF PAY.

1. Seminole County Board of County Commissioners utilizes a broadband pay plan that strives to compensate employees at the market rate (100% compa-ratio) within 3 to 5 years commensurate with experience so that a qualified, responsive workforce may be hired and retained.

2. Seminole County will support the compensation philosophy of competitive salaries by annually a) awarding merit based on performance (subject to Board of County Commissioners' approval), b) conducting market surveys, and c) providing salary analysis/budget recommendations.

D. ESTABLISHMENT OF PAY LEVELS. Pay levels are established two-fold: 1) Positions that are substantially similar with respect to duties, responsibilities, authority and character of work are included within the same classification, and the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same classification. 2) Once like classifications have been assigned to pay bands, the second consideration is salary paid for these classifications in the market from which they are recruited.

E. PAY LEVEL ADJUSTMENTS. Pay bands may be adjusted annually in accordance with the philosophy of pay for Seminole County and the County's budgetary needs. The Human Resources Division Manager will recommend adjustments in the salary schedule to the County Manager for approval and adoption by the Board of County Commissioners. The adjustments do not change the pay bands to which jobs are assigned nor do they result in automatic changes to individual salaries unless salaries drop below the new pay band minimum and the incumbent is performing at the 'good' rating.

F. JOB DESCRIPTION AND JOB EVALUATION PROCESS.

1. An employee completes a Position Information Questionnaire (PIQ). This form is used to assess the level of responsibility, knowledge, and other factors of the

position. This form is a tool wherein mathematical computations are determined based on various factors of the job. The factors equate to a point value from which a pay band assignment is determined.

2. Job descriptions are developed from the Position Information Questionnaire. Completed job descriptions may be found on the internet site for the Human Resources Division (www.seminolecountyfl.gov/employment).

G. RELATIONSHIP OF PERFORMANCE TO PAY.

1. All career service employees receiving a performance evaluation rating of "good" or above will receive an increase in an amount to be budgeted annually to approximate the cost of living. The amount of the annual adjustment is determined during the annual budget process. At-will employees are not eligible for annual adjustments.

2. Merit and market adjustments will be determined during the annual budget process. Career service employees who receive a performance rating of "top performer" or "outstanding performer" may receive a merit increase. Career service and at-will employees who are over 100% compa-ratio may elect to receive the merit increase in the form of a one-time bonus that will be excluded from the salary base. All other adjustments must be accomplished within budgeted funds (i.e. market adjustments for good performers or hire in salary above the departing incumbent's level).

3. At-will employees may receive a merit increase based upon their performance evaluation in the same manner as currently structured (combined annual adjustment and merit award). All other adjustments must be accomplished within budgeted funds (i.e. market adjustments or hire in salary above the departing incumbent's level).

H. LUMP SUM PAYMENT. A lump-sum payment is a one-time monetary award given to an employee, separate from base salary. A lump-sum payment may be the amount of an increase which extends beyond the pay band maximum.

I. REVIEW SCHEDULES. An employee must serve an initial probationary period. Permanent employees receive in their first year of employment evaluations at three months, six months, and one year.

J. DEFINITION OF TERMS.

Broadband – A broadband is a single, large salary range spanning the pay opportunity formerly covered by several separate salary ranges. A broadband structure classifies jobs into a few wide bands, rather than many narrowly defined salary ranges. Seminole County's band structure is an 85% spread from minimum to maximum.

Compa-ratio – A percentage determined by taking the current salary and dividing it by midpoint.

Job Analysis -- The process of gathering sufficient information about a position to fully understand its function, duties, responsibilities, requirements, and environment.

Additionally, a position's exemption status (paid for overtime or not) is determined under Fair Labor Standards Act guidelines.

Job Description -- A job description is a record of the information gathered during the job analysis process. Employees who hold the job are responsible for updating their job descriptions. This is best accomplished through completion of a Position Information Questionnaire (PIQ). Seminole County's job descriptions are available on both the intranet/internet. The Human Resources Division is responsible for job description maintenance.

Market rate – The rate paid based on a percentage as determined by the organization. Seminole County agrees to pay at the 50th percentile which is the median wage or value below which fifty percent of workers in an occupation earn.

Reclassification – A reclassification is a request to move a position classification to a higher pay band based on a 25% or more change in type of job duties.

K. PROCESSES.

1. Promotion – A change in positions is considered a promotion when the pay band of job classification has changed. An employee who is promoted may receive an increase in pay not to exceed the maximum upward of the new pay band.

2. Transfer – A transfer is defined as moving to another position in the same or lower pay range. The job title may or may not change. Employees transferring may continue to retain their current rate of pay provided it does not exceed the maximum of the pay band. Salary increases are not generally associated with lateral transfers; however, exceptions may be considered by the Department Director with approval of the Human Resources Division Manager.

3. Demotion – A demotion is a change in positions where the position the employee is moving to is in a lower pay band. This may occur voluntarily or involuntarily. Employees transferring may continue to retain their current rate of pay provided it does not exceed the maximum of the pay band.

4. Reclassification – A reclassification is a position's movement to either a lower or higher pay band as a result of change to the duties performed and the value placed therein. The salary of the member must remain at or above the minimum of the new pay grade and shall not exceed the maximum of the new pay grade.

L. APPROVAL AUTHORITY. Promotions, transfers, and demotions are approved by the receiving Department Director. Title changes, if within the same pay band, may also be approved at the department director level. The reclassification process is conducted once annually concurrent with the annual budget cycle in the spring. A section entitled Classifying Jobs covers the complete reclassification process.

M. MAINTENANCE OF THE PAY AND CLASSIFICATION PLAN. The Plan shall be maintained so that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same

classification, and that the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class.

II. CLASSIFYING JOBS

A. DEFINITION. Position classification is the determination of the appropriate classification for a position based upon the work assigned. There are two types of classification – assignment of **new positions** and **reclassification of existing positions**.

B. PROCESS.

1. New positions and reclassifications are considered each fiscal year during the budget process and changes are effective commencing the first day of the new fiscal year.

2. The initiating department first has a conversation with their HR generalist and presents the facts as to why a job review is being requested. The HR generalist will assist in evaluating the request and may assist the department in putting together the necessary documents to be submitted to begin the process.

3. For reclassification consideration, the department must submit the following documents:

(a) A cover memo (see sample) indicating the department's request for a job review. Provide a brief explanation as to why the job review is being requested. Reasons may include:

(i) a restructuring of the positions within a department (reorganization);

(ii) one position may have taken on additional duties and responsibilities (upward reclassification);

(iii) the level of duties has dramatically decreased (downward reclassification);

(iv) the current job title does not accurately reflect the duties of the position.

(b) A completed Position Information Questionnaire (PIQ). This form is available on the Seminole County Intranet under Resource Management Department/Human Resources Division, Forms.

(c) The current and proposed job descriptions. The proposed job description should be provided in duplicate: one printed copy to be included with the PIQ packet; and one digital copy emailed as an attachment to the Compensation Coordinator.

(d) The current and proposed organizational structure for the affected division or department.

(e) This packet is forwarded to the Human Resources generalist.

(f) Packets received incomplete will be returned to the requesting department. Reclassification requests will not be considered unless the written request and all related documents/information are provided by the deadline established each year by the Human Resources Division.

4. The Human Resources generalist reviews the request and forwards to the Compensation Coordinator.

5. The Compensation Coordinator reviews the request for completeness. To ensure integrity of the Classification Plan and to maintain internal equity, after initial evaluation of the PIQ, a thorough research and review of existing classifications within the class series, division/department-wide, or county-wide is conducted to determine: (1) If the initial evaluation is commensurate with similar jobs, or (2) If there is an existing position within division/department who is responsible for proposed duties described. At this time, if necessary, market data will be collected.

6. Market data collected by sources other than the Human Resources Division will not be taken into consideration.

7. An appointment is then scheduled by the Compensation Coordinator with the HR generalist who is assigned to the department making the request. If necessary, the HR generalist will collect from the department additional data.

8. Each HR Generalist will prepare a one-page summary (see samples) on behalf of their department(s) for each reclassification. This summary will contain:

- From and To Position Title
- From and To Pay Band
- Nature of Change Being Requested
- Funding Impact

9. A meeting is scheduled for the department representatives to explain the reason for their request. Participants include a department representative, the HR Generalists, Human Resources Division Manager, Compensation Coordinator, County Manager, Deputy County Manager, Resource Management Department Director or Resource Management Analyst. A specific time slot will be designated for the department's presentation with a question/answer session. All parties in attendance at this meeting shall remain objective and impartial.

10. The recommendation for approval by the Human Resources Division will be decided at a separate meeting. The HR Generalists, Human Resources Division Manager, and Compensation Coordinator will meet to discuss all the reclassification requests and will, by consensus, make their recommendation.

11. The one-page summaries will be compiled into a packet for the Reclassification Hearing Meeting and Budget Consensus Hearings. Only reclassifications with the Human Resources Division's recommendation for approval will be presented to the Budget Consensus Hearings.

12. A report will be presented to the County Manager for final approval and signature. The County Manager is the final authority in the reclassification process.

13. For reclassification requests processed outside of the normal budget process, a 30-minute meeting will be conducted. The parties to attend include the Human Resources Division Manager, Deputy County Manager, Assistant County Manager, Compensation Coordinator, department's HR Generalist, as well as the requesting department director. The recommendation of the request will be determined from this meeting and presented to the County Manager for approval or denial.

(DEPARTMENT LETTERHEAD)

SAMPLE MEMORANDUM REQUESTING POSITION RECLASSIFICATION

Date

TO: Human Resources Division Manager

FROM: Department Director

☐ **Reclassification Request**

The (department name) is undergoing a reorganization. The following positions are impacted by the proposed changes:

FROM (list)	TO	INCUMBENT

For those positions that have a proposed upward band change, funding of a 5% increase from one-percent adjustment monies is available. The total dollar impact is $_____. For those positions being reclassed downward, a salary adjustment is to occur only if the employee's present salary exceeds the maximum of the proposed pay band.

The completed Position Information Questionnaire (PIQ) packet is enclosed.

-OR-

The (job title), incumbent (name), has taken on added duties and tasks during the last three years. Because of these new responsibilities, I am requesting the Human Resources Division conduct a job audit for possible reclassification. No salary change is being requested.

The completed Position Information Questionnaire (PIQ) packet is enclosed.

-OR-

Tasks performed by the incumbent have been reduced and a downward reclassification is being considered. A salary reduction is not being requested. The completed Position Information Questionnaire (PIQ) packet is enclosed.

Please direct any questions you may have regarding this request to (Name), (Phone No.).

☐ **Classification of a New Position**

This department is requesting Board approval of a new position. The appropriate classification and salary range must be assigned to this position.

A completed Position Information Questionnaire (PIQ) is attached which outlines the duties and responsibilities to be assigned to an employee in this position.

Please review the questionnaire and initiate the classification process.

Classifying Jobs
Timeline for Reclassification Process
Budget Year 2004/2005

Date	Process
March 14th	Job review request to be delivered to HR generalist.
March 15th to March 18th	HR generalist to review request with their department(s) and HR Division Manager.
March 22nd to April 1st	HR generalist to meet with Compensation Coordinator to review request.
April 4th to April 29th	Compensation Coordinator to evaluate requests.
May 4th and 5th	The Human Resources Division to meet with each department as scheduled. At this time, the departments will present their 'case' for consideration.
May 13th	Deadline for Compensation Coordinator to finalize all job review packets.
May 24th	Budget Consensus Hearings:

SECTION 24. HUMAN RESOURCES

24.15 PERSONNEL POLICIES AND PROCEDURES

AUTHORITY. Approved by BCC March 29, 1999.
Resolution 2010-R-49 adopted February 23, 2010
Resolution 2010-R-235 adopted November 9, 2010
Resolution 2011-R-169 adopted September 13, 2011
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2014-R-44 adopted February 11, 2014

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FOREWORD

These Personnel Policies and Procedures for Seminole County Government, under the Board of County Commissioners, are designed to serve as a guide for all Seminole County Government members in the day-to-day operations of the County. Please review them thoroughly.

I am committed to ensuring that all members of Seminole County Government are consistently treated with respect and in a fair and impartial manner based on personnel policies which are interpreted in the same way by all members -- non-supervisory, supervisory and management alike.

As changes are made in the laws governing personnel administration, appropriate amendments to these Policies and Procedures will be necessary and shall be adopted by the Personnel Board and the Board of County Commissioners prior to implementation. Recommendations in areas of the Policies and Procedures which, due to growth and change, need to be revised should be submitted to the Human Resources Division.

As members of County Government it is our privilege to serve the citizens of Seminole County as well as each other. I wish you success and many years of fulfilling and faithful service.

FUNCTIONS OF THIS MANUAL

POLICY:

It is the policy that this Manual be used as an outline of the basic personnel policies, practices and procedures for the organization.

COMMENTS/ PROCEDURES:

(1) This manual contains general statements of County policy. It should not be read as including the fine details of each policy, nor as forming an expressed or implied contract or promise that the policies discussed in it will be applied in all cases. The County may add, revoke or modify policies in the Manual as needed.

(2) Each Department/Division will have a copy of the manual available for members to reference.

(3) Members are encouraged to recommend changes or new policies. The Human Resources Division is responsible for disseminating new policy information.

(4) All members should refer to the Manual whenever questions of policy interpretation or implementation arise. Issues needing clarification should be referred to the Human Resources Division Manager.

(5) The County Manager shall have the authority and responsibility for the equitable and effective implementation and general administration of the Personnel Policies and Procedures and has final administrative authority in the following:

(a) Select, employ, and supervise all personnel and fill all vacancies, positions, or employment with final administrative authority to suspend, discharge, or remove any member under the jurisdiction of the Board of County Commissioners,

(b) All actions which involve any Board of County Commissioners' members including employment, promotion, transfer, suspension, termination, performance evaluation, merit increase, and other related actions, where appropriate.

(c) Delegate authority to the County Attorney, Deputy County Manager (s) and Department Director(s) for all actions that involve any of their respective members, including employment, promotion, transfer, suspension, termination, performance evaluation, merit increase, and other related actions, where appropriate.

APPLICABILITY TO COUNTY ATTORNEY

The provisions of this Manual shall not apply to the Office of the County Attorney. The County Attorney is authorized to promulgate a Policy and Procedure Manual which may incorporate provisions hereof as they may be applicable to the operation of the County Attorney's Office.

100 CODE OF CONDUCT

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100.0 CODE OF CONDUCT

111.0 PERSONAL MAIL/TELEPHONE CALLS/VISITORS

(1) The County will not handle and distribute the personal mail of its members. All members shall advise correspondents that personal mail should be sent to their personal mailing address and not their place of employment.

(2) Members are prohibited from utilizing County stationery, postage and long distance telephone services for other than County business.

(3) The receiving and making of personal telephone calls and e-mail communication, and the receiving of personal visitors on County time is discouraged. To the extent such activities are unavoidable they may be permitted at the discretion of the Department Director but shall be kept to a minimum necessary.

112.0 DRESS AND APPEARANCE

The public, professional associates, and other county members judge our professionalism and commitment to high standards, fairly or unfairly, by our appearance. Members shall maintain high standards of professional appearance.

113.0 JOB-RELATED INVESTIGATIONS

(1) As a condition of County employment, each member shall, upon notice that an official investigation has commenced relative to County activities, cooperate with respect to any job-related investigation and any related hearing or inquiry.

(2) By way of illustration, but not limitation, it shall constitute a violation of this section to:

(a) refuse or willfully fail to appear for any interview, hearing or inquiry.

(b) refuse or fail to answer truthfully any questions relating to the matters under investigation.

114.0 INDICTMENTS/ARRESTS

(1) Members shall be responsible for immediately notifying his/her supervisor when an information has been filed by a prosecuting official against him/her for any offense or violation of law, when indicted by a Grand Jury, or when arrested.

(2) The supervisor shall immediately notify the Department Director who, concurrently with the Human Resources Division Manager, shall determine if it is in the best interests of the County and the office work program to:

(a) Retain the affected member in his/her regular position; or

(b) Assign the affected member to other duties or another position until such time as any charges are disposed of by trial, acquittal, dismissal, conviction, or other judicial action; or

(c) Terminate the affected member.

(3) In the event that the affected member is retained and pleads nolo contendere or guilty, or is found guilty of any job related offense or any offense that would adversely impact the County or the employment status of the member, or which would cause the County to be held in disrepute, he/she shall be terminated by the Department Director.

(NOTE: Exception to termination may be considered by the Department Director and Human Resources Division Manager only for non-job related violations.)

(4) In the event that the member is acquitted of all charges, or the indictment is dismissed, the Department Director and Human Resources Division Manager shall review the affected member's employment status, and determine whether reinstatement, re-employment, continuing employment, etc. is appropriate.

(5) If the incident or offense is work-related, nothing herein shall preclude the initiation of disciplinary action up to and including termination prior to judicial determination on the criminal charge.

115.0 INCARCERATION

(1) If a member is incarcerated he/she shall be responsible for notifying his/her supervisor as soon as reasonably possible, but no later than his/her first scheduled workday following incarceration.

(2) At the sole discretion of the County Manager, a member may be authorized to take accumulated paid time off, administrative leave, or leave without pay.

(3) The provisions of Section 114.0 shall apply to members who are both indicted and incarcerated.

116.0 DRUG AND/OR ALCOHOL USE/CONSUMPTION

(1) The sale, use, acceptance, possession of, or being under the influence of alcoholic beverages, illegal drugs, or illegal substances on County time, County property, or in any County building, facility, or equipment is prohibited.

(2) If it is determined, or there are reasonable grounds to suspect that, as a result of drug and/or alcohol use/consumption, a member's work performance or, work habits, have declined; or there is a concern for the safety of the member, other members, or the public at large; or, the member, upon reporting to work or while at work, appears to be under the influence of alcohol or controlled substances (illegal use of legal substances or use of illegal substances), any one or more of the following actions will be taken:

(a) The member will immediately be relieved of duty;

(b) The member will be transported to a County physician for a medical examination and/or appropriate drug and/or alcohol screening;

(c) The member may be placed on paid time off leave or leave without pay until such time as a determination is made by the Department Director and Human Resources Division Manager as to disciplinary action up to and including termination and/or any other appropriate action.

(d) Should the County determine that the member may continue his/her employment, such continuation of employment may be conditioned on the member’s participation in and successful completion of specific treatment programs, periodic and/or random drug or alcohol testing and/or medical and psychological evaluation.

(e) Disciplinary action, up to and including termination, will be initiated against the member.

(3) Seminole County maintains a zero tolerance policy for members who operate a County vehicle.

117.0 DRIVING RECORDS

Any member who is required, as a condition of employment, to possess and maintain a valid Florida driver's license (Commercial or Non-commercial) shall immediately (prior to reporting to duty the next workday) inform his/her supervisor when the license becomes denied, expired, restricted, suspended, or revoked at any time during their employment.

118.0 GENERAL SAFETY POLICY

(1) It is in the interest of the County to provide for the monitoring of the working conditions and equipment.

(2) The County provides, at its expense, certain items of safety equipment, to its members, and it must be used by the member in the performance of potentially hazardous jobs.

(3) Failure of a member to use issued safety devices or the failure of a member to file a written first-report-of -injury form regarding any injury sustained on the job, may result in disciplinary action up to and including termination. Report of injury forms shall be completed by the member prior to reporting for duty or the day immediately following the sustained injury.

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201.0 MEMBER SUPERVISION

POLICY:

It is the policy that the work of all members is to be assigned, directed and reviewed by trained and qualified supervisory members.

COMMENTS/ PROCEDURES:

(1) A primary role of each supervisor is to provide an effective link between management and non-management members. As such, supervisors are expected to communicate the goals and policies of management to members. At the same time, supervisors are expected to communicate back to management the attitudes, suggestions and complaints of members.

(2) Supervisors must, in addition to mastering the technical skills needed for their work unit, be able to lead and motivate members to do their jobs effectively and efficiently. To this end, supervisors should be prepared to:

(a) Treat members as individuals;

(b) Give recognition for good performance, as well as guidance for correcting deficiencies;

(c) Explain in advance when and why changes are necessary;

(d) Recommend members with growth potential for promotion, even if it means losing them to other work units;

(e) Encourage diversity of opinion and background;

(f) Show integrity by admitting mistakes instead of shifting the blame to others;

(g) Provide a challenging climate to encourage member development;

(h) Maximize efficiencies and resources within his/her area of influence;

(i) Be impartial and communicate the reasons for any decisions that might be interpreted as unfair.

(j) Demonstrate a desire for good performance by setting work goals and standards for members;

(k) Create a feeling of teamwork and belonging among members;

(l) Set good examples by holding themselves to a standard of conduct and performance that is demanded of all members; and

(m) Impart through example and speech the importance of excellence in customer service and work quality.

(3) Supervisors are responsible to ensure that the goals regarding member conduct and performance established by management are achieved and that the personnel policies established by this Manual are implemented.

Therefore, they are expected to be involved in:

(a) Recommending the hiring of members and overseeing special job training;

(b) Keeping members informed of factors relating to their work assignments, work progress and opportunities for advancement;

(c) Evaluating, as deemed necessary by the County, the performance of probationary and regular members;

(d) Recommending fair and consistent salary adjustments, promotions, transfers, reclassifications and terminations of members;

(e) Scheduling work hours, vacations, lunch and rest breaks;

(f) Controlling absenteeism and tardiness, and approving requests for time off;

(g) Verifying member time worked and monitoring the appropriate use of overtime;

(h) Recommending job elimination when appropriate;

(i) Complying with applicable federal and state laws and regulations concerning member safety;

(j) Maintaining neat and orderly work areas;

(k) Implementing suggestion, disciplinary and problems review procedures; and

(l) Ensuring that all rules and regulations are observed.

(4) Nothing in this policy should be considered as a contract or promise, express or implied, to members that supervisors will in each case perform all of the activities described above, or that such activities will be performed uniformly in each case. However, supervisors will be responsible and accountable for possessing thorough knowledge of the contents of this Manual.

202.0 CODE OF MEMBER RELATIONS

POLICY:

It is the policy to implement fair and effective personnel policies and require all members to serve the County's best interests.

COMMENTS/ PROCEDURES:

(1) The County's goals for members include the following:

(a) To provide equal employment opportunity and treatment to all regardless of race, religion, color, sex, age, national origin, disability or Wartime-era veteran status;

(b) To provide compensation commensurate with the level of work to be performed;

(c) To establish reasonable hours of work;

(d) To monitor and comply with applicable federal, state and local laws and regulations concerning member safety;

(e) To offer training opportunities for those whose capabilities and responsibilities warrant such training;

(f) To be receptive to constructive suggestions which relate to the job, working conditions or personnel policies; and

(g) To establish appropriate means for members to discuss matters of interest or concern with their immediate supervisor or Department Director.

(2) The County expects all members:

(a) To deal with citizens in a professional and courteous manner;

(b) To perform assigned tasks in an efficient manner;

(c) To be punctual;

(d) To demonstrate a considerate, friendly and constructive attitude toward fellow members; and

(e) To adhere to the policies adopted by the County.

203.0 EMPLOYMENT STATUS

I. AT-WILL MEMBERS

POLICY:

It is the policy that management personnel, including, but not limited to, Department Directors, managers and Deputy County Managers, are classified as "at-will" members. Members in these positions are employed at the will of the County for an indefinite period of time.

COMMENTS/ PROCEDURES:

(1) The County Manager has the authority to enter into employment contracts with at-will members which will offer a severance package, as adopted by the Board of County Commissioners, that a member will receive in the event of termination not for cause.

(2) At-will members are subject to termination at any time with or without cause.

(3) No County representative is authorized to modify this policy for any member or to enter into any agreement, oral or written, contrary to this policy without prior written approval from the County Manager. County personnel are not to make any representations to members or applicants concerning the terms or conditions of employment with the County which are not consistent with County policies. No statements made in pre-hire interviews or discussions, or in recruiting materials of any kind, are to alter the at-will nature of management position employment or imply that discharge will occur only for cause.

(4) This policy may not be modified by any statements contained in this Manual or any other member handbooks, employment applications, County recruiting materials, County memoranda or other materials provided to applicants and members in connection with their employment. None of these documents, whether singly or combined, are to create an express or implied contract of employment for a definite period, nor an express or implied contract concerning any terms or conditions of employment. Similarly, County policies and practices with respect to any matter are not to be considered as creating any contractual obligation on the County's part or as stating in any way that termination will occur only for "just cause". Statements of specific grounds for termination set forth in this manual or in any other County documents are examples only, not all-inclusive lists, and are not intended to restrict the County's right to terminate at-will.

(5) Completion of a probationary period does not change any management member's status as an at-will member or in any way restrict the County's right to terminate such a member or change the terms or conditions of employment.

II. CAREER SERVICE

POLICY:

It is the policy that during the initial probationary period, members are considered to be employed "at will" and are subject to dismissal for just cause, no cause, or any cause. Upon successful completion of the initial probationary period, all members, excluding management, shall be appointed to Career Service with the County.

COMMENTS/ PROCEDURES:

Career Service members are afforded the opportunity to pursue an internal appeal/grievance process to insure fair and impartial treatment in relationship to:

- non-selection actions
- disciplinary actions
- termination actions

III. MANAGEMENT RIGHTS

(1) The County retains the sole right to exercise all managerial functions including, but not limited to, the right:

(a) To determine and change work hours (starting times, quitting times) with adequate notice;

(b) To transfer members within departments or into other departments and other classifications;

(c) To determine and change the size and qualifications of the work force;

(d) To determine and change methods by which operations are carried out;

(e) To determine and change the nature, location, services rendered and continued operation of the County;

(f) To assign duties to members in accordance with the County's needs and requirements and to carry out all ordinary administrative and management functions; and

(g) To assign, supervise, discipline and dismiss members.

(2) Should a member have a question about job working conditions or the manner in which a particular rule or procedure has been applied; or if any member does not fully understand the reason behind any action, the County encourages the member:

(a) To discuss the problem with the immediate supervisor;

(b) To further discuss such concerns with the next individual in the appropriate line of supervision if the member is unable to resolve concerns with the supervisor.

(c) Any member exercising the right to discuss a concern under this section with a member of management above his/her immediate supervisor, after having discussed the concern with the immediate supervisor, will not be discriminated or retaliated against in any way.

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301.0 EQUAL EMPLOYMENT OPPORTUNITY

POLICY:

It is the policy to provide equal opportunity in employment to all members and applicants for employment. Consistent with the rights and obligations under applicable federal and state law, no person is to be discriminated against in employment because of race, religion, color, sex, age, national origin, disability, or veteran status.

COMMENTS/ PROCEDURES:

(1) This policy applies to all terms, conditions and privileges of employment including, but not limited to, hiring, probationary period training, placement and member development, promotion, transfer, compensation, benefits, educational assistance, layoff and recall, social and recreational programs, member facilities, termination and retirement.

(2) The County has established a written equal employment opportunity program to achieve prompt and full utilization of minorities, the disabled, Wartime-era or disabled veterans and women at all levels and in all segments of the work force. The results of the program are to be reviewed annually and the program is to be modified as necessary to achieve its stated objectives.

(3) The Human Resources Division Manager is responsible for formulating, implementing, coordinating and monitoring all efforts in the area of equal employment opportunity. The Human Resources Division Manager's duties may include, but are not necessarily limited to:

(a) Assisting management in collecting and analyzing employment data;

(b) Developing policy statements and equal employment opportunity programs emphasizing recruitment and retention techniques designed to comply with the equal employment policies of the County;

(c) Complying with various statutory recordkeeping and notice requirements in order to ensure full compliance with all employment-related statutes and regulations;

(d) Preparing, as required by state, federal or local law, an annual review and summary of the County's equal employment opportunity programs and the results achieved under these programs for submission to the Board of County Commissioners;

(e) Assisting supervisory personnel in arriving at solutions to specific equal access/equal opportunity related personnel problems;

(f) Serving as liaison between the County and government agencies, minority and women's organizations and other community groups; and

(g) Keeping management informed of the latest developments in the entire equal employment opportunity area.

(4) Any communication from an applicant for employment, a member, a government agency or an attorney concerning any equal employment opportunity matter is to be referred to the Human Resources Division Manager and the County Attorney.

(5) While overall authority for implementing this policy is assigned to the Human Resources Division Manager, an effective equal employment opportunity program cannot be achieved without the support of supervisory personnel and members at all levels. Any member who feels they are the victim of discrimination has a responsibility to report this fact to their supervisor and/or the Human Resources Division Manager.

302.0 PRODUCTIVE WORK ENVIRONMENT

POLICY:

It is the policy to promote a productive work environment. The County will not tolerate any action by any member which harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile environment.

COMMENTS/ PROCEDURES:

(1) All members are expected to act in a responsible, professional manner and contribute to a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated.

(2) Each supervisor has a responsibility to maintain a work place free of any form of harassment.

(3) Harassing or offensive conduct in the workplace, whether committed by members or non-members, is prohibited.

(4) Any member who believes that a member's or a non-member's actions or words constitute harassment has a responsibility to report or complain about the situation as soon as possible. Such report or complaint should be made to the member's supervisor, the Department Director, or to the Human Resources Division if the complaint involves the supervisor.

(5) Complaints of harassment are to be handled and investigated by the Human Resources Division under County policy, unless special procedures are deemed appropriate. Regardless, all complaints of harassment are to be investigated promptly and in as impartial and confidential a manner as possible. Members are required to cooperate in any investigation. A timely resolution of each complaint is to be reached and communicated to the parties involved. Retaliation against any member for filing a complaint or participating in an investigation is strictly prohibited.

(6) Any member who is found to have engaged in harassment of another member will be subject to appropriate disciplinary action, depending on the circumstances, up to and including termination.

(7) The County recognizes that knowingly false accusations of harassment can have a serious effect on innocent men and women. Therefore, knowingly false accusations can result in the same severe disciplinary actions applicable to one guilty of harassment.

303.0 HIRING

POLICY:

It is the policy to be an equal opportunity employer and hire individuals best qualified for open positions. Through the selection and recruitment process, Seminole County Government will build a diverse workforce that is successful in their endeavors.

COMMENTS/ PROCEDURES:

(1) Departments with vacancies, either new or vacated positions, need to submit an approved open requisition to the Human Resources Division to initiate the recruitment process.

(2) A Human Resources Representative will contact the hiring manager or designee to determine Department needs (type of candidate, timing, environmental factors, etc.).

(3) The job will be posted internally (and externally if requested) for at least one week. Internal applicants will be given serious consideration for promotional opportunities in an effort to create a career path for our members.

(4) The Human Resources Division will screen for all qualified applicants and forward qualified applicants to the hiring manager or designee.

(5) The Human Resources Division will participate in the interviewing process (such as initial screening interviews, interviewing final candidates) using Behavioral Interviewing techniques where appropriate and assist in the decision making process.

(6) All offers of employment will be coordinated with the Human Resources Division. External candidates are subject to employment tests, such as drug tests, reference checks, etc. Offers made prior to these employment checks must be made contingent upon their satisfactory completion.

(7) Candidates, both internal and external, that were interviewed must be advised that they were not selected.

(8) The County Manager may authorize the dual encumbrance of a position when the regular incumbent is still being paid or receiving paid leave by the County.

(9) Family members of a County employee may not regularly work in a position wherein a direct or indirect reporting relationship, which could cause a conflict of interest, exists or may develop.

304.0 TRAINING & DEVELOPMENT

POLICY:

It is the policy to provide training and development opportunities to all members. New members will attend Orientation. Additionally, all members are expected to meet the core training requirements outlined in the annual training catalogue. Other internal and external training and development opportunities (such as seminars or conferences and a tuition reimbursement program) are encouraged where appropriate.

COMMENTS/ PROCEDURES:

Course selection is determined by the manager/supervisor and the member who mutually identifies development needs and core training requirements. Managers and supervisors are responsible for enrollment of members in training programs.

(1) In-House Training opportunities:

(a) Member attendance in training and development programs will be considered hours worked if approved by management.

(b) Detailed training instructions and the Training Program Registration form, along with a description of the manager, supervisor, and member responsibility, are located in the Training and Development Catalog.

(c) Enrollment is on a first come basis. All training will be confirmed prior to the class. Members unable to attend must notify the Insurance, Benefits and Training Division five (5) days prior to the class or their Department/Division will be charged a participation fee.

(2) Seminars and Conferences:

(a) Outside conferences and seminars appropriate to the specific needs of the individual member or to the particular job may be approved for attendance depending on Department budget constraints and Department coverage.

(b) Members approved to attend outside conferences should notify the Human Resources Division so there is a record kept of training certificates, participation, etc. in the member's file.

(c) Members are responsible for meeting the registration requirements of the outside programs.

(3) Tuition Reimbursement:

(a) Tuition refunds are available to permanent full-time members who have completed six months of employment and are pursuing off-duty education that is directly related to a job or career path within Seminole County Government. The cap will be determined on an annual basis.

(b) Requests for tuition reimbursement shall be submitted to the Human Resources Division no later than two weeks following the first day of classes. Along with the request, members must also provide proof of registration. Reimbursement for the

purchase of textbooks is available by providing a receipt along with other documentation submitted to the Human Resources Division. The Human Resources Division must approve the education reimbursement request for the member to receive a refund.

(c) Members receiving education refunds agree to remain in Seminole County Government employment for one year following the date of completion of the refunded course or to reimburse the County for the refund amount.

(d) Members approved for the Education Refund Program must submit proof of tuition payment to Human Resources, along with a copy of the grade(s). The refund is based on the following scale:

Grade	% of Refund
A	100%
B	75%
C	50%
Below C	0
Pass/Fail	100%/0%

(4) License/Registration/Certification fees

(a) Fees for initial licenses (over and above Florida driver's license), registrations and certifications, or renewal of same, which are required as part of the minimum qualifications to perform one's current job, are reimbursable at the Department level.

(b) Members seeking licenses (over and above Florida driver's license), registrations, or certifications, which are directly related to a career path within Seminole County Government, are reimbursable by the County.

(c) If an exam is required during normal work hours, the member will be given the time off with pay. If the member does not pass the exam and a subsequent test must be taken, the member must submit a leave request form for paid time off. Any expenses incurred for the subsequent test will be the responsibility of the member.

(d) Non-exempt personnel who attend training programs (to maintain certifications, etc., which are required for a current job or directly related to a career path) in addition to normal work hours will be compensated for all overtime hours in accordance with the Fair Labor Standards Act (FLSA).

(e) Proof of enrollment or registration for licensure, registration, or certification shall be submitted to the Human Resources Division. Documentation of successful licensure, registration or certification, along with proof of payment, is required to be eligible for reimbursement.

305.0 MEDICAL PROCEDURES

POLICY:

It is the policy that applicants to whom a conditional offer of employment has been extended may be required to submit to medical tests or examinations. In addition, current members, to the extent permitted by applicable federal or state law, may also be required to submit to medical (including psychological) tests or evaluations.

COMMENTS/ PROCEDURES:

(1) Successful candidates for employment may be required as a condition of employment to pass a medical examination to establish both their fitness to perform the jobs for which they have applied and their fitness to do so without endangering the health and safety of themselves or others. If it is determined that an examination is appropriate to a particular position, all applicants for the job to whom a conditional offer of employment has been made are to be examined.

(2) Members may be required to have a medical/psychological examination on other occasions when the examination is job-related and consistent with business necessity or as required by applicable federal, state or local law. Such occasions may arise when there is the potential for exposure to toxic or unhealthy situations, when the member is being considered for transfer or promotion, or when there is a question concerning the member's ability to perform the duties of the job he or she is being considered for.

(3) Members are encouraged, but not required, to have physical examinations periodically during their employment and to participate in wellness programs.

(4) Medical examinations required by the County will be paid for by the County and performed by a designated health care practitioner or licensed medical facility. Examinations paid for by the County are the property of the County and are to be treated as confidential and held in separate medical files. Records of specific examinations, as required by law or regulation or required by appropriate business practice, will be made available to the member, persons designated and authorized by the member, or other agencies or persons as allowed by law.

(5) Members who need to use prescribed drugs while at work, when such use may impair their ability to perform their job safely and effectively, must report this requirement to their immediate supervisor. Depending on the circumstances, members may be reassigned, restricted from performing certain tasks, or even prevented from working if they are judged not able to perform their jobs safely and properly while taking prescribed drugs.

(6) Members requesting either a Medical Leave due to their own serious health condition or a Family Leave due to the serious health condition of a qualified family member must provide Human Resources with a medical certification completed by the attending health care provider.

(7) The County reserves the right to require recertification for extended leaves and second or third medical opinions regarding a member's absence due to a serious health

condition or regarding a health care provider's certification of a member's ability to return to work.

(8) The County reserves the right to require any member who is returning to work from an absence due to an injury or illness to report to the Human Resources Division and provide a health care provider's certification of the member's ability to return to work before the member is released to duty.

306.0 PROBATIONARY PERIOD

POLICY:

It is the policy that all new members are to be evaluated for an initial on-the-job probationary period of at least six months. After satisfactory completion of the probationary evaluation, such members will be evaluated on an annual basis as provided for in the Performance Evaluation Program.

COMMENTS/PROCEDURES:

(1) Supervisors are to observe the performance of each member in a new position. Strengths and weaknesses in performance, attendance, conduct or attitude are to be brought to the member's attention.

(2) Supervisors are encouraged to prepare a written evaluation of a member's job performance by the end of the first three months on the new job.

(3) After six months, a written evaluation of a member's performance must be completed. The evaluation is to include a recommendation as to whether the member should continue in the position. The evaluation should be forwarded to the Department Director for comment/signature and then to the Human Resources Division for inclusion in the member's personnel file. A copy shall be provided to the member.

(4) Members will be permitted to continue in their new positions if they are given both a satisfactory evaluation by the end of their initial six month employment period and their supervisor's endorsement to continue in the job. Members not receiving such satisfactory evaluation and endorsement may be given additional time to demonstrate their ability to do the job if the supervisor feels additional time (not to exceed three months) is warranted in order to achieve acceptable job performance.

(5) Supervisors may recommend that a newly hired member be terminated at any time. Such a recommendation for termination should be reviewed with the Human Resources Division prior to the action being taken.

(6) Newly hired members accrue leave hours beginning the first day of employment (see PTO, Paid Time Off). Leave may be taken during the probationary period if available.

307.0 TRANSFER

POLICY:

It is the policy that the County may, at its discretion, initiate or approve a member's job transfer from one position to another or from one location to another. A transfer is defined as moving to another position in the same or lower pay range. The job title may or may not change.

COMMENTS/ PROCEDURES:

(1) The County may require members to make either a temporary or permanent job transfer in order to accommodate the County's business needs.

(2) Members may request a voluntary job transfer. To be eligible for a voluntary transfer, members must meet the minimum requirements of the new position.

(3) The hiring authority may elect not to post a vacancy if a qualified member requests a lateral transfer or voluntarily seeks a position with a lower salary range, is disqualified from a higher level position, or whose position has been eliminated. [Note: An application is not required.]

(4) Eligible members who request a transfer will be considered in the following order subject to the discretion of the hiring authority:

(a) Members in the same Department as the job vacancy;

(b) Members who are being considered for layoff because of a reduction in force or the elimination of their position;

(c) All other members.

(5) Member requests for transfer should normally be handled as follows:

(a) The member should submit a written request for a transfer to the Department Director. The request should include the reason for the transfer and the Department and specific job wanted.

(b) The Department Director should forward the request to the Human Resources Division to determine whether the requested job or a suitable job vacancy exists and whether the member is qualified. If a job vacancy exists and the member is qualified, the Human Resources Division should arrange an interview between the candidate and the Department Director or designee who has the job vacancy.

(c) The candidate will be allowed time off with pay for job interviews related to the transfer and will not be required to use personal leave time.

(d) The Department Director with the job vacancy will make the final transfer decision.

(6) Pay for transferred members will be handled as follows:

(a) Members transferred to a job in the same salary range will continue to receive their existing rate of pay.

(b) Members voluntarily transferring to a job in a lower salary range may continue to be paid at their former rate providing that rate is not over the maximum of the new salary range. They may be paid a lower rate at the Department Director's discretion.

(c) Members transferred involuntarily to a job in a lower salary range may be paid at a lower rate not to exceed the maximum of the salary range.

(d) Members should receive a performance evaluation at the time of transfer.

(e) The anniversary review date will be adjusted for members whose rates of pay change at the time of transfer.

(7) Transfer/Constitutional Officers

(a) The transferring member's date of hire shall remain the same provided there is no break in service.

(b) The transferring member will serve the prescribed probationary period.

(c) The transferring member, if employed by other than the Board of County Commissioners, may carryover six (6) days of accrued annual leave and twenty (20) days of accrued sick leave.

308.0 PROMOTION

POLICY:

It is the policy to provide training and development for members and to offer members promotions to higher level positions when appropriate. Management, when possible, will promote from within and will first consider current members with the necessary qualifications and skills for a vacant position, unless outside recruitment is deemed to be in the County's best interest.

COMMENTS/ PROCEDURES:

(1) All members are encouraged to seek advancement opportunities and to obtain promotion and career guidance from their supervisor, Department Director/Division Manager and/or the Human Resources Division.

(2) A member's basic eligibility for promotion will be determined by the minimum requirements of the new job.

(3) Job vacancies and promotions for which management seeks candidates from within the County will be posted on the internal job list. When job vacancies or promotion opportunities are posted, interested members must complete a Seminole County Job Opportunities form and submit it to the Human Resources Division prior to the advertised closing date.

(a) As regular vacancies occur, the hiring authority is expected to review the position requirements and determine the necessity of filling the position.

(b) It is determined that a position must be filled, the hiring authority then reviews the position duties, responsibilities and minimum qualifications, including the essential functions of the job, and updates and revises the job description with the assistance of the Human Resources Division's staff, if necessary.

(c) Qualifications of the Seminole County work force may then be reviewed by the hiring authority to determine if any current regular members are qualified for the position.

(d) If a pool of qualified members is available, the hiring authority may elect to first post the vacancy in-house for at least five business days.

(e) If internal recruiting efforts are unsuccessful or if the hiring authority determines that no viable internal candidates exist, the position may then be posted externally. (See HIRING for procedures.)

(4) Current member candidates for promotion will normally be considered and selected on the basis of job-related qualifications, tests where appropriate (demonstrated ability), attendance, work records, and performance evaluation. In addition, to the extent permitted by law, such members may be required to have a medical examination.

(5) A member who is promoted may receive an increase in pay not to exceed the maximum of the new pay grade. The anniversary review date will be adjusted accordingly.

309.0 HOURS OF WORK/OVERTIME

POLICY:

It is the policy to establish the time and duration of working hours as required by workload, productivity, customer service needs, the efficient management of human resources and any applicable laws.

COMMENTS/PROCEDURES:

(1) The normal workweek for all members shall be forty hours. Exceptions may be made in accordance with the law at the discretion of the Department Director or their designee. All time which is to be taken for meals shall consist of either one-half hour or an hour. This time is not to be included in the total hours worked for the workweek, and is not intended as a means for members to make up time for reporting to work late or leaving early.

(2) The official workweek shall commence at 12:01 a.m. Sunday and end at 12:00 midnight Saturday except as follows:

(3) The schedule of hours for members will be determined by each Department Director or designee who will inform members of their daily schedule of hours of work, including meal periods, break periods, and any changes deemed necessary or desirable by the County. Breaks are not intended to be combined with meal periods nor to be used to make up for late arrival or early departure.

(4) There are no provisions for breaks or rest periods for any member during their regular workday other than designated meal times. Breaks and rest periods may be given at the discretion of the Department Director, Division Manager, or their designee, as long as such breaks do not interfere with the operation of the work section to effectively meet operational goals. Breaks and rest periods shall not be longer than fifteen (15) minutes. However, the frequency and duration of breaks and rest periods is dependent upon the judgment of the supervisor with the concurrence of the Department Director.

(5) Department Directors, Division Managers or their designee may schedule overtime or extra shifts when necessary. Supervisors will assign overtime to members in the job for which overtime is required. Non-exempt members are eligible to receive overtime compensation at the rate of time and one-half for all hours worked in excess of forty hours in one week. Non-exempt members are not permitted to work overtime without the prior approval of their supervisor, Division Manager or Department Director. For the purposes of overtime calculation, hours worked and holiday pay hours, including the Personal Day (employee birthday), in excess of forty hours during a workweek will be counted towards overtime compensation. Hours worked excludes paid time off leave and other leaves. Compensatory time may be granted at the discretion of the supervisor, Division Manager, or Department Director.

(6) Members are required to be present at their assigned work location for the total designated hours in their prescribed workweek unless their absence is authorized and documented by an approved leave request form. All absences shall be properly recorded and charged to the member's leave record.

(7) Members in classifications exempt from overtime payment shall be compensated by a regular salary on the basis that extended workdays and/or workweeks may be required to accomplish the assignments of their positions. Such members are expected to work whatever reasonable hours are necessary to complete assignments and successfully execute the duties and responsibilities of the position.

310.0 PERSONNEL RECORDS

POLICY:

It is the policy that individual employee personnel files maintained by the Human Resources Division shall be the official personnel file.

COMMENTS/PROCEDURES:

(1) It is the responsibility of each member to keep all information in his/her personnel file up to date, current and accurate by notifying the Human Resources Division of any information changes.

(2) The Human Resources Division and the County are not responsible when incorrect withholdings, wrong beneficiaries, or loss of member benefits result from the failure of a member to keep personnel records current.

(3) Pursuant to Florida law relating to public records, the records and files of the Human Resources Division are generally considered to be open for inspection and copying by any person provided that such review is conducted in the physical presence of the custodian of records or designee during regular operating hours. Some records may be exempt by law. It shall be the responsibility of the member to notify the Human Resources Division Manager if he/she believes that he/she is eligible for a public records exemption in accordance with State law.

All requests from sources outside of Seminole County Government pertaining to inspection of personnel files, or to employment verification or reference checks on any current or former employees, should be referred to the Human Resources Division.

311.0 TEMPORARY AND ON-CALL MEMBERS

POLICY:

It is the policy to supplement the regular work force with temporary or on-call members, or other forms of flexible staffing when needed, because of periods of peak work load, member absences or other situations as may be determined by management.

COMMENTS/ PROCEDURES:

(1) A temporary member is an individual who is hired either part-time or full-time for a limited period. An on-call member is an individual who is hired for an indefinite period, but who normally works less than a 40 hour workweek. Other flexible staffing job titles or arrangements may be added as needed.

(2) Temporary and on-call vacancies need not be advertised.

(3) Regular full-time members who are given temporary transfers are not considered temporary members unless their jobs have been eliminated and only temporary employment is available.

(4) The County may utilize students, volunteers and other similar applicants for flexible staffing purposes, if not prohibited by law. When deemed necessary, such applicants will be required to provide a certificate of age.

(5) Temporary and on-call members are not eligible for paid absences. A member whose status changes from full-time to on-call will receive payment of all unused accrued paid time off leave, subject to a 960 hour maximum. A member whose status changes from temporary or on-call to full-time will be considered as hired on the date of the change of status for purposes of eligibility for personal time off. Information concerning eligibility of temporary and on-call members for other County benefits, such as the Florida Retirement System, is available from the Human Resources Division.

(6) Temporary and on-call members are to be paid no less than the salary range minimum for their job title.

(7) At the Department Director's discretion, on-call and temporary members may be able to compete for internally posted positions for regular full and part-time vacancies in the same classification.

312.0 DUAL EMPLOYMENT

POLICY:

It is the policy to allow members to serve in a dual employment relationship within the County in those instances where no overtime liability results, as defined by the Fair Labor Standards Act (FLSA).

Therefore, members may only secure dual employment in temporary and on-call (meaning infrequent, irregular or occurring in scattered instances or when not scheduled to work) positions that are substantially different in capacity than their normal job duties.

COMMENTS/ PROCEDURES:

(1) When a current member applies for a second position with the County of a temporary or an on-call nature, the member should complete the Current Member Application for Employment form. The Human Resources Division will review the member's current job description to determine that the work to be performed in the second position is in a substantially different capacity than the member's normal job functions. If so, the application will be reviewed and handled in accordance with approved employment procedures.

(2) Any disciplinary action taken on the member in either position may affect the employment status of the member in both positions.

313.0 SEPARATION FROM EMPLOYMENT

POLICY:

It is the policy to separate employment because of member's resignation, termination or retirement, the expiration of an employment contract or a reduction in the work force. Termination can be for any reason not prohibited by law.

COMMENTS/PROCEDURES:

(1) Members are requested to give written notice of their intent to resign. The following guidelines are suggested:

(a) Management members should give four weeks notice;

(b) All other members should give at least two weeks notice.

(2) Members who are absent from work for three consecutive days without being excused or without giving proper notice will be considered as having voluntarily quit.

(3) Supervisors should send notices of resignation or recommendations for termination with a Status Change form to the Human Resources Division for processing. These notices should be accompanied by any needed supporting documents such as notices of corrective action, disciplinary reports and letters of resignation. All involuntary terminations must be reviewed by the Human Resources Division before any final action is taken.

(4) Supervisors should ensure that all County property is returned by the member prior to separating employment. This can be accomplished by using a checklist that itemizes what must be relinquished by the member.

(5) Requests for employment references should be made in writing to the Human Resources Division and should include an authorization by the member for the release of the requested information.

314.0 LAYOFF

POLICY:

It is the policy that any member may be laid off when it becomes necessary by reason of, but not limited to: shortage of funds, lack of work, the abolition of a position or changes in job duties or organizational structure, or for other reasons within the discretion of the County.

COMMENTS/PROCEDURES:

(1) In the event the County determines that a reduction in the work force is necessary, temporary and newly hired probationary members in the affected classifications and Department shall be laid off first. If further reductions are necessary, regular members in the affected classification shall be laid off from the classification and Department affected.

(2) The order of such layoffs in most cases will be based on length of service with the County, the members' ability to perform the required work and the members' performance evaluations for the past three (3) years. The County's Equal Employment Opportunity Plan and Veteran's Preference will be reviewed prior to any layoffs. In the event of the relative inequality of these factors between members in the same classification and Department, the member with the higher values rating will be retained as determined by the County.

(3) Severance pay may be authorized by the Board of County Commissioners. If approved it will be paid according to the following schedule:

Length of Service*	Amount of Severance
Less than 6 months	None
6 months to 3 years	one (1) week regular pay
4 to 6 years	two (2) weeks regular pay
7 to 9 years	three (3) weeks regular pay
10 years or more	four (4) weeks regular pay

(4) The decision to layoff members shall not be grievable in accordance with the grievance procedure as outlined in these policies and procedures.

(5) Discrimination against any member in the layoff process because of race, color, religion, sex, age, national origin, political affiliation, or disability, except when such physical disability is job related, shall be prohibited.

(6) The Human Resources Division will provide members affected by a layoff with the following services:

- Job Counseling
- Assistance in preparing resumes
- Placement assistance
- Assistance in referrals to other employers

315.0 RECALL

POLICY:

It is the policy that laid off members shall be recalled to County employment based on the need of the County. Laid off members shall be eligible for recall for a period of one (1) year. Members affected by a layoff will be eligible to apply for internal job listings for up to two (2) years.

COMMENTS/PROCEDURES:

(1) All members separated during a reduction in force shall be listed for reinstatement consideration in reverse order of layoff.

(2) Upon selection for the same or similar job held before the reduction in force, the member will be eligible for a reinstatement appointment.

(3) Members affected by a reduction in force and recalled to a County position will have their anniversary and performance review dates adjusted appropriately.

400 SALARY/PAY

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401.0 SALARY ADMINISTRATION

POLICY:

It is the policy to pay compensation which is non-discriminatory and competitive with rates being paid for similar jobs by other employers in the labor market. However, all compensation policy decisions must take into consideration the County's overall economic condition, competitive position and fiscal policies of the Board of County Commissioners.

COMMENTS/PROCEDURES:

(1) New members generally will be hired at the starting rate assigned to their salary range. Supervisors may recommend higher starting rates depending on an applicant's experience or skill level or on other competitive considerations. These recommendations should be approved by the appropriate Department Director and will be reviewed by the Human Resources Division before implementation.

(2) Members promoted into new positions generally will receive promotional increases at least to the minimum of the new salary range. No increase will be granted which brings member's base salary above the maximum of the new range. Promotional increase recommendations should be approved by the Department Director and will be reviewed by the Human Resources Division before implementation.

(3) Members transferring laterally from one job to another in the same salary range generally will not receive an increase.

(4) Considerations for reclassifications or transfers to lower level positions will be handled by the Department Director and the Human Resources Division prior to any discussion with the member. The salary of any member transferred or reclassified to a lower level position should not, in most cases, exceed the maximum of the new salary range.

(5) When a position is reclassified to higher salary range and job title as a result of a significant change in job duties, the member's salary will be increased to at least the minimum of the new salary range.

(6) Special adjustments to salary may be granted to correct internal or external equity problems with the approval of the Department Director and review by the Human Resources Division.

(7) If a member is temporarily appointed full-time to a higher-level position for more than 30 days, the member will receive a temporary increase of 5% or the minimum of the higher pay grade, whichever is more, but not to exceed the maximum of the higher salary grade, effective the first day in the temporary appointment.

(8) Annual merit increases will be considered as a means to recognize and reward permanent members for their performance, encourage careers within the County, and recognize contributions to County service.

(9) Member may be appointed to a trainee position at a salary below the salary range minimum of the assigned classification for a training period not to exceed 12 months.

(10) Newly hired members may be eligible for a merit increase after they complete their career service probation. This merit increase would be based on the merit matrix and pro-rated for the number of months of probation. For example, members completing a six month probation period could receive 50% of the award calculated on the merit matrix; members completing a 12 month probation could receive the entire award.

402.0 PERFORMANCE MANAGEMENT/EVALUATION

POLICY:

It is the policy that managers and supervisors provide each member with formal feedback on their performance using systems aligned with the County's strategies, values and vision.

COMMENTS/PROCEDURES:

(1) Management personnel should complete written performance evaluations according to the following schedule:

- A mid-probationary evaluation at 3 months is recommended.
- At the end of the member's initial probationary period, normally the first six months of employment.
- The annual anniversary date of employment for Department Directors, Division Managers and other management members as identified by the County Manager.
- At the beginning of the fiscal year for all members who have completed one year of employment other than management members identified above.
- At any time deemed appropriate to recognize improved performance.
- When member is transferred or demoted.
- When, in the opinion of the immediate supervisor, performance has dropped below acceptable standards. This evaluation will be the monitoring tool used when a member is placed on special probation for up to 90 days.

(2) The written performance evaluation of each member should include the supervisor or manager's comments on the member's performance throughout the period of evaluation and recommendations for the member's continuous growth and development. Performance goals and objectives should also be included for the next evaluation period.

(3) A *One-over* signature (the reviewer's manager or supervisor) is required on each performance review. This individual should review and sign each written evaluation to help insure the quality, consistency and fairness of each evaluation administered.

(4) After the written evaluation has been reviewed and signed, the manager or supervisor and member should meet and discuss the evaluation, assess the member's strengths and areas for improvement in a constructive manner and set objectives and goals for the upcoming period. The member should be given the opportunity (five working days) to examine the evaluation and make written comments about any aspect of the review. The member and the supervisor should then sign and date the evaluation and forward it through the appropriate lines of supervision to the Human Resources Division for processing.

(5) Members who wish to review their evaluation may request a review through the line of supervision up to the level of Department Director. This request must be in writing and submitted within five working days of receiving the performance evaluation.

(6) Performance evaluations may be considered when making decisions regarding training opportunities, pay, promotion, transfer and/or continued employment.

403.0 JOB EVALUATION

POLICY:

It is the policy to evaluate all jobs in order to establish a consistent basis for measuring and ranking the relative worth of each job. Further, it is the intent of the County to maintain salary ranges, current job titles and job descriptions in accordance with sound compensation practices.

COMMENTS/PROCEDURES:

(1) The Human Resources Division is responsible for coordinating the continuing internal review of all compensation and for making sure that each job is evaluated and assigned a salary range which accurately and fairly reflects each job's responsibilities and performance.

(2) The Human Resources Division will participate in compensation surveys covering other employers with similar jobs. This and other available information will be used to determine the relative competitive position of the County's pay structure and merit system and to make recommendations to the Board.

(3) The Pay Plan contains salary ranges with a minimum and a maximum rate for each job title. The Human Resources Division may recommend changes in salary range assignments as needed for administrative effectiveness and based on organization and market changes. These changes are to be approved by the County Manager or his/her designee.

(4) Member compensation within any salary range is based on such factors as length of service, experience, individual productivity and external market factors. All members shall be paid at rates which fall within the approved salary ranges, unless otherwise exempted.

(5) The Human Resources Division should evaluate all new positions and review, on a periodic basis, all job descriptions to ensure that they accurately reflect current conditions. An authorized position may not be filled until it has been classified in accordance with the Pay Plan. If a suitable job title does not exist, the Human Resources Division may recommend the establishment of a new classification and salary range for approval by the County Manager or his/her designee.

(6) The Human Resources Division is responsible for the development and administration of the job evaluation program. This includes responsibility for revising/updating job descriptions, changing job titles, deleting job titles that are no longer needed, and reclassifications. Recommendations will be submitted to the County Manager for final approval.

404.0 PAY PROCEDURES

POLICY:

It is the policy to pay members on a regular basis and in a manner which ensures that the amount, method and timing of such payments complies with any applicable laws or regulations.

COMMENTS/PROCEDURES:

(1) Members normally will be paid biweekly. If the regular payday occurs on a holiday, members will be paid on the last working day prior to the regular payday.

(2) Members will receive with their payroll check a statement showing gross pay, deductions and net pay. Members who discover a mistake in their paycheck, lose their paycheck or have it stolen should notify Payroll immediately. In the case of a mistake, the error will be remedied promptly. In the case of loss or theft, Payroll will attempt to stop payment on the check and issue a new one to the member. However, the member is solely responsible for the monetary loss and the County is not responsible for the loss or theft of a check.

(3) Members who are eligible for leave may receive an advance on their pay so long as an approved request is submitted to Payroll at least one pay period prior to the commencement of the leave. Such requests shall be in workweek increments only.

(4) Overtime for non-exempt members shall be paid, at the discretion of the Division Manager, by either: (1) paying the member time and one-half his or her regular rate of pay for all overtime hours, or (2) permitting the member to take compensatory time for all overtime hours worked at a rate of not less than one and one-half hours for each hour of overtime worked.

(5) Accrued compensatory time must be used within 11 months of when it is earned. Members who have requested the use of their compensatory time off shall be permitted to use such time within a reasonable period after making the request provided it does not unduly disrupt the operations of the County. Any time unused at the end of 11 months will be paid to the member.

(6) Upon separation from employment with the County all unused compensatory time will be paid to the member.

405.0 PAY FOR WORK DURING EMERGENCIES OR DISASTERS

POLICY:

It is the policy to fairly compensate members when any natural, technological or human-caused emergency or disaster requires a State of Local Emergency Declaration by either the Board of County Commissioners or in accordance with the provisions of Seminole County Code and normal County operations are closed. This policy does not cover Division Managers or their equivalent, or above.

COMMENTS/PROCEDURES:

(1) County personnel in either the non-managerial exempt or non-exempt pay plans who are designated by their Department Director and who are assigned to work during emergencies, will be compensated for time worked. These members will receive full pay for hours worked during the emergency in addition to their normal pay for the workday or workweek only in the event that County operations have been closed down due to the disaster and State or Local Emergency has been declared in accordance with the provisions of the Seminole County Code.

(2) It is the Department's responsibility to verify any emergency hours worked and approve all payment.

(3) When County operations are closed down before the start of a scheduled workday, members normally scheduled to work who are instructed not to report to work will receive full pay for the workday.

(4) When County operations are closed down during a scheduled workday, members who report to work and are subsequently released by the County Manager will receive full pay for the workday.

(5) Members already on official leave will not receive any additional paid time off and will be paid according to their original leave request.

406.0 RETIREMENT

POLICY:

It is the policy, in accordance with Florida Retirement System rules, that members are eligible for retirement on the first day of the month following the month in which they are vested. The County Manager has the option of appointing selected executive level members to the Senior Management Service based on a ratio of the total number of members, as set by the Florida Retirement System.

COMMENTS/PROCEDURES:

(1) Members planning to retire under the Florida Retirement System or the Florida Retirement Deferred Retirement Option Program (DROP) are requested to give the Human Resources Division as much advance notice of their intent as possible, or at least six months.

(2) Members who qualify for retirement under this policy become eligible to receive retirement, health and various other benefits in accordance with the provisions of the State of Florida and County's member plans. All member benefit plans and programs are subject to amendment or termination, even after retirement, at the County's sole discretion.

(3) Retiring members are eligible to receive pay for unused leave in accordance with County policies.

(4) Retired members will continue to receive member discounts and are welcome at all Member functions.

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501.0 PAID TIME OFF LEAVE

POLICY:

It is the policy to grant paid time off leave to permanent members in accordance with established guidelines.

COMMENTS/PROCEDURES:

(1) Paid time off hours are accrued based on the member's length of service.

(2) Permanent members will accrue paid time off leave hours according to the following schedule:

Full Time	***40-Hour Members Hours Per Weekly Accrual***	***56-Hour Non-bargaining Members Hours Per Weekly Accrual***
0 - 5 years	3.1	7.4
5+ - 10 years	3.6	8.8
10+ - 15 years	4.1	10.2
15+ - 20 years	4.6	11.6
20+ years	5.1	13.0

Part Time	***Hours Per Weekly Accrual***
0 – 5 years	1.6
5+ -10 years	1.8
10+ -15 years	2.0
15+ -20 years	2.2
20+ years	2.4

(3) Permanent members may use paid time off leave for any reason including vacation, illness, medical appointments, personal business, etc. Members are required to arrange and obtain prior/advance approval of paid time off leave. Supervisors can consider same day request for illnesses.

(4) Paid time off leave shall not be accrued by or granted to temporary members.

(5) No member shall be granted paid time off leave unless the time granted shall have already accrued prior to the leave period. Paid time off leave shall not be used in increments of less than one quarter hour (fifteen minutes).

(6) Full-time members, upon separation with six month's service, will receive payment of all unused accrued paid time off leave up to a maximum of 960 hours. Part-time members, upon separation with six month's service, will receive payment of all unused accrued paid time off leave up to a maximum of 480 hours.

(7) Members participating in the Florida Retirement System Deferred Retirement Option Program (DROP) may receive payments of all unused accrued paid time off up to a maximum of 500 hours upon entering the DROP. The hours paid out at that time shall be deducted from the maximum number of hours which may be paid out at the time the members separates.

(8) Upon implementation of the Paid Time Off Benefit Program, sick leave hours in excess of hours converted to paid time off may be retained by the member. Such hours may be used for absences of 40 or more consecutive hours which are due to the illness of the member or the member's immediate family. Immediate family shall mean Father, Mother, Brother, Sister, Wife, Husband, Son, Daughter, Daughter-in-Law, Son-in-Law, Father-in-Law, Mother-in-Law, Stepfather, Stepmother, Stepson, Stepdaughter, Stepbrother, Stepsister, Grandfather, Grandmother, Grandchild, Foster Child or Guardian, Brother-in-Law, Sister-in-Law. (Note: Such sick leave hours are NOT eligible for payment upon separation and shall be forfeited.)

(9) A balance between work life and personal life is essential for maximum productivity. Therefore, members with one year up to five years of service shall be required to utilize a minimum of 40 hours of paid time off leave per fiscal year. (56 hours for 56-hour non-bargaining members) Members who have more than five years of service (five years plus one day) shall be required to utilize a minimum of 80 hours of paid time off leave per fiscal year (112 hours for 56-hour non-bargaining members).

(10) Part time members with one year up to five years of service shall be required to utilize a minimum of 20 hours of paid time off leave per fiscal year. Part time members who have more than five years of service (five years plus one day) shall be required to utilize a minimum of 40 hours of paid time off leave per fiscal year.

(11) Members may receive payment of up to 40 hours of paid time off leave each fiscal year if all required leave usage has occurred and the member has a balance of at least 240 hours of accrued leave. Fifty-six (56) hour non-bargaining members may receive payment of up to 56 hours of paid time off leave if they maintain a balance of at least 336 hours of accrued leave. Such payment will be processed, if requested by the member, during the first quarter (October 1 to December 31) of the following fiscal year.

(12) Part time members may receive payment of up to 20 hours of paid time off leave each fiscal year if all required leave usage has occurred and the member has a balance of at least 120 hours of accrued leave.

502.0 SICK LEAVE BANK

POLICY

Sick Leave Bank is provided for employees who meet the established guidelines, and who are experiencing serious illness or injury requiring an extended absence from work.

COMMENTS/PROCEDURES:

(1) Permanent employees are eligible to contribute up to one week of paid time off leave to the Sick Leave Bank during open enrollment as long as they have a minimum balance of one week (40 hours) of accrued paid time off leave. Contributed sick leave bank hours are deducted from the contributing employee's paid time off leave balances or personal sick leave bank and are not refundable to the contributing employee.

(2) Permanent full-time employees who are away from their job due to their own personal illness or injury, and have completed at least one year of continuous service, are eligible to withdraw up to 240 hours from the Sick Leave Bank within a twelve (12) month period. These hours may be used once all paid leaves and Compensatory time earned are exhausted. Once all paid leaves have been exhausted, including compensatory time earned and Sick Leave Bank hours, paid time off leave accrual ceases. Accrual will be reinstated when the employee returns to a full-time status.

(3) Permanent part-time employees and permanent employees who have not completed at least one year of continuous service, may be eligible to withdraw hours from the Sick Leave Bank, provided the Bank has a balance of at least 2000 hours at the time the request to withdraw is received by the Human Resources Division. The maximum hours these employees would be eligible to receive are as follows:

	Hours Eligible to Withdraw	
Term of Employment	Full Time	Part Time
6 Months	40 Hours	20 Hours
7 Months	60 Hours	30 Hours
8 Months	80 Hours	40 Hours
9 Months	100 Hours	50 Hours
10 Months	120 Hours	60 Hours
11 Months	140 Hours	70 Hours
12 Months or more	240 Hours	120 Hours

(4) All requests for withdrawals from the Sick Leave Bank must be submitted on the appropriate application and be accompanied by a physician's statement indicating the nature and probable duration of the illness or injury. Such requests for withdrawal shall be submitted through the requesting employee's Department Director for comments and recommendations before it is forwarded to the Human Resources Division.

(5) The Sick Leave Bank shall not be used for accident, illness or injury in the line of duty for which Worker's Compensation has been applied for or is being received, whether it is Seminole County employment or outside employment.

(6) The Sick Leave Bank may be utilized for temporary partial disability, for up to twelve (12) weeks from the date of return to part-time work, so long as it is related to an eligible temporary total disability. Appropriate medical documentation must be presented supporting the employee's return to work, including the medical necessity to limit the return to only part-time and the expected duration of same. At no time shall the employee's total hours paid exceed the number of hours in the employee's regular workweek.

(7) An employee must be a member of the Sick Leave Bank to be eligible to receive Sick Leave Bank hours. Employees become Sick Leave Bank members by contributing an annual deposit of four (4) hours of leave to the Sick Leave Bank during open enrollment.

(8) Upon separation, an employee may donate any or all accrued PTO/Sick Leave balance hours to the Sick Leave Bank.

(9) The Sick Leave Bank committee shall have final authority in considering, approving or disapproving requests to withdraw hours from the Sick Leave Bank. The Committee shall consider the requesting employee's prior leave balance, usage rate, and seriousness of the illness or injury in recommending approval for withdrawal of hours from the Sick Leave Bank.

503.0 ADMINISTRATIVE LEAVE

POLICY:

It is the policy to grant permanent full-time members who are in exempt positions administrative leave in accordance with established guidelines.

COMMENTS/PROCEDURES:

(1) Over the course of each fiscal year, exempt members may be granted administrative leave equivalent to one workweek.

(2) New exempt members, or members promoted to exempt positions, who did not hold the position at the beginning of the fiscal year shall be eligible to receive 5/12 of a day per month for the remaining months within a fiscal year.

(3) Members are required to arrange and obtain prior/advance approval of administrative leave.

(4) Administrative leave shall not be used in increments of less than a quarter hour (fifteen (15) minutes).

(5) Upon separation of employment, members will not receive payment for unused administrative leave.

(6) Members may not receive payment in lieu of taking administrative leave.

(7) Unused administrative leave shall be forfeited at the end of each fiscal year.

504.0 HOLIDAYS

POLICY:

It is the policy to designate and observe certain days each year as holidays.

COMMENTS/PROCEDURES:

(1) All permanent members are entitled to the following paid holidays on an annual basis:

New Years Day	January 1
Memorial Day	Last Monday n May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	As designated
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday
Christmas Day	December 25
Martin Luther King's Birthday	As designated
Personal Day (Birthday)	Designated as the member's birthday, to be observed on the birthday, or within 12 months thereafter with sufficient prior notification to the supervisor.
Work/Life Day	One (1) calendar day to be taken in a full-day increment, with prior supervisory approval, to encourage a healthy balance between personal and professional needs.

According to the day of the week on which Christmas falls, an extra holiday will be granted. The schedule is as follows:

Day Holiday Falls On	Days Off
Monday	No additional day off
Tuesday	Monday & Tuesday
Wednesday	No additional day off
Thursday	Thursday & Friday
Friday	No additional day off

(2) Temporary and on-call members and members on an unpaid leave of absence are not eligible to receive holiday pay. Permanent members are eligible to receive their regular rate of pay for each observed holiday.

(3) A holiday that occurs on a Saturday or Sunday will be observed the preceding Friday or following Monday for all members who normally work Monday through Friday.

(4) To be eligible for holiday pay, the member must be on the active payroll for his/her scheduled workday before and after the designated holiday.

(5) The County recognizes that some members may wish to observe, as periods of worship or commemoration, certain days which are not included in the County's holiday schedule. Accordingly, members who would like to take a day off for such reasons may be permitted to do so if the member's absence from work will not result in an undue hardship on the conduct of the County's business and if prior approval has been obtained from the member's supervisor. Members may use accumulated days of paid time off on such occasions, or they may take such time off as an unpaid, excused absence.

(6) The County reserves the right to schedule work on an observed holiday. Non-exempt members who work on an observed holiday will be paid for the hours worked plus holiday pay.

505.0 MEMBER AWARDS

POLICY:

It is the policy to recognize extended service to the organization and acknowledge member accomplishments and contributions which improve County government and service to our citizens.

PROCEDURES/COMMENTS

(1) Formal Awards

(a) To recognize the accomplishments of members who demonstrate dedication, achievement, and excellence in performance of their duties, the County has established a Member of the Month Award, by Department.

(b) An annual service and value awards program is held to recognize and reward outstanding achievement, length of service and retirement.

(2) Informal Awards

The County has established an informal awards program to allow for spontaneous recognition and reinforcement of outstanding job performance. Members are rewarded for excellent performance in areas such as teamwork, customer service, and going beyond the call of duty.

(3) Special Achievement

The County has established a policy for special achievements and activities. The recognition includes acknowledgement for customer service, creativity, and educational accomplishments. It also provides for periodic events designed to show appreciation, encourage teamwork and exchange ideas.

506.0 BEREAVEMENT/JURY DUTY/WITNESS DUTY/VOTING/OTHER PAID LEAVE

POLICY:

It is the policy to provide time off to members for bereavement, jury duty, witness duty and voting.

COMMENTS/PROCEDURES:

(1) Bereavement

Members may, upon request, be granted up to one workweek of bereavement leave with pay within a fiscal year due to death in his/her immediate family. Such request must be approved by the Department Director. Immediate family shall mean Father, Mother, Brother, Sister, Wife, Husband, Son, Daughter, Daughter-in-Law, Son-in-Law, Father-in-Law, Mother-in-Law, Stepfather, Stepmother, Stepson, Stepdaughter, Stepbrother, Stepsister, Grandfather, Grandmother, Grandchild, Foster Child or Guardian, Brother-in-Law, Sister-in-Law.

(2) Jury Duty

When a member is required to serve on jury duty, the member will be granted the time off with pay. All members who are required to serve on jury duty shall notify their supervisor or Department within twenty-four (24) hours of receiving such notice, or no later than the beginning of the next work shift. When member is finally released or is excused from jury duty, the member shall, as soon as possible, notify his or her supervisor of their availability for work.

(3) Witness Duty

Any member who during his/her normal work shift, upon the request and for the benefit of the County, attends any legal proceedings involving the County, or is subpoenaed to any court proceeding involving the County, or for a civil or criminal matter in which the member is not personally or monetarily interested, shall be paid as if engaged in the member's normal work.

(4) Time off to Vote

Members may be granted one hour time off with pay to vote on all designated federal, state and local election days. Time off to vote must be requested in advance and then scheduled by each member's supervisor.

(5) Other Paid Leave

Members may be placed on other paid leave when it is in the best interest of the County and when the member must be removed from the work site but with no suspension of compensation. Such circumstances may include (1) pending conclusion of an investigation of an alleged violation of County policy, (2) to remove member from a work location following notice of separation. The Human Resources Division Manager shall be notified prior to member being placed on Other Paid Leave.

507.0 WORKERS' COMPENSATION

POLICY:

It is the policy to pay Workers' Compensation benefits to all members who are disabled because of any injury arising out of, and in the course of, performance of their duties with the County. Payment shall be made according to Florida Statutes 440 (as amended). A member who is injured, disabled, or becomes ill as a result of his/her outside employment shall not be eligible for workers' compensation benefits from the County.

COMMENTS/PROCEDURES:

(1) All members who are injured on the job or in the course of performing their official County duties are responsible for immediately advising their supervisor and completing a "First Report of Injury or Illness Form". Failure of the member to file this report may result in their ineligibility for Workers' Compensation benefits.

(2) The Insurance, Benefits & Training Division must be advised by the Department as soon as possible with the appropriate paperwork completed within 24 hours of the date of injury. Any time lost by the member must be authorized by the authorized physician treating the member.

(3) Beginning with the date member is absent due to a compensable injury, the member will receive the following:

- The first seven (7) calendar days are paid in full by the County.
- Starting the eighth (8th) calendar day, the member will receive 66 2/3% of their wages from the Service Company and 33 1/3% from the County.
- Beginning on the 31st calendar day, the member's accrued paid leaves, if any, will be utilized for the 33 1/3%.

NOTE: The total of payments from the Service Company and the County should equal the member's net income prior to the injury.

- If the member exhausts all paid leaves, they will be placed on Leave Without Pay (refer to Personnel Policies Section on Leaves Without Pay).

(4) Under no circumstances will accrued paid leaves be deducted from the member's accumulated leave during the first thirty (30) calendar days. All time lost from work due to service connected disability must be noted on official payroll.

(5) Member shall not perform outside employment while receiving workers' compensation benefits from the County. The Human Resources Division Manager may approve exceptions when member is on medical restriction and the County is unable to provide restricted duty and such outside employment does not impair the member's medical recovery to return to work.

508.0 ON-CALL TIME

POLICY:

It is the policy to compensate all non-exempt members who are required to perform on-call duties as assigned by a supervisor and to be immediately available for work situations arising on the member's off-duty time. This generally includes nights, weekends, and holidays. On-call time is defined as the time period when a member is required and designated to remain available for duty during non-business hours, but is permitted to engage in most personal activities as long as he or she is able to respond to calls promptly and efficiently.

COMMENTS/PROCEDURES:

(1) All non-exempt members may be required to perform on-call duties as assigned by the immediate supervisor and approved by the Division Manager and/or Department Director. Division Managers and/or Department Directors shall have the authority to establish the need for on-call services and enforce Division/Department policies and procedures governing its use.

(a) Compensation. All non-exempt members who are designated to perform on-call duties shall be compensated at a rate of one (1) straight hour for each day of the week, including weekends and Holidays regardless of actual hours worked. This compensation is not considered as "hours worked" for the purpose of overtime pay eligibility. When responding to the first call out during non-business hours, members shall be paid a two (2) hour minimum. These hours are considered "hours worked" for the purpose of calculating overtime. Subsequent calls while on the first two (2) hour minimum shall not be eligible for an additional two (2) hour minimum and the member will be paid for the actual time worked beyond the first minimum. Additionally, successive calls separated by less than two (2) hours idle time shall not be subject to the two (2) hour minimum; and member will be paid for the actual time worked (at the overtime rate when eligible).

(b) Performance Requirements. When members perform work as a result of the on-call procedures or other similar emergencies during the non-business hours preceding or following their regular shift, a rest period may be required by the immediate supervisor or by the member. If necessary, the member's regular work schedule may be changed by the immediate supervisor to allow a period of rest. Upon approval of their immediate supervisor, members may elect to forfeit a portion or the entire regular work schedule or re-schedule their regular shift if time and business necessity permit.

(c) Members designated for on-call duty may be authorized to take home a County vehicle and the necessary service equipment while on on-call duty in accordance with the Division/Department policies and procedures. The Division Manager and/or Department Director shall have the authority to implement additional requirements governing these procedures for on-call duty, as deemed appropriate.

600 ABSENCE

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601.0 ATTENDANCE AND PUNCTUALITY

POLICY:

It is the policy to require all members to report for work punctually as scheduled and to work all scheduled hours and any required overtime.

COMMENTS/ PROCEDURES:

(1) Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

(2) The Department Director is authorized to establish the time and duration of working hours during the workweek. The Department Director may approve alternative flexible schedules that meet the needs of the Department.

(3) Supervisors are to notify members of their starting, ending and break times. Members are expected to be engaged in carrying out their duties during all scheduled work periods.

(4) It is the member's responsibility to notify their supervisor as far in advance as possible whenever they are unable to report to work, know they will be late or must leave early. Such notification should include a reason for the absence and an indication of when the member can be expected to report for work.

(5) Failure to notify the supervisor properly of any absence may result in loss of compensation during the absence and may be grounds for disciplinary action.

(6) Failure of a member to report to work, or make timely notification to the immediate supervisor to obtain approval for leave, shall be grounds for denial of paid leave and possible disciplinary action, up to and including termination.

(7) Members who fail to report to work or call in for three (3) consecutive workdays shall be considered to have voluntarily resigned without notice.

(8) Members must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and may be required to certify that they are fit to return to work. When appropriate, the supervisor should counsel the member on the importance of good attendance and warn that excessive tardiness or absences, regardless of the cause, will lead to disciplinary action, up to and including termination.

602.0 LEAVES WITHOUT PAY

POLICY:

It is the policy to grant members leave without pay under the following circumstances:

- Any absence or part of an absence under the Family and Medical Leave Act when the member has exhausted all paid leaves.
- Temporary disability, including disability under Workers' Compensation, of the member where such absence or part of such absence is not covered by the Family and Medical Leave Act.
- Educational leave for the purpose of furthering the member's education if it is the Department Director's determination that such education shall be of foreseeable benefit to the County.
- Personal leave provided the requesting member has given justification for the request, and the Department Director deems such justification to be reasonable.
- Military leave for a member entering active military service.

Leaves without pay are absences without pay which exceed 14 calendar days within a 30-calendar-day period.

Upon approval of the Department Director, leave without pay not to exceed twelve (12) calendar months (Exception: military leave) may be granted to permanent full- and part-time members who have satisfactorily completed six months of continuous acceptable service.

COMMENTS/PROCEDURES:

(1) The member must submit to the Department Director a written request for the leave indicating the reason for the request and the total anticipated period of time away from work.

(2) The Department Director should notify the Human Resources Division as soon as it is known that a leave without pay situation exists or is pending.

(3) The Department Director will determine whether approval of leave without pay would be detrimental to the operations of the Department or Division and whether the member's position will be held or the member required to apply and compete for vacant positions when the member is once again available to work. (Exceptions: military leave without pay, Workers' Compensation leave without pay, and leave without pay covered under the Family and Medical Leave Act).

(4) In cases of military leave without pay, leave covered under the Family and Medical Leave Act, and Workers' Compensation leave without pay, where the member is assured of the same or a comparable position should he/she return to work, the Department Director may fill the position with the stipulation that such appointment may terminate upon return of the regular member.

(5) Members must use all paid leaves before being placed on leave without pay (Exception: military leave).

(6) All leave without pay (except military leave) shall be deducted from the member's continuous service, thereby adjusting the member's performance evaluation/review date(s).

(7) Members on leave without pay will not accrue paid leave benefits nor receive holiday pay.

(8) While on leave without pay, a member may be eligible to make monthly premium payments to maintain group health insurance benefits for self and/or dependents as provided by the Federal COBRA (Consolidated Omnibus Budget Reconciliation Act) regulations. Should a member elect not to maintain insurance benefits, the member and dependents will not be eligible for group insurance benefits beyond the end of the calendar month in which the member reaches 14 calendar days of absence without pay.

(9) Members on leave without pay may not be permitted to obtain, accept or work at outside employment, other than military service, during the approved leave without pay period without prior written authorization from the Department Director and the Human Resources Division Manager.

(10) Should a member's position be held during a leave without pay and the member not return to work at the end of the approved leave period nor request an extension of the leave period prior to its expiration, the member will be considered as having voluntarily resigned.

(11) All members returning to work following leave without pay due to the serious health condition of the member must provide physician certification of fitness for return to work before the member may begin work.

(12) A permanent full- or part-time member who enters the Armed Forces voluntarily or involuntarily may be granted leave without pay for up to 90 calendar days beyond the date of separation from military service.

- The member must present a copy of the official military orders.
- Accrued leaves with pay not paid out shall be retained by the member and credited to the member's record upon application for reinstatement to employment.
- Upon return from military leave without pay and request for reinstatement to employment, the member will be assured of the position formerly held or a comparable position in County service with no reduction in pay.
- The member must request reinstatement to employment within 90 calendar days following separation from military service.
- The County may require the member to submit to a medical examination to determine the member's fitness to perform the duties of the position to which he or she may be returning.
- A member volunteering for an additional tour of duty will forfeit reinstatement rights.

603.0 FAMILY AND MEDICAL LEAVE

POLICY:

It is the policy to grant to eligible members up to 12 weeks of Family and Medical Leave in a one-year period, in accordance with the Family and Medical Leave Act of 1993 (FMLA).

COMMENTS/PROCEDURES:

(1) Members are eligible for Family and Medical Leave if they have been employed by Seminole County for at least one year, and have worked at least 1,250 hours during the one-year period immediately preceding the date the leave will begin. Seminole County also offers this leave to members who have worked at least 1,040 hours (20 hours per week) during the preceding year.

(2) Leave may be granted for any of the following reasons:

- To care for the member's child after birth or placement for adoption or foster care;
- To care for the member's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the member unable to perform the member's job.

(3) The member ordinarily must provide written notice at least 30 days in advance when the leave is foreseeable.

(4) Medical certification will be required to support a request for leave due to a serious health condition. A second or third opinion (at the County's expense) may also be required.

(5) The member's health insurance coverage under the group health plan will be maintained during FMLA.

(6) Upon return from Family and Medical Leave, the member will be restored to the original or equivalent position with equivalent pay and benefits.

(7) Members on Family and Medical Leave are required to use all paid leaves before going on absence/leave without pay.

(8) Where leave is for the serious health condition of the member, physician certification of fitness for return to duty will be required before the member may begin work.

604.0 MILITARY LEAVE

POLICY:

ACTIVE SERVICE:

Revised 10/9/01

All regular employees of the County who are officers or enlisted personnel in the National Guard or a reserve component of the Armed Forces of the United States may, subject to certain conditions, be granted leave of absence from their respective duties to perform active military service (as defined in Section 115.08, Florida Statues). The normally schedule work days within the first thirty (30) day period of any such leave of absence may be with full pay, and thereafter, the County may supplement the difference between an employee's military compensation (excluding travel expenses) and their regular rate of County pay, to include incentives and benefits for up to one (1) year (provided the amount of military compensation does not exceed their regular County pay).

COMMENTS/PROCEDURES:

(1) Members are eligible for paid military leave any time following date of hire.

(2) A copy of the member's official orders should be submitted as much in advance of the leave as possible.

(3) Absences exceeding the respective caps may, upon request of the member and approval of the Department Director, be charged to paid leave and/or leave without pay.

700 PERSONAL CONDUCT

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701.0 CITIZEN INTERACTION

POLICY:

It is the policy to be citizen and service oriented, and to require members to treat citizens and other members in a courteous and respectful manner at all times.

COMMENTS/PROCEDURES:

(1) Members must understand that the citizen comes first. All members have an obligation to represent the County in a positive fashion and to make citizens feel as comfortable as possible in dealing with the County.

(2) Members with citizen contact are expected to know the County's programs and services, and to learn the wants and needs of citizens. Such members should attempt to educate citizens about the use of County services and should seek new ways to serve the citizen.

(3) Members are encouraged to report recurring citizen related problems to their supervisor and/or make suggestions for changes in County policies and/or operating procedures to solve problems.

(4) Members should be prepared to listen carefully to citizen inquiries and complaints and then deal with them in a responsible, professional manner. If a controversy arises, the member should attempt to explain County policy in a clear, yet deferential manner. If a citizen becomes unreasonable or abusive and the member cannot resolve the problem, the citizen should be referred to the member's supervisor.

(5) Members should be particularly careful to exercise courtesy and thoughtfulness when using the telephone. A positive telephone contact with a citizen can enhance goodwill while a negative experience can destroy a valuable relationship.

(6) Members must realize that they are ambassadors for the County, regardless of their position. The more goodwill promoted by members through their interaction with the citizens, the more our citizens will respect and appreciate the services provided by the County.

702.0 SOLICITATION/DISTRIBUTION

POLICY:

It is the policy to prohibit solicitation and distribution on County premises by non-members, unless they have prior approval of the County to do so. Solicitation and distribution by members is only permitted as outlined below.

COMMENTS/ PROCEDURES:

(1) The County limits solicitation and distribution on its premises because, when left unrestricted, such activities can interfere with the normal operations of the County, can be detrimental to member efficiency and can pose a threat to security. This includes the personal use of electronic means.

(2) Persons who are not employed by the County are prohibited from soliciting funds or signatures conducting membership drives, distributing literature or gifts, offering to sell merchandise or services or engaging in any other solicitation in any area on any part of the County property that is not open to the general public.

(3) Members of the County are prohibited from engaging in solicitation of fellow members during the working time of any member involved in the solicitation. Working time shall not be construed to apply to break periods and mealtimes, whether paid or unpaid, or other specified periods during the workday when members are not engaged in performing their work tasks.

(4) The County Manager may authorize fund drives on behalf of charitable organizations or special causes. However, members are not to be discriminated against because of their willingness or unwillingness to participate.

(5) Distribution of literature by members during working hours or in areas where the actual work of members is performed is prohibited. However, members are allowed to view literature or items for sale during their breaks in a location designated for such.

(6) The County maintains bulletin boards in designated work areas to communicate County information to members and to post notices required by law. These bulletin boards are for the posting of County information and notices only, and only persons designated by the Department Director or a designee may place notices on or remove material from the bulletin board.

(7) Florida Statutes govern political activity of members. Members are encouraged to be politically aware and active, and to exercise regularly their right to vote. Active political campaigning or solicitation for political contributions while on duty or in County uniform is prohibited.

703.0 DISCIPLINARY CORRECTIVE PROCEDURES

POLICY:

Seminole County is deeply committed to the work philosophies and expectations (outlined in the Code of Conduct) which serve as guidelines for our behavior and performance. If performance or behavior is inconsistent with these philosophies and expectations, management is expected to address these issues through a progressive discipline process. The process begins with an understanding that problem-solving inconsistent behavior changes should be the primary emphasis and disciplinary actions the final resort. The focus of the disciplinary process is corrective action through individual member responsibility rather than punishment.

COMMENTS/PROCEDURES:

(1) Consistency is very important. However, given the diversity of the work processes within our organization, leaders are expected to use their best judgment for the appropriate application of discipline. The County's values, policies and procedures, as well as the organizational and departmental missions and accountabilities serve as the foundation for disciplinary decision making. All problems should be addressed and solved as quickly as possible and at the lowest possible level.

(2) The County retains the right to administer discipline in any manner it sees fit and to modify or delete these procedures at its sole discretion.

(3) It is the member's responsibility to correct performance and behavior problems on which disciplinary action is based.

(4) Depending upon the circumstances of the offense, disciplinary action may include, but is not limited to some or all of the following:

- Discussion of the issue
- A Tips on Performance
- A verbal warning
- A written warning
- A written reprimand
- Placement on probation (used for performance improvement and misconduct)
- Suspension
- Termination

(5) There may be offenses which are considered so unacceptable that termination is the appropriate course of action regardless of a member's length of service, prior conduct, and/or performance record. Lesser offenses, even for the first offense, do not preclude termination.

(6) Some examples of a major offense are:

- Insubordination
- Physical Harm/Assault
- Theft or Pilfering
- Malicious or willful destruction (abuse) of county property
- Fraud or Dishonesty
- Drug/Alcohol Use and/or Possession
- Violation of the Law
- Pleading guilty or nolo contendere or being found guilty of a felony, job-related misdemeanor or misdemeanor involving moral turpitude.
- Failure to notify supervisor that information has been filed against you by a prosecuting official.
- Conflict of Interest
- Carrying a weapon

(7) Removal of disciplinary action forms

(a) It shall be considered that corrective action has been accomplished by the member, and records of some types of disciplinary action may be removed from the Division, Department and Human Resources Division official personnel files, under the following provisions:

- The member has committed no offense requiring any disciplinary action for the period of time following the initial offense as indicated below:

Verbal Warning/Written Warning	One (1) year
Written Reprimand	Three (3) years
Suspension Level I	Five (5) years

- The affected member submits a written request to the Human Resources Division to initiate clearing of a specified disciplinary action according to the provisions of this section.

(b) The Human Resources Division will notify the member whether or not removal of the disciplinary action is appropriate.

(c) Should the disciplinary action be eligible for removal, the Human Resources Division will also notify the member's Department and Division to return to the Human Resources Division any copies of the disciplinary action, along with attachments, which may be filed in the Department/Division files.

(d) In accordance with State-mandated regulations that govern personnel records, cleared disciplinary actions shall not be destroyed; rather, the Human Resources Division will maintain a file separate from members' personnel files of all disciplinary actions. All such records shall be retained in accordance with the State of Florida records retention requirements.

800 APPEAL/GRIEVANCE

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802.0 POLICY AGAINST SEXUAL HARASSMENT 72

801.0 APPEAL/GRIEVANCE

POLICY

It is the policy that members should have the right to respond to or express dissatisfaction or disagreement with specific job-related actions taken by supervisory members.

COMMENTS/PROCEDURES

(1) Grievances concerning discrimination based on race, color, religion, sex, age, national origin, political affiliation, handicap or disability may be initiated by any full-time or part-time member. Grievances concerning non-selection, suspension without pay or termination may be initiated by any full-time or part-time member who has successfully completed the probationary period.

(a) It is recommended that the grievance be reviewed, considered and resolved informally, when feasible, and in all cases at the lowest possible level.

(b) No action is stayed pending conclusion of any appeal filed.

(2) The Grievance Hearing Board shall consist of seven voting members:

(a) one (1) permanent position, the Deputy County Manager (to serve as chairperson and who may vote only in case of a tie), and six (6) floating positions with staggered 24-month terms including:

(i) one (1) Department Director or Division Manager with a term commencing January 1 of odd years;

(ii) two (2) supervisor or professional members, with one term commencing January 1 of even years and one term commencing January 1 of odd years; and

(iii) three (3) non-supervisory members, with two terms commencing January 1 of even years and one term commencing January 1 of odd years.

(b) No member serving on the Hearing Board shall serve as a voting member of the board to hear a grievance filed by a member in the same Department.

(3) Appeal/Grievance Process

(a) A member shall submit a written grievance to management personnel in the following order:

(i) immediate supervisor
(ii) Division Manager
(iii) Department Director
(iv) Hearing Board
(v) County Manager (or designee)

(b) Should the grievance pertain to the immediate supervisor, the member may submit the initial written grievance to the supervisor's supervisor.

(c) In cases where verbal attempts at resolution have failed, a formal written grievance may be initiated. At each level, grievances must be submitted to management within five (5) working days. Management must provide written responses back to the member within five (5) working days.

(c) If the member is still dissatisfied, all information may be submitted to the Hearing Board through the Human Resources Division Manager. The Board must meet within forty-five (45) calendar days of receipt of grievance and issue a response to the County Manager or designee within fifteen (15) calendar days thereafter.

(e) If desired, the appellant may submit a statement for the County Manager's consideration within five (5) calendar days of receipt of Hearing Board's recommendations. The County Manager, or designee, will review the findings of the Hearing Board and the appellant's statement, and make a final determination within fifteen (15) calendar days of the meeting.

(f) Once all grievance procedures have been exhausted and the County Manager or designee has issued a determination, the appeal shall be considered concluded and the appellant shall have no further right of appeal under these Personnel Policies and Procedures.

802.0 POLICY AGAINST SEXUAL HARASSMENT

POLICY:

All individuals have the right to work in an environment free from discrimination, including sexual harassment. The County prohibits any form of sexual harassment involving its members, contractors, volunteers, guests and visitors. To this end, the County will take prompt and appropriate action to prevent and correct behavior that violates this policy.

COMMENTS/PROCEDURES:

(1) Requirements/Responsibilities

(a) All members, contractors, and volunteers shall strictly adhere to this and all other County policies concerning sexual harassment and discrimination. It is the duty of all members, contractors, and volunteers to familiarize themselves with this and all other County policies concerning sexual harassment and discrimination. Any questions regarding this and/or any other County policies concerning sexual harassment and discrimination should be directed to the County's Human Resources Division. Violation of this and/or any other County policies concerning sexual harassment and discrimination shall result in disciplinary action up to and including termination.

(b) Managers and supervisors shall be responsible for eliminating any sexual harassment and discrimination of which they are aware or should be aware. It shall also be the responsibility of the managers and supervisors to immediately report any actual or suspected violations of this policy to the Human Resources Division Manager. The failure by a manager or supervisor to satisfy these responsibilities shall result in disciplinary action up to and including termination.

(c) Individuals who witness or who have knowledge of actual or suspected acts of sexual harassment or discrimination are required to immediately notify their Department Director or the Human Resources Division Manager.

(2) Definition – Sexual harassment is defined as unwanted contact of a sexual nature, or other conduct based upon sex affecting the dignity of the recipient. It includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made, either expressly or implicitly, a condition of the recipient's employment; or

(b) Submission to or rejection of such conduct is used as a basis for an employment decision affecting the recipient; or

(c) The harassment has the purpose or effect of unreasonably interfering with the recipient's work performance or creating an environment that a reasonable person would find intimidating, hostile, abusive, or offensive.

(3) Sexual harassment may occur through verbal comments, physical contact, written media, pictures, or electronic mail. Unacceptable verbal conduct includes unwelcome advances or propositions, inappropriate personal questions, innuendo,

jokes, teasing, lewd or abusive comments, sexist comments, or comments which belittle individuals because of their gender. These may be specific remarks directed at an individual or general comments of a sexual or sexist nature. Unacceptable non-verbal conduct includes sexually suggestive or offensive gestures, leering, violations of personal space, non-cooperation with individuals because of their gender, and the display of pornographic, indecent, or debasing materials, films, pictures, magazines, or objects. Unacceptable physical conduct includes unwanted sexual touching, pinching, massaging, patting, and rubbing against the recipient's body.

(4) Procedures – A complaint of sexual harassment may be initiated by any member or any applicant who believes that he or she has been sexually harassed.

(a) Informal -Individuals who believe that they are being sexually harassed should not feel that they are at fault or that they have to tolerate the harassment. If you are being harassed, you should immediately (or as soon as possible after being harassed) inform the harasser, as clearly and assertively as possible, that his/her behavior is offensive and unwelcome and that it should be stopped immediately. Additionally, you should document all activities/actions associated with the harassment (e.g., dates, times, witnesses, situations). If you do not feel comfortable approaching the harasser, you should immediately (or as soon as possible after being harassed) contact their Department Director or the Human Resources Division Manager to discuss alternative ways to informally remedy the harassment.

(b) Formal - If informal attempts to remedy the harassment have failed, or if you do not believe that the harassment can be addressed informally, you may file a formal, written complaint with your Department Director or the Human Resources Division Manager. All complaints shall be promptly investigated, written findings shall be made, and appropriate remedial action shall be taken if it is determined that a violation has occurred.

(c) A record of the complaint and the findings will become a part of a complaint investigation record, and the file will be maintained in a separate investigation file in the Human Resources Division. Any resulting disciplinary action will become part of the permanent personnel file.

(d) All complaints will be handled confidentially, except as may otherwise be required by law or as may be necessary to conduct a complete and thorough investigation of the allegations. Individuals filing a complaint should recognize that the allegations may have to be discussed with witnesses and other persons concerned, including the alleged harasser, as part of the investigatory and/or disciplinary process.

(4) Non-Retaliation

(a) Individuals shall not be retaliated against for raising informal or formal complaints of sexual harassment or discrimination. Likewise, witnesses shall not be retaliated against for disclosing information regarding sexual harassment or discrimination. However, individuals should be aware that County policy prohibits the raising of false claims and/or the providing of false information in an investigation. Individuals found to have knowingly made a false claim or knowingly given false

information in an investigation shall be subject to disciplinary action up to and including termination.

In summary, the County will not tolerate sexual harassment, discrimination, or retaliation. Violators of this policy will be subject to disciplinary action up to and including termination. For the County to effectively enforce this policy, it is important that complaints of sexual harassment, discrimination, or retaliation be raised promptly and that they be accompanied by as much detailed information and documentation as possible.

900 MISCELLANEOUS

901.0 UNION POLICY _____ 76

901.0 UNION POLICY

POLICY:

It is the policy that all members have the right to deal directly with their supervisor or manager with reference to all working conditions. Therefore, the County is opposed to an outside third party, a union, in our working relationship with members.

COMMENTS/PROCEDURES:

(1) When management and members work toward common goals, unions are unnecessary. The County recognizes and accepts its obligation to provide members with good working conditions, good wages and benefits, fair treatment and personal respect, which each member deserves.

(2) Seminole County does not and will not discriminate against any member because of his or her membership or nonmembership in any organization. However, it is not necessary for members to belong to a union or any other organization in order to hold a job with the County.

(3) It is our belief that a union would not benefit members, the County, nor the public we serve. It is therefore Seminole County's intention, as permitted by state law, to oppose by lawful means any union which may seek to organize members.

FORMS

Forms have not been included in this Code. Actual forms may be obtained by contacting Human Resources.

These forms may be amended from time-to-time and are not subject to Board of County Commissioners' approval or adoption.

- Application for Leave
- Certification of Receipt of Personnel Policies
- Disciplinary Action: Verbal Warning, Written Warning/Reprimand, Suspension Without Pay
- Disciplinary Action: Suspension Level II
- Disciplinary Action: Termination
- Statement of Financial Interests [provided by the State of Florida, Commission on Ethics]
- Job Opportunities Application
- Notice of Injury [provided by Risk Management]
- Performance Management Process
- Employee Status Change

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SECTION 24. HUMAN RESOURCES

24.20 DEFERRED COMPENSATION PLAN

INVESTMENT POLICY, PRODUCT SELECTION AND RETENTION AND GENERAL PLAN GOVERNANCE POLICY

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A. PURPOSE. The purposes of this document are to: (1) establish the standards for the Seminole County Government Employees' Deferred Compensation Plan, (2) adopt criteria for the selection and retention of the Plan's investment options, and (3) provide a method for the monitoring, annual evaluation and reporting of the investment options and the Plan generally all as required by Chapter 195, Part IV, Seminole County Code (hereinafter the "Governing Ordinance").

B. POLICY. It is the policy of the County to make available a broad range of investment options that have varying degrees of risk and return for the benefit of the County's employees and those employees of the other constitutional officers who may wish to participate through a qualified and competitively selected Plan Services Provider. By virtue of its sponsorship of the Deferred Compensation Plan (hereinafter the "DCP" or the "Plan") the County bears responsibility for insuring that a reasonable variety of investment options is available, that information regarding those options is available to participants, that program administrative costs are kept to a minimum and that the selected Plan Services Provider is qualified and properly licensed to offer such services. The County's 457(b) Government Deferred Compensation Plan is a participant directed investment program, authorized by Section 112.215, Florida Statutes, and Chapter 195, Part IV, Seminole County Code. The County, in its employer capacity, does not know the retirement need, time horizon, investment preferences or risk tolerance of its employees, and therefore cannot make an investment allocation for the individual. Only the Employee Participant can define these needs and make appropriate investment decisions. Accordingly, the Plan is intended to be a bilateral relationship between the Employee Participant and the Plan Services Provider with the County's sponsorship and oversight responsibilities strictly limited to the functions specified in the Governing Ordinance and this Policy.

C. DEFINITIONS.

(1) *Actively Managed Product.* An investment strategy that relies on active trading strategies in an effort to out-perform the financial returns generated by a market benchmark index.

(2) *Best Interests of the Employee Participants.* Reasonable consideration of cost, continuity, return, risk, flexibility, and security of the individual's beneficial interest in the plan assets.

(3) *Percentile Ranking.* This is the fund's tax-adjusted total-return percentile rank for the specified time period relative to all investment products that have the same Morningstar Category. (The most favorable being 1, and least favorable being 100).

(4) *Default Fund*. An investment option created during the 2006 Pension Protection Act, allowing plans to invest a participant's assets, if it is deemed that the participant has exercised control over the assets in his or her account, into a Qualified Default Investment Alternative ("QDIA"). Each approved Investment Provider shall have a designated QDIA currently within the Deferred Compensation Program in the amount and under such terms as recommended by the Plan Services Provider.

(5) *Deferred Compensation Program (DCP).* The program created pursuant to Section 112.215 Florida Statutes, which is embodied in the Government Employees' Deferred Compensation Plan Governing Ordinance and administered pursuant to this Policy.

(6) *Investment Product.* A product purchased with the expectation of favorable returns. Investment Products are compiled from securities and financial instruments in order to produce investment returns in the form of income and/or capital appreciation.

(7) *Investment Provider.* A private sector company recommended by and offered through the Plan Services Provider and approved by the County, which offers investment products, investment education, and markets its products to Employee Participants through the Deferred Compensation Program.

(8) *Morningstar.* Morningstar Direct Software, as licensed for Morningstar, Inc., to be used by the Plan Services Provider to evaluate and monitor the quantitative measures of investment products in the Deferred Compensation Program.

(9) *Morningstar Category.* A classification based on an Investment Product's statistics and composition over the past three years.

(10) *Morningstar Overall Rating.* The Morningstar Rating for mutual funds, commonly called the star rating, is a measure, published by Morningstar, Inc., of a fund's risk-adjusted return, relative to other mutual funds in its category. Funds are rated from one to five stars, with the best performers receiving five stars and the worst performers receiving a single star.

(11) *Mutual Fund.* A professionally managed collective Investment Product that pools money from many investors to buy stocks, bonds, short-term money market instruments and other securities.

(12) *Observation Status.* The condition of a mutual fund at the time of the Plan Services Provider's periodic review having a Morningstar Overall rating within category greater than 50th percentile **and** a Morningstar Overall rating of less than 3 stars **or** a Morningstar 5-year percentile ranking within category greater than 75th percentile.

(13) *Passively Managed Product (Index Fund).* An investment strategy that produces the same level and pattern of financial returns generated by a market benchmark index.

(14) *Performance Benchmark.* A market benchmark index that is designated by an Investment Product's prospectus for use in measuring investment performance.

(15) *Sharpe Ratio.* A risk-adjusted measure that is calculated by dividing the excess return by total risk incurred by an investment to determine reward per unit of risk.

(16) *Termination Review Status.* The mutual fund is in Observation Status for four consecutive quarters as monitored by the Plan Services Provider and reported to the County.

(17) *Termination.* At least two consecutive quarters in Termination Review Status **and** a Morningstar 1-year percentile ranking within category greater than 50th percentile at quarter end.

All other capitalized terms used hereinafter shall have the same meanings ascribed to them as set forth in the Governing Ordinance.

D. APPROVAL AND TERMINATION OF INVESTMENT PRODUCTS. Initial or present selection of Investment Products to be made available through the DCP and subsequent replacement or termination of Investment Products must be presented in writing by the Plan Services Provider at the time this Policy is adopted and at least annually thereafter as a part of the required reporting and evaluation to the County as set forth in Subsection 24.20 L hereof.

(1) New Investment Product Approvals. Review and approval of present and/or new Investment Products must be made using the quantitative criteria listed in Section I, Table A, and the qualitative criteria listed in Section D(3) of this Policy. The Plan Services Provider shall evaluate the performance history, investment goals and objectives and recommendations made by those Investment Product vendors and if all criteria are met, submit those present and proposed new investment products to the County for annual review and approval. The County, acting by and through the Board of County Commissioners, has final approval authority for all Investment Product changes. This process must be completed and documented by the Plan Services Provider prior to the offering of new products to Employee Participants. This process does not apply to products offered in the Self Directed Brokerage Window as hereinafter described if such option is offered by the Plan Services Provider.

(2) Termination of Existing Investment Products. A product may be terminated based on either quantitative criteria listed in Section J., Table B, or qualitative criteria listed in Section D(3) hereof. The Plan Services Provider shall submit proposed Investment Product terminations to the County at least annually for review and comment. The County reserves the right to make the final determination for product retention or termination. Once approved for termination, the identified fund shall be removed from the DCP and those assets and deferrals will be mapped to similar Investment Products no later than thirty (30) days after notice to those Employee Participants having accounts invested in those products. The Plan Services Provider shall have the affirmative responsibility for providing said notice to the affected Employee Participants. This process does not apply to products offered and provided through the Self Directed Brokerage Window.

(3) Criteria for Approval or Termination of Investment Products. In deciding which Investment Products to approve for availability in the DCP or terminate from the DCP, the Plan Services Provider shall periodically and as necessary review the following factors:

(a) *Qualitative Factors.**

(i) Costs – including administrative fees as compared to the average of similar products and taking into consideration the investment objective(s)

(ii) Liquidity

(iii) Transaction limitation

(iv) Diversification

(v) History – how long the investment product has been in existence

(vi) Management tenure or departure

(vii) Reputation and regulatory record of an investment management firm

(viii) Level of assets under management

(ix) Absolute returns

(x) Adherence to investment style

(xi) Merger of fund companies

*** Initiation of a civil or criminal proceeding by any governmental agency against an Investment Provider alleging violations of state or federal securities laws or regulations shall constitute sufficient grounds for disapproval or termination of any Investment Product. The Plan Services Provider shall immediately report to the County the occurrence of any such proceedings involving any Investment Provider offering products to the DCP.**

(b) Quantitative (Performance) Factors.

(i) When evaluating mutual funds for approval and reporting such approval to the County, the Plan Services Provider shall consider the specific criteria outlined in Table A.

(ii) When evaluating mutual funds for termination and reporting of same to the County, the Plan Services Provider shall consider the specific criteria outlined in Table B.

(c) Limitations. With the exception of redemption fees or restrictions imposed with the approval of the County after recommendation by the Plan Services Provider for excessive trades or inappropriate market timing, Investment Products offered through the program shall not have restrictions, penalties, market value adjustments or surrender charges relating to exchanges or withdrawals and must offer full liquidity to the Plan's Employee Participants. Commissions shall only be allowed for stock and exchange traded fund transactions through a self-directed brokerage window.

E. REPORTING AND REVIEW. The Plan Services Provider shall, at least annually, conduct performance reviews for each Investment Provider's products in the program, which review shall be as of September 30th of each calendar year. If the Plan Services Provider deems it necessary as a result of initial performance review findings, in person reviews will be held with the Investment Provider as a part of the annual review process and made a part of the annual report to the County. Prior to finalizing the annual report, the Investment Providers will be given a list of the concerns found by the Plan Services Provider so they may have ample time to prepare a response. It shall be the Plan Services Provider's responsibility to initiate the review and Investment Provider interview process within a timeframe sufficient to assure completion of the annual report to the County on or before December 1st of each year as provided below.

On or before December 1 of each year, the Plan Services Provider shall prepare and submit to the County a written Annual Performance Report on the DCP as of the immediately preceding September 30th which shall contain text, statistical and graphic presentations of at least the following elements:

(1) Investment Provider Information, Product Summary and Glossary of Essential Terms

(2) Accounts, Deferrals, Assets and Distributions to include the following:

(a) Summary of Employee Participant Accounts

(b) Summary of Deferrals

(c) Summary of Plan Assets

(d) Summary of Distributions

(3) Detail of Fixed Accounts

(4) Annualized Investment Products Performance Report

(5) Plan Participant Survey Report (similar to that used by the State of Florida)

There is hereby established the Deferred Compensation Plan Review Committee (hereinafter the "Committee") for purposes of receipt and evaluation of the Annual Report submitted by the Plan Services Provider. The Committee shall be comprised of the County Manager or his or her designee, the Resource Management Director and one person appointed by the County Manager who shall be a full time, permanent County employee and Plan Participant. The Plan Services Provider shall deliver the required annual report to the Committee. After the Committee's initial review of the annual report, they shall, within thirty (30) days of receiving the annual report, provide the Board of County Commissioners a summary presentation of the Plan's performance results, its compliance with this Section of the Administrative Code and recommended modifications to the Plan, suggested compliance improvements or reporting practices of the Plan Services Provider that may be indicated. A representative from the Plan Service Provider shall be present and available for questions at the time of the

Committee's summary presentation to the Board. The Board shall consider the summary report presented by the Committee at a regularly scheduled meeting, and if the Board concurs in any recommended changes, the Committee shall communicate them to the Plan Services Provider who shall then implement such changes or recommendations as soon as practicable within the then current fiscal year.

(6) Quarterly Review. The foregoing notwithstanding, the Plan Services Provider shall also designate the local point of contact who may be the same person or persons responsible for conducting the Annual Performance Report for purposes of addressing matters of Plan and Investment Product performance, new or terminated Investment Products or any other matters of importance during the fiscal year with the Committee. Such meetings or discussions shall be conducted at least quarterly and may be done by telephonic conference.

F. FIXED ACCOUNT REVIEW. At least semi-annually, the Plan Services Provider shall request and review the following information from each Investment Provider offering a guarantee of principal and interest account:

(1) Average Maturity and Average Life of the fixed account(s)

(2) Effective Duration to Average Maturity and Average Life, as appropriate for use in the Crediting Rate Formula.

(3) Market Value vs. Book Value

(4) Current Investment Policy Statement Compliance Letter

(5) Underlying Investment Portfolio guidelines regarding allocation to Sectors, Ratings, Derivatives, types of securities

(6) Sector weightings

(7) Average ratings of corporate bonds held and percentage (%) of whole portfolio with ratings below BBB+

(8) Crediting Rate Formula

(9) Reporting of any changes in the operation of the fund

(10) List of people who can make changes involving the fund

G. SELF-DIRECTED BROKERAGE WINDOW (SDBW). Subject to the express, prior approval of the Board of County Commissioners, the Plan Services Provider may offer Employee Participants the opportunity to invest in individual stocks, additional mutual funds, exchange traded funds (ETFs), options, and other investment alternatives through a self-directed brokerage window. The sole purpose of this alternative is to enhance the DCP by providing additional investment choices so as to accommodate the Employee Participant's desire for greater investment flexibility. In offering the SDBW, the Plan Services Provider and the SDBW Company will notify those interested Employee Participants that the investment alternatives available through the SDBW

have not been subjected to any selection process, are not monitored, require investment expertise to prudently manage, and may pose the risk of substantial loss.

(1) Selection of Stock Brokerage Firm. The Plan Services Provider, subject to County approval, will select the on-line brokerage firm to provide the SDBW for electing Employee Participants. In making that decision, the Plan Services Provider will consider the following factors: (1) the expense structure of the brokerage accounts, (2) the administrative needs of the Plan, including record keeping and adherence to the DCP rules, and (3) Best Interests of the Employee Participants who express an interest in this option or who are active participants therein.

(2) Monitoring of Brokerage Accounts. The Plan Services Provider shall monitor the SDBW for proper operation including accounting for transactions and record keeping based on reports from the broker(s). To the extent that SDBW alternative(s) are being used by Employee Participants, those activities shall be included within the annual report to the County; provided, however, that the Employee Participant's personally selected investments therein shall not be subject to the product performance, retention or termination review as hereinabove required for Investment Products offered through and by the Plan Services Provider. Investment alternatives within the SDBW are not to be deemed as designated by the County and, therefore, will not be closely monitored for performance by the County. Instead, the SDBW is intended to provide those individuals electing to participate with another option to broaden their selection of investment alternatives. The County does not recommend or advocate participation by any individual nor does it assume any responsibility for poor investment performance, financial losses or unsatisfactory levels of service that may result from the broker's services.

H. INVESTMENT ADVISORY SERVICES. Upon express prior approval by the Board of County Commissioners, the Plan Services Provider may also offer Employee Participants the opportunity to enroll in accounts providing Actively Managed Products. Actively Managed Products are personalized investment portfolios that are tailored by an investment company to meet the specific needs of the Employee Participants. These services are aimed at providing Employee Participants with additional or necessary guidance to invest in funds that will aid them in reaching their retirement goals. Services may range from financial advice concerning a Participant's account with no active trading of funds by the advisor, to an advisor actively managing a participant's account by periodically rebalancing their holdings according to their specific investor profile. These services may be offered to all Employee Participants in the DCP for a fee. If such services are to be provided by a third party vendor instead of the Plan Services Provider, the Board of County Commissioners reserves the right to review and approve the selection of that firm and the terms of the contract governing the provision of such services. All fees, charges and costs associated with providing these additional services shall be borne by the Employee Participants or the Plan Services Provider or shared by both as shall be determined by agreement between them; the County shall not be responsible for any portion of said additional fees or expenses.

I. TABLE A

Quantitative Approval Criteria for New Products

Monitoring Guidelines for Investment Products in the Deferred Compensation Program **Approval Characteristic**	**Approve**	**Disapprove**
Ranking (relative return)	Morningstar percentile ranking within the fund's category is less than or equal to the 50th percentile for a 3 and 5-year period if available. A minimum of three years history is required.	Morningstar percentile ranking within the fund's category is greater than the 50th percentile for the previous 3 and 5-year period. A minimum of three years history is required.
Risk Adjusted Returns	Morningstar overall rating is greater than or equal to 4 stars or Morningstar Sharpe Ratio greater than or equal to the 50th percentile if the Morning-star rating is 3 stars.	Morningstar overall rating is less than 3 stars.
Manager (Team approaches will be evaluated on a case-by-case basis.)	Manager tenure on the fund is greater than or equal to three years.	Manager tenure on the fund is less than three years.
Fees	Investment management fees must be less than the Morningstar average for the fund's particular category and must lie within the range of current products in the Deferred Compensation Plan.	Investment management fees are higher than the Morningstar average for the fund's category or higher than current products in the Deferred Compensation Program.

Note: New products may be approved using only 3-year data if 5-year data is unavailable. However, 5-year data will be utilized in the existing fund analysis when available.

Note: Index funds are not required to have the 3-years of manager tenure needed for fund approval. These funds track an index and the manager strategies do not change drastically from year-to-year.

J. TABLE B

Quantitative Factors

Investment Product Monitoring, Observation, Termination Review Status, and Termination Criteria for Existing Products

Product Monitoring Criteria Characteristic	Observation Status	Termination Review Status	Termination
Morningstar percentile ranking over 5-year rolling average Morningstar overall rating Morningstar percentile ranking over 1-year rolling average Fund management fees listed on Morningstar and given by the Investment Providers	Morningstar 5-year percentile ranking within category greater than 50th percentile at quarter end **AND** Morningstar overall rating less than 3 stars; **OR** Morningstar 5-year percentile ranking within category greater than 75th percentile at quarter end	In observation status for four consecutive quarters	At least two consecutive quarters in termination review status **AND** Morningstar 1-year percentile ranking within category greater than 50th percentile at quarter end

Note: Index funds are not ranked against active funds, and new index products must demonstrate a tracking error to a prescribed benchmark of 50 basis points or lower over the most recent year, using monthly data. For existing products, probation occurs when a tracking error falls between 50 and 100 basis points and termination occurs for a tracking error greater than 100 basis points for four consecutive quarters. For measurement purposes only, the monthly prorated mutual fund expense ratio is added back to the total monthly returns.

Note: All funds are measured without loads.

Note: It will be possible for an Investment Product to move from a termination review status or observation status to regular status when the product meets total return requirements by being in the top half of peers over the most recent three year rolling annualized time period available as defined by Morningstar's Percentile Ranking within category and have a three year Morningstar overall rating of 3 or more stars.

Note: Existing funds with less than 5-years of history will be analyzed using 3-year data. 5-year data will be utilized when available.

Note: When analyzing funds for possible addition to the Deferred Comp Program, Target Date Funds shall be treated as one fund by averaging its performance, manager tenure, etc. If the group average fee of the Target Date fund increases more than 50 basis points (.50%) above the level of the prior year or which then exceeds the industry average for comparable products, the Investment Provider's manager will be contacted by the Plan Services Provider who shall make inquiry as to the reason for the increase, include the findings and recommendations in its annual report to the County. Excessive fee increases, as determined by the Plan Services Provider, may result in a decrease in status and termination.

Note: If mutual fund management fees increase more than the Plan Services Provider determines are reasonable on a quarter over quarter basis, the fund's investment manager will be contacted by the Plan Services Provider and may result in a decrease in status and termination of the fund, all of which shall also be included in the annual report to the County.

Note: Different share classes in the same fund would be considered the same fund, and cannot be used by multiple providers.

Note: Vanguard index funds, if offered in the DCP, may change share classes without giving Employee Participants notice more frequently than the next regularly scheduled quarterly report to them; however, notice of such events shall be included in the next such quarterly report and in the annual report to the County. The County views this as a share class change within the same fund and not a replacement.

K. AUTHORITY. Section 112.215, Florida Statutes (2012)
Ordinance No. 2012-14, Seminole County Code
Resolution 2013-R-270 adopted December 10, 2013

SECTION 26. INFORMATION SERVICES DEPARTMENT

26.5 INFORMATION SECURITY

A. PURPOSE.

(1) The purpose of the Information Security Policy and Guidelines is to effectively and efficiently manage the risks to Seminole County Government's information assets from all types of threats, whether internal or external, deliberate, or accidental.

(2) Security is critical to the organization's survival. The goal of utilizing information security as an enabler for proper information sharing and the benefits of a strong program, such as increased ease of administration, reduced complexity of the security architecture, transparency to users, and reduced effort on the part of users, not to mention enhanced security.

B. OBJECTIVES.

(1) Seminole County Government relies on its information and information systems as a crucial and integral part of providing essential services including meeting its legal and moral responsibility to its constituents for balancing the need for public access to government records while ensuring the integrity of information, the confidentiality of private information, and the availability of their information and information systems.

(2) The ultimate goal of a governmental organization's Information Security Program is to establish enterprise-wide security capabilities that will enable it to safely utilize information technology to provide faster, accurate service and better on-line access to constituents; protect the organization from potential losses and improve the stability of systems; and minimize legal and regulatory liabilities.

C. TRAINING.

(1) Effective security is a team effort involving the participation and support of every employee and affiliate who deals with information and/or information systems.

(2) It is the responsibility of every computer user to know what constitutes acceptable use of Seminole County Government systems, to know the guidelines, and to conduct their activities accordingly.

(3) All employees and third-party vendors shall receive training and supporting reference materials to allow them to properly protect Seminole County Government information assets before they are granted access.

(4) Security awareness training shall be provided at regular intervals to ensure they maintain the desired level of proficiency.

D. INFORMATION PROTECTION/COMPLIANCE.

(1) Must be balanced with the need for open government, as established in The Public Records Act (Chapter 119, Florida Statutes).

(2) Provides for public access to government information in all forms (written and electronic).

(3) Provides for exemptions to protect certain private or confidential information.

(4) Requires custodians of electronically stored public documents to provide safeguards against document tampering and unauthorized access to information deemed exempt from public disclosure.

(5) Provides authority for the exemption from public disclosure of those computer applications related to protecting the internal security and integrity of a public agency's data information systems.

(6) Annual reviews of the risks to the County's information and information systems and compliance with this Policy shall be performed and reported to the Board of County Commissioners (BCC) to ensure appropriate visibility exists for the protection being applied to our information and information systems.

E. NON-COMPLIANCE. Non-compliance with this Policy by Seminole County employees and system users is a serious matter and will be dealt with accordingly on a case-by-case basis. Depending on severity of violations and applicable legal statutes, consequences could result in removal of access rights and special system privileges, removal of system access, or, for County employees, disciplinary action to include potential termination of employment. In severe cases of fraud or breach of privacy laws, legal action may be taken.

F. RESPONSIBILITY. The Board of County Commissioners bears ultimate authority and responsibility for Seminole County Government's Information Security. As such, the Board has established this Policy and directs Seminole County Government personnel to implement the Information Security Policy as follows:

(1) The County Manager shall approve and enforce all information Security Guidelines that have county-wide scope.

(2) The Information Services Department Director or designee shall be appointed by the County Manager as the Information Security Officer (ISO) to provide the direction and technical expertise to ensure that Seminole County Government's information is properly protected.

(3) All Seminole County Government Directors, Managers, Program Managers, and Supervisors are directly responsible for implementing the Information Security Policy and Guidelines within their areas of responsibility, and for adherence by their staff.

(4) It is the responsibility of each employee to adhere to the Information Security Policy and Guidelines and to ensure that any vendors or visitors that they sponsor also comply.

(5) The Information Security Officer shall periodically review the program for effectiveness, and will report compliance findings to the Board of County Commissioners on an annual basis.

G. AUTHORITY. Public Records Act, Chapter 119, Florida Statutes
Resolution 2003-R-36 adopted February 11, 2003
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2008-R-55 adopted February 12, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 28. LEISURE SERVICES DEPARTMENT

28.5 ADOPT- A-PARK

A. PURPOSE. The Seminole County Parks, Natural Lands, and Trails System currently consisting of over 8,000 acres of parks and natural lands, and over 80 miles of paved and unpaved trails supported by the residents of Seminole County. To encourage volunteer and fundraising activities in support of Seminole County parks, natural lands and trails, the County desires to establish a program whereby organizations and groups can perform special projects and fund enhanced amenities at the County's parks, natural lands and trail locations.

B. POLICIES AND PROCEDURES. The Leisure Services Department Director is authorized to administer the Adopt-A-Park Program. Policies and procedures governing the Adopt-A-Park Program shall be incorporated in the Leisure Services Department Operating Manual and be consistent with other Department policies and procedures applicable to volunteer programs.

C. PROGRAM MANAGEMENT. The administration, coordination, permitting and record keeping will be accomplished through the Administrative Offices, with the Special Projects Program Manager serving as the Adopt-A-Park Program Manager. Some of the responsibilities include:

(1) Explain program to interested organizations.

(2) Secure an executed permit from an adopting organization.

(3) Schedule the project(s) to be done by an organization.

(4) Schedule equipment necessary for project completion.

(5) Supervise disbursement and return of items provided by the County.

(6) Provide analysis and reports to the Board of County Commissioner and Leisure Services Department Director as required.

(7) Coordinate creation, placement and maintenance or appropriate signage designating the Adopt-A-Park program at locations as designated.

D. AUTHORITY. Resolution 2003-R-120 adopted July 22, 2003
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-10 adopted January 13, 2009
Resolution 2012-R-107 adopted June 12, 2012

SECTION 28. LEISURE SERVICES DEPARTMENT

28.10 BOATING IMPROVEMENT PROGRAM

A. PURPOSE. To establish the Seminole County Boating Improvement Program ("BIP")

B. VESSEL REGISTRATION FEES

(1) In accordance with Section 327.25(16), Florida Statutes, vessel registration fees are collected by the Florida Department of Highway Safety and Motor Vehicles ("FDHSMV") and deposited in the Marine Resources Conservation Trust Fund for distribution to counties.

(2) Seminole County ("County") shall receive vessel registration fees from all vessels registered in Seminole County. Vessel registration fees collected during the preceding fiscal year shall be forwarded to the County by FDHSMV each July. The County shall deposit said fees into an account designated for the BIP which shall be monitored by the County's Leisure Services Department ("Department").

C. ADMINISTRATION

(1) The Seminole County Board of County Commissioners ("Board") may utilize BIP funds for eligible County projects or, at its sole discretion, may authorize the use of BIP funds by municipal governments within the County for eligible municipal projects. The authorization for the use of BIP funds by municipal governments within the County shall not exceed one-half of the County's annual allocation with at least one-half being reserved for County projects. If there are no applications submitted that meet the requirements of the BIP, funds will revert back for use on County projects. The BIP shall be administered by the Board, through the Department, with review and recommendations by the County's Parks and Preservation Advisory Committee ("Advisory Committee"). The Department is authorized to develop procedures and forms as may be required to implement the program. Projects will be prioritized and recommended to the Board by the Advisory Committee.

(2) In order to allocate project funding for County or municipal projects, the Department shall include in its annual budget request said projects and shall submit same for approval by the Board. For Board approved County projects requiring additional funding or a change in scope, the Department shall prepare the necessary documentation including the proposed changes for approval by the Board.

(3) BIP funds may be used as the local cash matching requirement for the Florida Recreation Development Assistance Program, the Land and Water Conservation Fund Program, the Florida Inland Navigation District Waterways Assistance Program, or such other grant programs requiring a local cash match, provided that the BIP funds are used for eligible project elements inasmuch and to the extent as the aforementioned grant programs allow for such utilization.

(4) Project Design and Construction.

(a) All projects shall be designed and constructed in accordance with applicable Federal, State and local laws, rules, regulations, and codes.

(b) The design or construction of any boat launching facility shall not be located so as to pose a threat to other boating or recreational, activities on the water body it serves.

(c) All Federal, State and local permits, easements, consents, or other similar authorizations for a project shall be obtained prior to commencement of design and construction of the project.

(d) Project construction expenses eligible for BIP funding include payments to vendors for purchase of materials, equipment, rental of equipment, services, or lump sum labor contracts.

(5) The Board may approve a project with an estimated cost exceeding the amount of available BIP funds. In such cases, the amount of the project cost exceeding available BIP funds may be eligible for reimbursement from the allocation for the next fiscal year. However, any project so approved shall be subject to the continued funding in accordance with Section 327.25(16), Florida Statutes. The Board does not guarantee or pledge payment of the balance in such cases and is not liable for any future reimbursement or pledge should funds not become available.

(6) Any unspent BIP funds allocated to a specific project shall be returned to the appropriate account for future use on County projects. Further, BIP funds not allocated in any fiscal year shall be carried forward for use in subsequent years.

(7) The County shall maintain and keep records of all projects receiving BIP funds. Completed projects shall be included in the County's single audit report which shall be forwarded annually, if required, to the FDEP. Upon completion of a project, a municipality must submit a project completion statement to the Department on a form approved by the Department. Upon completion of a County project the Department shall file a project completion statement in the project file. For municipal projects, the municipality shall provide required materials as delineated in the required project close out documentation form.

(8) Any project developed with assistance from BIP funding shall be for the use and benefit of the general public. Upon completion of a project, the County or a municipality shall dedicate said project for public recreational use in perpetuity by recording a Notice of Limitation of Use including said dedication in the Public Records of Seminole County. The County and the municipalities utilizing BIP funds for design or construction of an eligible project shall be responsible for ensuring the operation and maintenance of said project for a period of 25 years from the date of completion of the project.

(9) Projects funded in whole or in part by BIP funds shall be administered and made available to the general public on a non discriminatory basis regardless of residency, race, color, religion, sex, national origin, age, handicap, or marital status. If a fee is charged, it must be the same for all users.

(10) A permanent identification sign or plaque which credits the BIP as a source of project funding is required to be erected at all completed projects where sign placement is feasible.

D. BIP FUNDING FOR MUNICIPAL PROJECTS

(1) Any Seminole County municipality may submit applications for eligible projects meeting the requirements of the program. The municipality must have resources available and accept the maintenance of the project. A municipality requesting BIP funds must submit a project application to the Department. All project applications shall be reviewed and evaluated by the Department with regard to eligibility of the proposed project, completeness of the application, funding availability, the municipality's compliance with previous project agreements, and County and/or Department priorities.

(2) Subsequent to review and comment by the Department, said municipality may request that a project application be submitted to the Advisory Committee for prioritization and recommendation to the Board for consideration. If a project application is approved by the Board, the County Attorney's Office shall prepare a project agreement for execution by the parties.

(3) A project agreement is the required funding mechanism to allocate BIP funding to a municipality for an eligible project.

(4) Unless otherwise specified in a project agreement, project funding shall be only for those costs incurred subsequent to the execution of the project agreement by the Board.

(5) The County shall disburse BIP funding to a municipality only on a reimbursement basis and shall require completion of the project in accordance with the terms and conditions as set forth in the project agreement. No funds will be paid in advance. Reimbursement for municipal projects shall be requested on Project Reimbursement forms as applicable.

(6) A quarterly status report for each project shall be submitted by the municipality on a project status report form provided by the Department.

(7) Should a municipality desire to propose any changes to a project agreement including, but not limited to, changes in scope or funding of a project, said proposed changes must be submitted in writing to the Department along with a statement of justification for same. All changes to a project agreement shall be made by means of a written amendment to a project agreement approved in the same manner as the underlying project agreement.

(8) The Department shall have the right to terminate a project agreement and demand refund of BIP funds (plus interest at the maximum rate authorized in the Florida Statutes) for non compliance with the terms of this Resolution or the project agreement. Failure of a municipality to comply with the provisions of this Resolution or a project agreement may result in the Board declaring the municipality ineligible for participation in the BIP until a time certain and/or under certain conditions as designated.

(9) A municipality desiring to terminate a project agreement shall refund to the County all BIP funds plus interest accrued thereupon prior to County executing said termination.

E. PROJECTS ELIGIBLE FOR BIP FUNDING

(1) BIP funds shall be used for those projects which improve recreational boating for the public in accordance with Section 327.25(16), Florida Statutes, for the purpose of providing recreational channel marking and public launching facilities and other boating—related activities, for removal of vessels and floating structures deemed a hazard to public safety and health for failure to comply with Section 327.53, Florida Statutes, and for manatee and marine mammal protection and recovery.

(2) BIP funds may be used for those costs associated with acquisition, design, construction, and completion of an eligible project including, but not limited to, the expansion, renovation, repair or installation of the following:

(a) Launching facilities;

(b) Recreational channel lights and markers;

(c) Waterway and related signs and buoys for safety, regulation or information;

(d) Docking and mooring facilities;

(e) Access roads and parking for boating facilities;

(f) Channel dredging;

(g) Boating related support facilities and utilities such as restrooms, lighting, picnic pavilions, landscaping, water, sewer, and electrical;

(h) Artificial fishing reefs in State waters (design, construction, transportation, installation, marking, research, and monitoring); and

(i) Bulk head, rip-rap, and seawall construction.

(3) Expenses that are ineligible are tools, equipment, boats, motors, official law enforcement and safety equipment, as well as materials not used exclusively for a project.

F. AUTHORITY. Resolution 98-R-244 adopted November 10, 1998
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-8 adopted January 13, 2009
Resolution 2012-R-107 adopted June 12, 2012

SECTION 28. LEISURE SERVICES DEPARTMENT

28.15 DESIGNATION OF PUBLIC PARKS AND SPECIAL USE OF THE MUSEUM OF SEMINOLE COUNTY HISTORY

A. The following park properties are hereby designated to be Public Parks as provided in Section 190.26 of the Seminole County Code:

1. Big Tree
2. Bookertown
3. Cameron Wight
4. Central Florida Zoo (except for that area located within the paid admission gates of the Zoo)
5. C. S. Lee
6. Greenwood Lakes
7. Lake Jesup
8. Lake Mills
9. Lake Monroe Wayside
10. Midway
11. Mullet Lake
12. Red Bug Lake
13. Sanlando
14. Soldier's Creek
15. Spring Hammock Preserve
16. Sunland
17. Sylvan Lake
18. Winwood

B. The legal descriptions for the above referenced parks are attached hereto as Composite Exhibit "A" and incorporated herein by this reference thereto as if fully set forth herein verbatim.

C. SPECIAL USE OF THE MUSEUM OF SEMINOLE COUNTY HISTORY

(1) The Museum building and its grounds may be utilized by the Seminole County Historical Society to host special events, including fundraisers. Any such events require the prior approval of the Leisure Services Department Director. Any sale of items at such events also require the prior approval of the Leisure Services Department Director.

(2) If specifically permitted by the Seminole County Manager, the Historical Society may serve food and beverages, including alcohol.

D. AUTHORITY. Resolution 91-R-49 adopted February 26, 1991
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2008-R-123 adopted May 20, 2008
Resolution 2012-R-107 adopted June 12, 2012

EXHIBIT "A"

SPRING HAMMOCK PRESERVE

(Big Tree Park and Soldier's Creek Park)

1. Lot 40, (less right-of-way) and Lot 42, lying West of State Highway 17-92 (less right-of-way) of Spring Hammock, according to the plat thereof as recorded in Plat Book 2, Pages 3-5 of the Public Records of Seminole County, Florida.

This property is not the homestead property of the Grantor, nor contiguous to homestead property, as such homestead property is defined under Florida law.

2. SW 1/4 of the NW 1/4 of Section 26, Township 20 South, Range 30 East, Seminole County, Florida.

3. Lots 99, 100, 101, 102, Eureka Hammock, according to the Plat thereof recorded in Plat Book 1, Page 106, of the Public Records of Seminole County, Florida.

and

The NE 1/4 of the Lot 2, Section 26, Township 20 South, Range 30 East.

and

The East 1/2 of the NW 1/4, Section 26, Township 20 South, Range 30 East.

and

The South ½ of the NE 1/4 of the NE 1/4 (otherwise described as the South 1/2 of Government Lot 1, Section 26, Township 20 South, Range 30 East), and the West 1/2 of the NW 1/4 of the NE 1/4 (otherwise described as the West 1/2 of Government Lot 2, Section 26, Township 20 South, Range 30 East), and the SE 1/4 of the NW 1/4 of the NE 1/4 (otherwise described as the SE 1/4 of Government Lot 2, Section 26, Township 20 South, Range 30 East).

and

The SW 1/4 of the NE 1/4 (otherwise described as Government Lot 3, Section 26, Township 20 South, Range 30 East).

and

Government Lot 5, Section 26, Township 20 South, Range 30 East, less the South 30 acres of Lot 5, West of 1/4 line.

and

That part of the SE 1/4 of the NE 1/4 lying North of Lake Jesup (otherwise described as Government Lot 4, Section 26, Township 20 South, Range 30 East).

Acreage: 234.641

4. Lot 1, Ecco Park, according to the Plat thereof, as recorded in Plat Book 28, Page 36, of the Public Records of Seminole County, Florida.

5. Lot 27 and 28, Spring Hammock, according to the Plat thereof, recorded in Plat Book 2 Pages 2, through 5 of the Public Records of Seminole County, Florida (less right-of-way of State Road No. 3).

6. Lot 24, Spring Hammock Subdivision, according to the Plat thereof as recorded in Plat Book 2, at Page 3, of the Public Records of Seminole County, Florida, less a right-of-way for State Road 419.

7. Lot 2, Ecco Park, according to the Plat thereof as recorded in Plat Book 28, Page 16, Public Records of Seminole County, Florida, and Lot 3, (less the West 160 feet) Ecco Park, according to the Plat thereof as recorded in Plat Book 28, Page 16, Public Records of Seminole County, Florida.

Subject to easements as set forth on the Plat of Ecco Park, Plat Book 28, Page 16 Public Records of Seminole County, Florida.

8. Lot 26, Spring Hammock, according to the Plat thereof as recorded in Plat Book 2, Pages 2 through 5, of the Public Records of Seminole County, Florida.

9. Lots 7 through 10, Shuman's Addition to Eureka Hammock, according to the Plat thereof as recorded in Plat Book 2, Page 53, Public Records of Seminole County, Florida, and the West 1/2 of the NW 1/4 of the NE 1/4 and the NE 1/4 of the NE 1/4 of Section 27, Township 20 South, Range 30 East, Seminole County, Florida.

BOOKERTOWN PARK

Park, Bookertown, according to the Plat thereof as recorded in Plat Book 4, Page 98, of the Public Records of Seminole County, Florida.

CAMERON WIGHT PARK

All that part of Government Lot 1, Section 2, Township 20 South, Range 31 East, Seminole County, Florida lying and being North of the North Right-of-Way line of new State Road No. 46, and South of the South Right-of-Way line of old State Road No. 46, (Geneva Avenue), cont'y 2 Acres M/L for public park purposes.

CENTRAL FLORIDA ZOOLOGICAL SOCIETY, INC.

All of Lots 1, 16, 17, 18, 19, 20, 21, and 39, and Lots 38 and 40 lying North of ACL Railroad and part of Lots 41 and 60 North of ACL Railroad of St. Joseph's Subdivision as recorded in Plat Book 1, Page 114 of the Public Records of Seminole County, Florida lying in Sections 16, 21, and 22, Township 19 South, Range 30 East.

and

That part of Lot 37 of St. Joseph's Subdivision as recorded in Plat Book 1, Page 114 of the Public Records of Seminole County, Florida lying North of Railroad in Section 21, Township 19 South, Range 30 East.

C. S. LEE PARK

All that part of Section 32, Township 20 South, Range 33 East, West of the St. Johns River and North of State Highway No. 44:

Reserving, however, unto the said C. S. Lee all oil, gas and other minerals in, on and under said land, with the right of ingress and egress, and possession necessary for the purpose of mining, drilling and operating for said minerals.

GREENWOOD LAKES PARK

Commencing at the North 1/4 corner of Section 20, Township 20 South, Range 30 East, run South 00°43'55" West, a distance of 1,318.87 feet to the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 20; thence South 07°10'45" East along the West line of the Lake Mary High School property, a distance of 324. 81 feet for POINT OF BEGINNING; thence continue South 07°10'45" East, a distance of 404.92 feet; thence South 70°29'56" East, a distance of 470.23 feet; thence South 00°08'43" West, a distance of 510.83 feet to a point on the North right-of-way line of Green Way Boulevard, as recorded in O.R. Book 1776, Page 1302, Public Records of Seminole County, Florida; thence North 89°51'15" West, along said curve, concave Southeasterly, having a central angle of 22°35'12" and a radius of 530.00 feet; thence run Southwesterly along the arc of said curve, a distance of 208.93 feet to the point of tangency; thence South 67°33'33" West, a distance of 115.51 feet to the point of curvature of a curve, concave Northwesterly, having a central angle of 27°42'41" and a radius of 470.00 feet; thence run Southwesterly along the arc of said curve, a distance of 227.32 to the point of tangency; thence North 84°43'46" West, a distance of 51.61 feet; thence departing said Northerly right-of-way line, run North 00°44'56" West, a distance of 734.02 feet; thence North 22°33'01" West, a distance of 188.48 feet; thence South 89°15'04" West, a distance of 60.00 feet; thence North 00°44'56" West, a distance of 110.00 feet; thence North 27°41'39" East, a distance of 272.95 feet; thence North 89°15'04"East, a distance of 212.22 feet to the POINT OF BEGINNING.

LAKE JESUP PARK

1. Begin at the SW Corner of Section 19, Township 20 South, Range 31 East, run North along the West line of said Section 210 feet, thence East 500 feet, thence South 49°58'11" East 326.50 feet, thence South 51°20'25" West 320.15 feet, thence West 250 feet thence South 325 feet more or less to Lake Jesup, West along Lake Jesup 250 feet, North 525 feet more or less to point of beginning; LESS the West 50 feet for right-of-way of Sanford Avenue; Subject to an easement for right-of-way purposes beginning at a point 200 feet South and 50 feet East of the SW Corner of Section 19, Township 20 South, Range 31 East, run East 200 feet, South 66 feet, West 500 feet, North 66 feet to point of beginning; being part of Lot 137, Eureka Hammock, as recorded in Plat Book 1,

page 106, of the Public Records of Seminole County, Florida, and of Gov. Lot 3, Section 30, Township 20 South, Range 31 East;

SUBJECT to existing restrictions and easements of records.

TO HAVE AND TO HOLD the same for use as a public park on Lake Jesup; provided, however, and this conveyance is on the express condition that said land shall not be permitted to be used for any purpose except as a public park and that an 18 foot wide paved public road will be constructed from Myrtle Street to the North line of Section 30, Township 20 South, Range 31 East, within one (1) year from date hereof, and should said County fail to construct said public paved road within one year or fail to use said land for a public park, or abandon its use as a public park, said land shall revert to and revest in said party of the first part, its successors and assigns.

2. West 33.5 feet of Lots 130 to 137, inclusive, of Eureka Hammock, according to plat thereof recorded in Plat Book 1, Page 106 in the office of the Clerk of the Circuit Court of Seminole County, Florida;

and

That part of Government Lot 3, Section 30, Township 20 South, Range 31 East lying within 50 feet of the West line of said Government Lot 3;

Subject to existing restrictions and easements of record.

To Have and To Hold forever for a public road right of way; Provided, however, this conveyance is on the express condition that, at no expense to party of the first part, there shall be constructed along said right of way, within one (1) year from date hereof, an 18 foot wide paved public road to the North line of said Section 30, and the existing barbed wire fence shall be moved back upon the party of the

first part's land along said right of way, and should said County fail to construct said paved road and move said fence within said time, said land shall revert and re-vest in said party of the first part, its successors and assigns.

LAKE MILLS PARK

Lots 1, 2 and 3 of Block 1 Revised Map of Chuluota, according to plat thereof recorded in Plat Book 2 Page 31 of the Public Records of Seminole County, Florida and vacated street and lands lying between said Lots 1, 2 and 3 and waters of Lake Mills.

and

Lot 3 of Block B all of Block H less 3, all of Block K, all of Block J less lots 5 and 7, all of Block 0 all of Block U and all of Block T revised Map of Chuluota, according to plat thereof recorded in Plat Book 2 Page 31, Public Records of Seminole County, Florida.

and

Lot 4 of Block B and Lot 3 of Block H all according to the Revised Map of Chuluota as recorded in Plat Book 2, Page 31 of the Public Records of Seminole County, Florida.

and

Lot 5 in Block J of Revised Map of Chuluota, in the southwest quarter of Section 28, Township 21, Range 32, according to plat thereof recorded in plat Book 2, Page 31, of the Public Records of Seminole County, Florida.

and

Lot 7 in Block J of revised map of Chuluota, in the southwest quarter of Section 28, Township 21, Range 32, according to plat thereof recorded in Plat Book 2, Page 31, of the Public Records of Seminole County, Florida.

LAKE MONROE WAYSIDE PARK

That portion of Highway 17-92 right-of-way lying in Seminole County, Section 16, Township 19 South, Range 30 East, bordering the St. Johns River on the North and Highway 17-92 on the West, known as Lake Monroe Wayside Park.

MIDWAY PARK

The North 250 feet of the South 275 feet of Lot 21, Block G, Dixie Terrace, First Addition, according to the plat thereof, a recorded in Plat Book 10, Page 29, of the Public Records of Seminole County, Florida.

MULLET LAKE PARK

Government Lot 6, Section 32, Township 19 South, Range 32 East, less the west 850 feet thereof.

RED BUG LAKE PARK

Parcel No. 1 - The Southeast 1/4 of the Northwest 1/4of Section 23, Township 21 South, Range 30 East, less the South 33 feet for road.

and

Parcel No. 2 - The Southwest 1/4 of the Southwest 1/4 of the Northeast 1/4 of Section 23, Township 21, South, Range 30 East, less the South 33 feet for road.

SANLANDO PARK LEGAL DESCRIPTION

All that part of Sanlando springs Tract No. 49 as recorded in Plat Book 5, Page 16, Public Records of Seminole County, Florida, lying Easterly of the Seaboard Coast Line Railroad, LESS Lot 25 Block A, Lots 13, 18 and 19 Block B, and Lots 18 and 19 Block K.

and together with

Blocks A and B, Sanlando springs Tract No 53, according to the plat thereof as recorded in Plat. Book 5, Page 41 of the Public Records of Seminole County, Florida and all of Sanlando Springs Tract No. 52, according to the plat thereof as recorded in Plat Book 5, Page 34 of the Public Records of Seminole County, Florida lying East of Railroad, Less Lots 6 and 7, Block B.

SUNLAND PARK

All of Block C, and Lot 1, Block B, Sunland Estates, according to plat thereof, recorded in Plat Book 11, Page 16 to 22, Public Records of Seminole County, Florida.

SYLVAN LAKE PARK

The East 5/6 of the West 3/4 of the South 1/4 (less right-of-way for South Lake Sylvan Drive) and the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 26, Township 19 South, Range 29 East as recorded in the Seminole County Courthouse, Plat Book 1010, Page 1316 of the Public Records of Seminole County, Florida.

WINWOOD PARK

Park, Winwood, Lots 9, 10, 11, 12 and 13 of Block A of Plat Book 3, Page 18 of the Public Records of Seminole County, Florida.

SECTION 28. LEISURE SERVICES DEPARTMENT

28.20 POLICY FOR NAMING/RENAMING SEMINOLE COUNTY PARKS, OPEN SPACES, PARK RELATED FACILITIES, HISTORICAL SITES, TRAILS, TRAILHEADS, AND NATURAL LANDS.

A. INTENT OF POLICY

To provide a policy and guidelines for naming/renaming County parks, open spaces, park related facilities, historical sites, trails, trailheads, and natural lands.

B. GENERAL GUIDELINES

This policy does not apply to naming/renaming of other County owned facilities, properties, or streets.

Staff may temporarily assign a name based on the adjacent street, functional use, geographic feature, community name or historic significance for reference and identification purposes.

The chosen name shall not conflict with similar names in whole or in part.

Every effort shall be made to avoid conflicts with neighboring county agencies and municipalities.

The Seminole County Board of County Commissioners shall approve all names by Resolution. Any request to name/rename in honor of individuals or groups shall be submitted in writing to the County's Leisure Services Department Director's Office with referral to the appropriate board/committee/commission as necessary with supporting explanation or justification. The Parks and Preservation Advisory Committee shall be consulted with regards to any and all park, trail, natural lands, park related facilities, and open spaces. The Historic Commission shall be consulted with regard to historically designated properties.

Generally, a facility will not be named after a person until after their death. An exception to naming/renaming a facility after a living person may only be made with a four/fifths (4/5) vote of approval by the Board of County Commissioners.

The renaming of parks, trails, open spaces, natural lands, historical sites, and park related facilities will be strongly discouraged.

Where the name of an individual is so used, approval shall be obtained from the individual or the next of kin for such naming.

C. CRITERIA/GUIDELINES FOR NAMES HONORING INDIVIDUALS, GROUPS OR EVENTS

(1) Where there has been a significant contribution to the quality of life, well-being of Seminole County; or

(2) To memorialize or otherwise recognize substantial gifts and significant donors, individuals designated by donors, or individuals who have made exemplary or meritorious contributions to Seminole County; or

(3) Where there is a significant historical or cultural connection to the County and a major contribution to the historical or cultural preservation of the County; or

(4) Where there is a major contribution toward the environmental preservation conservation or enhancement of the County; or

(5) Where there is a major contribution made to the acquisition, development or conveyance of land or building, in question and/or contribution toward acquisition and/or development of the facility; or

(6) Where there is a direct relationship or association that exists between the place or former place of residence of the person or group and the facility or park to be named/renamed; or

(7) Where there is a significant contribution to the betterment of a specific park, consistent with the established criteria and standards for the designated park classification.

D. PROCEDURES FOR NAME/RENAME DESIGNATION

An individual, the County Commission, or group wishing to submit a request for a name/rename in honor of an individual, group or event must provide a written proposal to the County's Leisure Services Department Director's Office for referral to the appropriate County Advisory Commission or Committee as necessary which contains the following minimum information:

(1) name of the applicant,

(2) identification of the park, open space, trail, facility or property to be named/renamed,

(3) proposed name,

(4) a brief biography of the person, persons or group, or account of the historical event, if appropriate, including all other data relevant to the commemorative naming/renaming,

(5) the association, if any, of the person, persons, group or event, if appropriate, with the park, site or facility to be named/renamed,

(6) background information which details the accomplishment and/or supports the name designation, and

(7) a letter of approval from the individual or next of kin for using such naming.

Proposals must include at least three letters of endorsement supporting the application.

The County Leisure Services Department Director's Office shall distribute the request to the Parks and Preservation Advisory Committee and/or Historical Commission for their comments, information and recommendation to the Seminole County Board of County Commissioners for consideration.

E. SIGNAGE

The County will be responsible for coordinating the public presentation of signage to acknowledge the name/rename designation.

The County Commission shall have final approval for the selection and location of any signage, including signage text.

Signage shall comply with all signage regulations of Seminole County.

F. AUTHORITY. Resolution 2001-R-169 adopted October 9, 2001
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-15 adopted January 13, 2009
Resolution 2012-R-107 adopted June 12, 2012

ATTACHMENT "A"

PROPOSAL FOR THE NAMING/RENAMING OF A SEMINOLE COUNTY PARK OR RELATED FACILITY

This form is to be completed and submitted to the Seminole County Leisure Services Department for consideration of a potential name for a County park, park related facility, historical site, trail, trailhead, and/or natural lands property. Final authority for the naming of a Leisure Services related facility rests with the Board of County Commissioners.

1. Individual Submitting Request: _____

   Group/Organization: _____

   Address: _____

   City, State, Zip Code: _____

   Phone Number: _____

   E-Mail: _____

2. Site Location: _____

   Park/Facility/Site Location: _____

   Current Name of Park/Facility/Site (if applicable): _____

3. Proposed Name of Park/Facility/Site: _____
   _____
   _____

4. Reason(s) for recommendation of proposed name. Include information regarding civic involvement of honoree, historical context of honoree in Seminole County community and related information. (Copies of documentation supporting this information may be attached to this document for consideration).
   _____
   _____
   _____
   _____
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5. Additional information/comments to be reviewed as part of this proposal.

_____
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_____
_____

_____ _____
Signature of Submitter Date of Submission

Note: Completed applications shall be accompanied by three (3) letters of endorsement supporting the application.

SECTION 28. LEISURE SERVICES DEPARTMENT

28.25 SCHOLARSHIP SEMINOLE PROGRAM

A. PURPOSE. The Seminole County Leisure Services Department is committed to providing quality recreational opportunities to all residents of Seminole County regardless of their economic status. The fees associated with most recreational programming represent a philosophy that the participant should cover the direct costs of providing the service. The Board of County Commissioners authorized the Leisure Services Department to offer reduced fees, when appropriate, so all residents can benefit from community recreational opportunities. ***Scholarship Seminole*** is created to offer the youth in Seminole County the opportunity to participate in recreational programming regardless of economic status.

B. POLICIES AND PROCEDURES. The Leisure Services Department Director is authorized to administer the ***Scholarship Seminole*** Program. Policies and procedures governing the ***Scholarship Seminole*** Program shall be incorporated in the Leisure Services Department Operating Manual and shall be consistent with other Department policies and procedures applicable to leisure services programs.

C. PROGRAM MANAGEMENT. The administration, coordination, permitting, and record keeping will be accomplished through the Administrative Offices of the Leisure Services Department, with the Special Projects Program Manager serving as the ***Scholarship Seminole*** Program Manager. The Special Projects Program Manager will:

(1) Explain program to interested participants,

(2) Administer the application process for all potential program participants,

(3) Assist the Director in securing Program funding,

(4) Administer volunteer hours for program participants,

(5) Administer registration procedures for program participants,

(6) Provide analysis and reports to the Board of County Commissioners and Leisure Services Department Director upon request, and

(7) Coordinate the creation, distribution, and marketing of promotional materials for the ***Scholarship Seminole*** Program.

D. AUTHORITY. Resolution 2009-R-208 adopted October 27, 2009
Resolution 2012-R-107 adopted June 12, 2012

SECTION 28. LEISURE SERVICES DEPARTMENT

28.30 SPONSORSHIP PROGRAM

A. PURPOSE. To create an authorized environment for entering into sponsorship agreements with third parties where such sponsorships are mutually beneficial, and in a manner that is consistent with all applicable policies set by Seminole County Government. Specifically:

(1) Uphold the County's stewardship role to safeguard the County's assets and interests;

(2) Provide guidelines and procedures based on and in line with best practices; and

(3) Obtain sponsorships to enhance and promote the goals and mission of Leisure Services in Seminole County.

B. DEFINITION OF SPONSORSHIP. "Sponsorship" shall mean a mutually beneficial contractual business arrangement between the County and a third party, wherein the third party provides cash and/or in-kind services to the County in return for access to the commercial and marketing potential associated with the County. Sponsors of County assets may include one or more of the County's services, projects, parks, events, facilities or programs offered by the Leisure Services Department.

C. POLICIES AND PROCEDURES. The Leisure Services Department Director is authorized to administer the Sponsorship Program. Policies and procedures governing the Sponsorship Program shall be incorporated in the Leisure Services Department Operating Manual and be consistent with other Department policies and procedures applicable to leisure services programs.

D. PROGRAM MANAGEMENT. The administration, coordination, and record keeping will be accomplished through the Leisure Services Department's Administrative Offices, with the Business Operations Program Manager serving as the Sponsorship Program Manager. Some of the responsibilities include:

(1) Explain program to interested partners/sponsors,

(2) Administer the process for all potential program partners/sponsors,

(3) Assist the Director in securing Sponsorship Program funding,

(4) Administer Sponsorship Program agreements,

(5) Administer procedures for Sponsorship Program,

(6) Provide analysis and reports to the Board of County Commissioners and Leisure Services Department Director as required, and

(7) Coordinate the creation, distribution, and marketing of promotional materials for the Sponsorship Program.

D. AUTHORITY. Resolution 2009-R-209 adopted October 27, 2009
Resolution 2012-R-107 adopted June 12, 2012

SECTION 28. LEISURE SERVICES DEPARTMENT

28.35 COOPERATIVE EXTENSION AUDITORIUM SERVICES RULES

A. EXTENSION SERVICES AUDITORIUM RULES.

(1) The auditorium may be used by the following:

- Extension office personnel and their volunteers who are giving educational programs, holding advisory committee meetings or club meetings;
- County government personnel for official purposes;
- Non-profit organizations that have an affiliation with agriculture or mission objectives that relate to the Extension Service.

(2) No fees, dues, or donations shall be charged or solicited by the organization or individuals. The following Extension support groups are exempted from this provision and may solicit and collect fees, dues, donations, etc., as well as sell items in the auditorium and its immediate surroundings:

- University of Florida Extension staff and adjunct instructors;
- 4-H club members and parent volunteers;
- Family and community education volunteers;
- Master gardeners; and
- Organizations participating in special events sponsored by the University of Florida Extension Services.

All items sold by these groups are subject to the approval of the Leisure Services Department Director or designee.

(3) Applicants must be eighteen (18) years of age or older to reserve the auditorium.

(4) Activities sponsored by the Extension Service or Seminole County are given priority in scheduling the use of the auditorium. The Extension Service reserves the right to cancel a reservation with a twenty-four (24) hour notice.

(5) Granting permission to use the auditorium facilities does not constitute an endorsement by Seminole County and opinions stated at the special event or activity are not necessarily the opinions of the County or the University of Florida Extension Services/IFAS.

(6) Non-alcoholic beverages and refreshments may be served. Smoking is not permitted.

(7) Each organization will be responsible for their own equipment, including overhead projectors, extension cords, VCR equipment, small appliances (coffeepot, etc.). Utensils and supplies must also be provided by the user. Items may not be stored in auditorium overnight.

(8) Users are responsible for arranging the furnishings in the meeting room. At the end of the meeting all furnishings must be returned to the original arrangement and the room must be left in a neat and orderly condition. This will include the rug if there is a noticeable change after the program.

If a request has been made to keep tables and chairs in a certain order or to make special arrangements for the next group coming in, that organization is under obligation to cooperate in this matter.

(9) If trash cans have been filled at the program, trash must be taken to the dumpster. Bring back canisters empty.

(10) Organizations cannot assume, because they meet once a month, that they have automatically reserved the auditorium for the next month.

(11) Extension Service is not responsible for equipment, supplies, materials or other items owned by the user and used in the auditorium. Equipment may not be stored in auditorium overnight.

(12) Auditorium may not be booked more than two (2) months in advance.

(13) Applicants must fill out an application form and receive confirmation of the reservation.

(14) Weekly scheduled meetings, unless they begin and end before 8:00 a.m. are not permitted.

(15) Animals are not permitted in the auditorium at any time, except for Seeing Eye dogs and other helper animals.

(16) Any request for a waiver or alteration of policy use must be submitted in writing to the Extension Services Division Manager. The Manager shall transmit such request to the Leisure Services Department Director with a recommendation as to approval or denial. The Director will have the authority to approve or to deny.

(17) Organizations are responsible for picking up the auditorium key between 8:00 a.m. and 5:00 p.m. and returning it the next workday before noon. There will be a $5.00 lost key fine if the auditorium key is not returned by noon the following day.

(18) Use of the demonstration kitchen facilities in the auditorium by an organization other than the Extension Service is not permitted.

(19) Photocopy service is not available.

(20) Auditorium keys may not be duplicated.

C. AUTHORITY. Resolution 2004-R-154 adopted August 24, 2004
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 29. LIBRARY SERVICES DIVISION

29.5 BOOKS/MATERIALS SELECTION

The Seminole County Public Library System has a general policy by which it is guided in selecting not only books but related materials.

A. RESPONSIBILITY FOR SELECTION. The Board of County Commissioners of Seminole County, Florida, determines the materials selection policy of the Seminole County Public Library System with the advice and counsel of the Seminole County Library Advisory Board. Within the framework of this policy, the Library Services Division Manager is responsible for the selection of the system's collection. Authority for specific selection is delegated by the Library Services Division Manager to appropriate staff in the system.

B. GENERAL POLICY. Within the limitations of available financial resources and physical space, the Library is committed to providing a collection which spans all areas of knowledge and is responsive to the needs and requests of the entire community. The collection shall be characterized by breadth, since it represents most areas of knowledge, and by depth in those areas in which particular emphasis is necessary to serve the needs of this community.

The selection policy reflects the fact that the Library must serve not only today's but tomorrow's community as well. Books and other materials of limited use currently must be considered for purchase in light of their present availability and the needs of the rapidly developing community.

The policy recognized the networking concept of materials selection. With a well-developed central collection, union catalog, frequent deliveries among units, and the use of developing technologies, duplication of less-used and specialized materials will be minimized.

The policy accepts the position of the Library System within the community as the greatest single free public information resource. The policy is a broad-based one, reflecting the full spectrum of users served by the Seminole County Public Library System. The information seeker, the recreational reader, the serious researcher, students of all ages, and the non-reader should all be represented in the variety of materials selected. Needs should be met with materials varied in format such as videocassettes, film strips, microform (microfiche, microfilm), documents, large-print materials, maps, pictures, pamphlets, compact discs and other electronic information resources.

C. AUTHORITY. Approved by the BCC February 5, 1985
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 29. LIBRARY SERVICES DIVISION

29.10 FACILITIES USE

A. LIBRARY SERVICES MEETING ROOM POLICY.

The Seminole County Library System offers meeting rooms at all five of its locations. In order to reserve meeting space, the applicant must be a Seminole County resident, at least eighteen (18) years of age, and a Seminole County Library cardholder, or possess a non-resident fee card, with a zero ($0.00) balance on their library account. Patrons with reciprocal borrowing library cards cannot use meeting rooms.

(1) Only non-profit organizations chartered in Seminole County or operating in Seminole County are authorized to use the meeting rooms at no charge.

(2) Organizations or individuals that operate on a for-profit basis or not operating in Seminole County must pay a fee for booking a meeting room.

(3) All groups booking a meeting room must complete and sign an application form. All applicants will be given a copy of the Meeting Room Policy and a copy of the Patron Code of Conduct.

(4) The person whose name is on the meeting room application must be present when the meeting is being held.

(5) Meeting rooms may be booked up to six (6) months in advance. Up to six (6) meetings may be scheduled at one time.

(6) No organization or individual may conduct financial transactions on County premises or perform fee-based services, including tutoring, except as provided below. The following groups are exempt from this provision and may solicit and collect fees, dues, donations, etc., as well as sell books and audiovisual materials, in the meeting room and its immediate surroundings:

- Seminole County Friends of the Library
- Organizations participating in events sponsored by SCPLS

(7) All items sold by the Friends of the Library and other sponsored organizations are subject to the approval of the Library Services Division Manager.

(8) The Library reserves the right to immediately terminate a meeting or event in progress if it disturbs regular library operations.

(9) Reservations will be accepted, subject to the provisions of this policy, in the order received and upon the availability of an appropriate room.

(10) Organizations or individuals that operate on a profit-making basis must pay, at the time of the reservation, for the meeting room booking to be approved and confirmed by the Library.

(11) Meeting room fees are refundable up to forty-eight (48) hours prior to the reservation time; after that no refunds will be made.

(12) All meeting rooms are "as is". The Library will not provide any type of additional equipment or furnishings. Items used or owned by the group may not be stored in the meeting room over night.

(13) A limited number of chairs and tables are available, but the group is required to set them up and return them to their original positions when the meeting is over. Library staff will not provide assistance in setting up meeting rooms.

(14) Materials may not be affixed to the walls, ceilings, doors, or windows.

(15) Literature may be distributed only to people attending the program inside the meeting room and to patrons who specifically request said literature. Literature may not be distributed to library patrons who do not specifically request said literature.

(16) Food, light snacks, and non-alcoholic beverages are permitted in the meeting rooms.

(17) All meeting rooms must be vacated fifteen (15) minutes prior to library closing. Meeting room users must vacate the library by its closing time. Refunds will not be issued to organizations that operate on a for-profit basis for meetings that end early.

(18) Clean up of meeting rooms is required and is the responsibility of the persons using the facility.

(19) Permission to use the meeting rooms does not constitute endorsement by the Library or the County.

(20) The Library's address and phone number cannot be used on promotional materials for the purposes of contact information.

(21) No group shall state or suggest in any of its publicity that the Library sponsors or endorses the meeting, the group, or any particular set of ideas.

(22) The Library reserves the right to cancel a reservation with a twenty-four (24) hour notice to the applicant. Should a cancellation become necessary the meeting room fee will be refunded, if applicable. **PLEASE NOTE THAT THIS IS THE ONLY CIRCUMSTANCE FOR WHICH A REFUND WILL BE PROVIDED.**

(23) Unreserved meeting rooms may be used for study purposes.

B. AUTHORITY. Resolution 2004-R-154 adopted August 24, 2004
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2008-R-123 adopted May 20, 2008
Resolution 2009-R-247 adopted December 8, 2009
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 29. LIBRARY SERVICES

29.15 INTERNET USE

A. PURPOSE. The Seminole County Public Library System provides access to the Internet in support of the Library's traditional role as a provider of information and life long learning. Not all information available via the Internet is accurate, current or complete. The Library assumes no responsibility for any damages, direct or indirect, arising from its connection to the Internet.

(1) Because the Seminole County Public Library system receives E-rate and/or Library Service & Technology Act (LSTA) funds it is required by Federal law, specifically the Children's Internet Protection Act (CIPA), to employ an Internet filtering system that assures the safety and security of minors as far as technologically possible. The Seminole County Public Library System employs an Internet Filtering System that:

(a) Blocks and filters Internet access to visual depictions that are obscene, contain child pornography, or are harmful to minors.

(b) Prohibits unauthorized access, including so-called "hacking," and other unlawful activities by minors online.

(c) Prohibits unauthorized disclosure, use, and dissemination of personal information regarding minors.

(2) The Seminole County Public Library System educates, informs and promotes the safe use of the Internet by providing bookmarks and flyers about Internet safety and use with information specifically geared to parents and youth.

(a) The library does not act in loco parentis so parents must assume responsibility for their children's use of the Internet. Both parents and children are encouraged to read "Child Safety on the Information Highway" and "NetSmartz". Two additional resources for parents are the U.S. Department of Education's "Parent's Guide to the Internet" and the American Library Association's "Librarian's Guide to Cyberspace for Parents and Kids".

(b) The Seminole County Public Library provides links to websites that are especially recommended for youth on the library's Kid's Page and Teen Page.

B. COMPUTER WORKSTATION PROCEDURES.

Patrons must be registered in the Library's computer database, have a valid library card and have a zero balance on their account to access the Internet.

(1) Use of the Internet must be scheduled through the library's Internet Scheduling System.

(2) Workstation use is limited to two (2) persons per workstation to reduce noise level.

C. LOSS OF PRIVILEGES. The Library reserves the right to deny access to the Internet workstations to any customer who fails to abide by the Internet Use Policy.

D. AUTHORITY. Approved by the BCC May 14, 2002 as a Regular Agenda Item.
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2009-R-164 adopted August 11, 2009

SECTION 29. LIBRARY SERVICES

29.20 ART IN PUBLIC PLACES

A. PURPOSE. To establish display areas in County public places that provide for displaying diverse art of the highest quality.

B. DISCUSSION. Visual arts in the public eye adds dimension, depth and character to a community, inspires young minds, reinforces a local identity to which citizens can relate, take pride in and generally adds to the beauty and quality of life. Exhibition of art shall be approved following the guidelines established in Exhibit "A".

C. CONTRACTS. Contracts will be prepared for individual artists and the County Manager is authorized to execute all such contracts.

D. ART IN PUBLIC PLACES PROVISION. Exhibit "A" further outlines provisions for the following:

(1) Selling of art work being displayed.

(2) Selection committee and selective process.

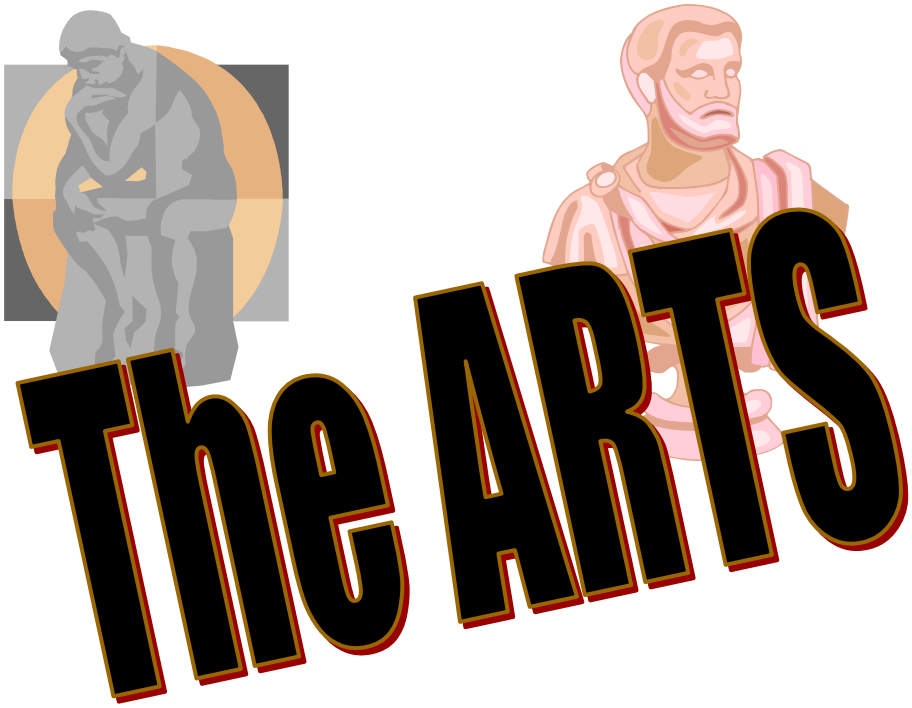
(3) Selection rules and deadlines for application submittal.

(4) Promotion and reception.

E. AUTHORITY. BCC Agenda Item 22 approved March 9, 2004
Resolution 2007-R-42 adopted March 13, 2007

EXHIBIT "A"

Seminole County Policy For Art Exhibitions In Public Places Program Guidelines



Seminole County Government

Mission

"To enhance Seminole County's cultural resources by providing for and encouraging the exhibition of art in public places"

Goals

1. To establish display areas in public places that provide for displaying diverse art of the highest quality.

2. To be a source of pride to all Seminole County residents.

Purpose

This guide serves as a procedure manual for the art exhibition process. It is designed for use by the Seminole County Board of County Commissioners, county staff and agencies participating in this program, as well as the general public.

Introduction

It has been widely acknowledged that the inclusion of visual arts in the public eye adds dimension, depth, and character to a community, inspires young minds, reinforces a local identity to which citizens can relate, take pride in; and generally adds to the beauty and quality of life.

Art brings a sense of identity to our county. It also provides a means of expression, a way to focus and build county pride. Public art makes a unique contribution to the life of Seminole County creating display areas where employees and visitors congregate, pass through, or use on a daily basis.

These guidelines will create opportunities for Seminole County citizens to experience public art and other projects resulting from the creative expression of visual artists in public places throughout the county. At the same time the county will see the cultural and educational benefits to be gained through aesthetic enhancement of its public places.

Seminole County Government
Policies For Art Exhibition

Seminole County is seeking applicants to exhibit art in County public places.

Works of art may be offered for sale at prices established by the artist. The artist is responsible for conducting the sale of any work directly with the purchaser, not through the county staff. Works not available for purchase must be clearly designated "NFS" (Not For Sale). Prices will not be displayed on individual works but will be listed as part of the promotional materials available free to the public.

Work sold must remain on exhibit throughout the designated period. The artist must notify the County within 48 hours of a sale so that the artwork can be marked "sold."

All art work must be suitably framed with a hanging apparatus (screw eyes and wire) or mounted and stabilized for pedestal or showcase display. All frames, armatures, and mounting arrangements must be securely constructed. Work that is fragile or whose framing or display arrangement is of questionable durability may be rejected. Proposals for site-specific and/or installation work are acceptable. The artist shall submit a written proposal statement about the content of the work, drawing and/or project.

Selection Process:

Seminole County will publicly announce the Seminole County Government Exhibition application deadlines and invite artists to submit images and applications to exhibit by the postmarked deadline of October 1st annually.

Seminole County Government and Seminole Cultural Arts Council Selection Committee will review applications and image submissions and make a recommendation to the Deputy County Manager. The selected exhibit will be announced by October 31st annually.

Seminole County Government will publicize the exhibition selection guidelines on the web, in the local print media, and the arts and crafts professional association's newsletters. Works of art may be offered for sale at prices established by the artist. Artwork not available for purchase will be clearly marked "NFS" (Not for Sale).

The selection Committee will meet to review images and applications each October for exhibitions the following year.

January - April

May - August

September - December

Selection Criteria: 50 Total Points Possible

- Artistic merit of the work (25 points)
- Understanding of the medium (5 points)
- Technical expertise (10 points)
- Appropriateness for the space (i.e. size, materials used, subject matter, safety, ability to install) (5 points)
- Innovation (5 points)

Selection Rules:

To be considered for exhibition, artists must submit:

1. One digital image of each work to be exhibited (maximum of ten works).

2. A current resume

3. A completed application form

Application Deadline:

To be considered by the Selection Committee to exhibit between January and December, the artist's images and completed application materials must be sent to Seminole County Government and postmarked by October 1st annually.

Promotion and Reception

Information about the artist and the exhibition to be used in press releases must be received 30 days prior to exhibition opening.

Artist is responsible for the preparation of any printed material to be handed out by the County throughout the exhibit. Material must be reviewed and approved by the County in advance of distribution.

The County will be responsible for printing of exhibition announcements for reception; and mailing up to 200 announcements. Reception date and time will be listed on the artist's contract.

Following information contains important deadlines:

Within two weeks of being notified that a submission is accepted for exhibition, the artist must contact the exhibit coordinator to arrange or confirm the exhibit dates and other deadlines, especially for promotional purposes.

At least two weeks prior to installation, artists must submit a draft of their promotional materials listing all works to be shown, together with the retail selling price (or if the work is not for sale, the insurance value). The listing must include the artist's name, telephone number, and instructions for contacting the artist to arrange for the purchase of any artwork. Artists should also include a brief biography and artist's statement.

Artists are responsible for delivering works to be exhibited to the exhibit coordinator. The date and time should be established at least five business days before the opening of the exhibition. Installation will be handled by the exhibit coordinator. Artists may assist in the installation if they make arrangements in advance. Seminole County Government will produce labels for all exhibitions. Artists must provide the following information for exhibition labels: title of work, selling price or indication (Not For Sale), year created, and materials utilized. Artists must pick up their works within 48 hours of the conclusion of the exhibit (preferably on the actual date of closing, as secure storage space is very limited).

Mail images and completed application materials to:

Seminole County Library
Art In Public Places
Exhibition Selection Committee
1101 E. 1st Street
Sanford, Florida 32771

Art Exhibition Program

Application

PLEASE TYPE or PRINT (Form may be submitted via mail or e-mail)

Applicant Name: _____

Mailing Address: _____

City_____ State_____ Zip _____

Day Telephone _____ Evening Telephone _____

In what medium do you work?

_____

Number of Images Submitted_____(10 images maximum)

Please Note: Please submit images of specific works you wish to exhibit. All images should be clearly labeled with your name and numbered in the sequence you wish us to view them. Also, please indicate dimensions of the piece on the image jacket. Please do not submit images from a larger body of work which are not specific to the work you plan to exhibit.

Month you wish to exhibit:

1st choice _____

2nd choice _____

3rd choice _____

Please indicate any month your work is not available to exhibit. _____

Submit written proposal statement about the content of the work, drawing and/or project.

Attach current resume.

The undersigned hereby certifies that the information contained in this application and all attachments and supporting materials are true and correct to the best of his/her knowledge.

Applicant/Authorized Signature: _____ Date: _____

SECTION 29. LIBRARY SERVICES

29.25 CUSTOMER SERVICE CODE

A. UNATTENDED CHILDREN.

(1) The Seminole County Public Library is open to all members of the public. Patrons may remain in the Library as long as necessary/appropriate to use the services, materials or facilities for reading, studying, using the Internet, attending programs, and obtaining information.

(2) Children of all ages are welcomed users of the Library. The Library is a public building with staff trained to provide public library services. Staff members are available to assist children with library materials or services. The Library is not equipped, nor is it the Library's role, to provide long- or short-term childcare.

(3) A responsible adult or caregiver shall accompany children of ten (10) years of age or under while they are using the Library. While in the Library, parents and caregivers are responsible for monitoring and regulating the behavior of children of ten (10) years of age or under.

(4) When a child of ten (10) years of age or under is found unattended in the Library or when a child of ten (10) years of age or under is perceived to be upset, endangered, behaving inappropriately, or not with a caregiver at closing time, library staff will attempt to contact the parent or caregiver. In the event that the parent or caregiver cannot be reached, the child will be placed in the care of the appropriate law enforcement agency.

B. AUTHORITY. Resolution 2010-R-182 adopted August 24, 2010

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.5 U. S. 17-92 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

30.5.5

RESOLUTION 97-R-120 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 27TH DAY OF MAY, 1997

WHEREAS, the Board of County Commissioners, Seminole County, Florida finds the existence of one or more blighted areas, as defined in the "Community Redevelopment Act" of Part III of Chapter 163, Florida Statutes, within the boundary of the United States Highway 17-92 Corridor Redevelopment Study Area (the "Study Area"), and determines that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Area by a redevelopment agency is necessary and in the best interests of the public health, safety, morals, or welfare of the residents and citizens of Seminole County; and

WHEREAS, the Board of County Commissioners has commissioned a study that has confirmed the findings of blight within the Study Area; and

WHEREAS, conditions are present that are detrimental to the sound growth of the Study Area and that substantially impair or arrest the growth within the Study Area and adjacent territory, and present conditions and users are detrimental to the public health, safety, morals, and welfare; and

WHEREAS, unsafe and unsanitary conditions exist within the Study Area; and

WHEREAS, there is a predominance of inadequate or defective street layout within the Study Area; and

WHEREAS, there is faulty lot layout in the Study Area in relation to size, adequacy, accessibility, or usefulness; and

WHEREAS, there has been a deterioration of site or other improvements within the Study Area; and

WHEREAS, there are inadequate parking facilities within the Study Area; and

WHEREAS, these conditions endanger life and property and substantially impair or arrest the sound growth of the Study Area and are a menace to the public health, safety, morals, or welfare in its present condition and use; and

WHEREAS, action must be taken to prevent further blight and deterioration and to protect and enhance public expenditures in the Study Area; and

WHEREAS, the County desires to proceed under Part III, Chapter 162, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished within the Study Area; and

WHEREAS, the provisions of this Resolution are consistent with goals, policies, and objectives of the Seminole County Comprehensive Plan; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a redevelopment plan be prepared,

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS, SEMINOLE COUNTY, FLORIDA:

Section 1. (a) The Board of County Commissioners, based upon evidence presented to it and submitted in the public record does hereby expressly find that blighted areas as defined in Section 163.340(8), Florida Statutes, exist within the United States Highway 17-92 Corridor Redevelopment Study Area as defined in the Study.

(b) The recitals set forth in this Resolution are hereby adopted as legislative findings.

(c) The Board of County Commissioners does hereby expressly find that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Area described in Exhibit A is necessary in the interest of the public health, safety, morals, or welfare of the residents and citizens of Seminole County.

Section 2. For the purpose of this Resolution, the Community Redevelopment Area shall be that United States Highway 17-92 Corridor Redevelopment Area more particularly described in Exhibit A, attached hereto.

Section 3. The Board of County Commissioners does hereby expressly find that it is necessary, appropriate, proper, and timely that a Community Redevelopment Agency be created to carry out the community redevelopment purposes of the provisions of Part III, Chapter 163, Florida Statutes, and such other resolutions, ordinances, and laws that may be utilized to further redevelopment within the Community Redevelopment Area as described in Exhibit A.

Section 4. This Resolution shall take effect immediately upon its passage.

*Note: Exhibit A is on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.5 U. S. 17-92 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

30.5.10

RESOLUTION 97-R-130 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED AT THE REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA ON THE 24TH DAY OF JUNE, 1997

WHEREAS, the Board of County Commissioners, Seminole County, Florida based upon evidence submitted in the public records, adopted Resolution 97-R-120, finding the existence of one or more blighted areas, as defined in the "Community Redevelopment Act" of Part III of Chapter 163, Florida Statutes, within the boundary of the United States Highway 17-92 Corridor Redevelopment Area (the "Area"), and determines that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Area by a redevelopment agency is necessary and in the best interests of the public health, safety, morals, or welfare of the residents and citizens of Seminole County; and

WHEREAS, the Board of County Commissioners commissioned a study that confirmed the findings of blight within the Area; and

WHEREAS, these conditions endanger life and property and substantially impair or arrest the sound growth of the Area and are a menace to the public health, safety, morals, or welfare in its present condition and use; and

WHEREAS, action must be taken to prevent further blight and deterioration and to protect and enhance public expenditures in the Area; and

WHEREAS, the Board of County Commissioners desires to proceed under Part III, Chapter 163, Florida Statutes, to establish the necessary means by which redevelopment can be accomplished within the Area; and

WHEREAS, the provisions of this Resolution are consistent with goals, policies, and objectives of the Seminole County Comprehensive Plan; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that a redevelopment plan be prepared,

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS, SEMINOLE COUNTY, FLORIDA:

Section 1. The Board of County Commissioners does hereby expressly create a Community Redevelopment Agency pursuant to Section 163.357, Florida Statutes, to be named the United States Highway 17-92 Corridor Redevelopment Agency, which shall be a public body, corporate and politic and constitute a public instrumentality.

Section 2. The Board of County Commissioners does hereby expressly authorize the Community Redevelopment Agency to exercise all powers conferred by Part III, Chapter 163, Florida Statutes, necessary or convenient to carry out and effectuate the purposes of community redevelopment within the boundaries of the United States Highway 17-92 Corridor Community Redevelopment Area, more particularly described in Exhibit A, attached hereto.

Section 3. The Board of County Commissioners of Seminole County, Florida shall serve as the Board of Commissioners of the United States Highway 17-92 Corridor Redevelopment Agency.

Section 4. This Resolution shall take effect immediately upon its passage.

*Note: Exhibit A is on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.5 U. S. 17-92 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

30.5.15

RESOLUTION 98-R-180 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA AT THEIR REGULARLY SCHEDULED MEETING OF AUGUST 25, 1998.

WHEREAS, the Board of County Commissioners, Seminole County, Florida (the "Board"), has determined that the United States Highway 17-92 Corridor Redevelopment Area (the "Area"), as created and defined in Ordinance Numbers 97-54 and 97-55 and Resolution Numbers 97-R-120 and 97-R-130 is a blighted area appropriate for community redevelopment projects pursuant to Chapter 163, Part III, Florida Statutes (the "Act"); and

WHEREAS, the Board adopted Resolution 97-R-130 creating the United States Highway 17-92 Corridor Redevelopment Agency to exercise all powers conferred by the Act, necessary or convenient to carry out and effectuate the purposes of community redevelopment within the Area; and

WHEREAS, the Board enacted Ordinance Number 97-54 adopting the U.S. Highway 17-92 Corridor Redevelopment Plan for the Area; and

WHEREAS, the United States Highway 17-92 Corridor Redevelopment Agency has determined that it is necessary and desirable to change the boundaries of the Area; and

WHEREAS, the United States Highway 17-92 Corridor Redevelopment Agency has identified certain parcels for inclusion within the Area and recognizes that these identified parcels have been recently studied in the reports titled "U.S. 17-92 Corridor, Seminole County Finding of a Necessity for a Community Redevelopment Area," dated May, 1997, "Fern Park Redevelopment Study Area Executive Summary" dated March, 1995; and

WHEREAS, the Board of County Commissioners has determined that these identified parcels meet the statutory definition of a blighted area and should properly be included within the U.S. Highway 17-92 Corridor Redevelopment Area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

The Board of County Commissioners of Seminole County does hereby expressly find that the area of Seminole County described in Exhibit 1, attached hereto and incorporated herein by reference, is a blighted area as defined in Section 163.240(8), Florida Statutes, and the rehabilitation and redevelopment of the area is necessary in

the interest of the public health, safety, morals, and welfare of the residents of Seminole County, Florida.

*Note: Exhibit 1 is on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.10 CASSELBERRY COMMUNITY REDEVELOPMENT AGENCY

30.10.5

RESOLUTION NO. 95-R-255 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF NOVEMBER 14, 1995.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, the City of Casselberry is a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County; and

WHEREAS, the City of Casselberry and Seminole County have engaged in positive dialogue and communications in an effort to encourage vibrant economic development within the incorporated area of the City of Casselberry and the unincorporated areas of Seminole County; and

WHEREAS, the City of Casselberry and Seminole County have for many years attempted to resolve issues relating to water and sewer utility service rate equity and parity with regard to the rates charged to utility customers of the City of Casselberry who are located in unincorporated Seminole County; and

WHEREAS, with a common and united commitment to the progressive and positive economic development for the benefit of the citizens of the City of Casselberry and unincorporated Seminole County, the City Commission of the City of Casselberry and the Board of County Commissioners of Seminole County have collaborated with regard to the development and implementation of a plan of economic development which includes the creation of a community redevelopment agency with economic redevelopment jurisdiction over certain areas and properties proximate to United States Highway 17/92; and

WHEREAS, in the spirit of intergovernmental coordination and cooperation the City Commission of the City of Casselberry and the Board of County Commissioners of Seminole County have developed a framework which can be pursued in order to establish rate equity and parity for residents of unincorporated Seminole County who are served by the City of Casselberry's utilities; and

WHEREAS, pursuant to Section 163.410, Florida Statutes (1993), Seminole County may delegate to the governing bodies of municipalities within Seminole County, the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes (1993), permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, the City of Casselberry has adopted Resolution Number 95-898 and has requested that Seminole County delegate to the City of Casselberry, pursuant to Section 163.410, Florida Statutes (1993), the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessary appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency pursuant to Part III, Chapter 163, Florida Statutes (1993), as amended.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA,

That, pursuant to Section 163.410, Florida Statutes (1993), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole County, Florida, as limited by the provisions hereof and as conditioned upon the performance of the City of Casselberry relative to certain performance criteria set forth herein, hereby delegates to the City of Casselberry such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (1993), as amended, in order that the City of Casselberry may create and establish a Community Redevelopment Agency within its municipal boundaries subject to the conditions and limitations set forth herein.

BE IT FURTHER RESOLVED, that the above delegation is subject to the following conditions which, by accepting the delegation made herein, the City of Casselberry fully and completely agrees to perform, implement, abide by, act consistent with and adhere to:

(a) In accordance with Section 163.410, Florida Statutes (1993), this delegation " ... shall confer only such powers ... as shall be specifically enumerated in [this] ... delegating resolution" and the City of Casselberry shall be charged with and solely responsible for making any and all necessary findings relative to the actions taken with regard to the creation of a Community Redevelopment Agency and any and all actions taken subsequent to the creation of said Community Redevelopment Agency.

(b) The power delegated herein is the authority to create a Community Redevelopment Agency for a period of twenty-two (22) years relating only to the property (the “Community Redevelopment Area”) described in Exhibit A hereto. Subject properties relate to a proposed City of Casselberry Central City District containing numerous parcels of property and being located in an area lying both to the east and west of United States Highway 17/92 within the existing municipal limits of the City of Casselberry. If unincorporated properties within the Community Redevelopment Area Study Area voluntarily petition for annexation, it is the intent of Seminole County to require that all formal processes be accomplished relative to the inclusion of said properties into the Community Redevelopment Area.

(c) None of the "increment revenues" derived by Seminole County shall be appropriated by Seminole County or deposited in the Redevelopment Trust Fund in accordance with Section 163.3187, Florida Statutes (1994 Supplement), as amended by Chapters 95-147, 95-310, 95-322 and 95-396, Laws of Florida. No Seminole County tax revenues, equivalent revenues, or any other County funds of any kind shall be used in any way to fund the Community Redevelopment Agency created by the City of Casselberry nor any of said Agency's programs or projects. In no event may the City of Casselberry pledge or assert any interest in any Seminole County revenues or funds.

(d) In the event that a joint planning agreement, as contemplated in paragraph (e), below, has been entered by and between Seminole County and the City of Casselberry on or before December 31, 1996, and a utility surcharge reduction interlocal agreement as described in paragraph (f), below; the City of Casselberry may seek and request from Seminole County the dedication of County tax increment revenues to the Community Redevelopment District. In the event that the City of Casselberry has, to the satisfaction of Seminole County, entered into both the joint planning and utility surcharge reduction interlocal agreements contemplated herein; the tax increment revenues derived from Seminole County revenues may, by means of the due adoption of a resolution by the Board of County Commissioners of Seminole County, be dedicated to the Community Redevelopment Agency created herein and the term of the Community Redevelopment Agency may be extended from fifteen (15) years to a maximum of thirty (30) years.

(e) The aforementioned joint planning agreement shall address, at a minimum, annexation issues and policies, the coordination of the provision of public services, the possible Seminole County contribution of tax increment revenues and possible extensions of the term of existence pertaining to the Community Redevelopment Agency. The goal of the joint planning agreement shall be, among other things, to achieve service delivery and fiscal impact equities for the citizens of Seminole County who are affected by the policies and programs of the City of Casselberry. With the addition of utility rate equity issues as identified in paragraph (f) below, it is intended that the scope and context of the agreement shall otherwise be similar to that Agreement entered into by the City of Sanford and Seminole County titled “Seminole County/City of Sanford Joint Planning Interlocal Agreement”, dated November 21, 1991.

(f) The aforementioned utility surcharge reduction interlocal agreement is intended to address a utility rate equity program entailing the equalization of utility rates/investments with regard to all customers served by the City of Casselberry's utility systems. The goal of this program shall be that the City of Casselberry implement rate equity throughout its utility systems in conjunction with preserving fiscal integrity of the systems with utility related fees and charges including, but not limited to, surcharges charged to customers in the unincorporated area of Seminole County. Specifically, it is contemplated that such unincorporated area customers should have no increase over the current surcharge paid and, thus, any utility rate increase resulting from an economic necessity of the City of Casselberry should not incorporate the surcharge charged to customers in the unincorporated area of Seminole County. Additionally, it is intended that the City of Casselberry should implement a utility rate surcharge reduction for its customers located outside of the City Limits which totals, in terms of total reductions, no

less than fifty percent (50%) of Seminole County's annual contribution of tax increment revenues.

(g) If the City of Casselberry has not created and established the Community Redevelopment Agency, the Central City Redevelopment Area and the Redevelopment Trust Fund on or before December 31, 1995, then the delegation set forth in this Resolution shall be deemed terminated and shall be of no further force or effect.

(h) Any proposed additional Redevelopment Districts or any proposed expansion of the Central City Redevelopment Study Area shall require that the City of Casselberry seek and request an additional delegating resolution from Seminole County and, to that end, this delegating Resolution shall not be deemed or construed, in any way, as a general delegation by Seminole County nor a pledge of any Seminole County funds or revenues to be used by the City of Casselberry, the Community Redevelopment Agency or within the Community Redevelopment District.

(i) Neither the City of Casselberry nor the Community Redevelopment Agency shall contest or challenge any provision, term or condition of this Resolution.

(j) The Casselberry City Commission shall serve as the Board of Commissioners of the Casselberry Community Redevelopment Agency.

(k) Should Seminole County create a Community Redevelopment Agency with jurisdiction over the City of Casselberry's Community Redevelopment Area as set forth herein, the delegation set forth herein shall automatically terminate and expire and the Community Redevelopment Agency created hereunder shall terminate and cease to exist in accordance with whatever schedule Seminole County may establish when creating the new Community Redevelopment Agency. The City of Casselberry shall structure and implement all actions relative to the creation and implementation of the Community Redevelopment Agency in order to facilitate and contemplate such contingent termination, expiration and dissolution.

(l) Any and all actions relative to the creation and implementation of the Community Redevelopment Agency shall be structured and configured in such a way as to facilitate the consolidation of the Community Redevelopment Agency and all of its projects and programs into any multi-jurisdictional or countywide Community Redevelopment Agency that may be established in the future by Seminole County. To that end, all documents of creation and implementation of the Community Redevelopment Agency shall provide for the contingent future transfer of any and all projects, programs, assets, property, funds, obligations and liabilities to Seminole County and/or a multi-jurisdictional or countywide Community Redevelopment Agency established by Seminole County; provided, however, that any funds on account at the time of termination, expiration or dissolution of the City of Casselberry Community Redevelopment Agency that are not encumbered or pledged as security for any indebtedness shall be transferred to the City of Casselberry for use, as the City of Casselberry deems fit, within the proposed City of Casselberry Central City District; provided, further, however, that any real or personal property that has been purchased with Community Redevelopment Agency funds shall become the property of the City of Casselberry unless pledged or encumbered.

(m) The City of Casselberry shall, to the fullest extent authorized by law, hold harmless and indemnify Seminole County for and against any losses or claims of any and all types or natures whatsoever resulting in any way whatsoever from the creation of the Community Redevelopment Agency and any and all activities of any types or natures of or by the Community Redevelopment Agency or the City of Casselberry.

BE IT FURTHER RESOLVED, that any action by the City of Casselberry or the contemplated Community Redevelopment Agency in conflict with the limitations and requirements stated herein shall immediately revoke and rescind the authorization and delegation to the full extent made in this Resolution.

BE IT FURTHER RESOLVED that this delegation is made at the request of the City of Casselberry and shall not be construed to represent the taking on or acceptance of any obligation by Seminole County or the making of any required finding or action by Seminole County pursuant to Chapter 163, Florida Statutes (1993), as amended, or any other law, rule or regulation (except only as to Seminole County's consent that the City of Casselberry may create a Community Redevelopment Agency pursuant to the terms and conditions hereof and consistency with the provisions of the Seminole County Comprehensive Plan) relative to the creation of community redevelopment agencies or areas and any actions relating thereto.

BE IT FURTHER RESOLVED that if any clause, paragraph, provision, sentence, term, condition or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable or otherwise contrary to law; then this entire Resolution shall be of no force, effect or meaning and, to that end, this Resolution is non-severable. Moreover, this Resolution should not be construed to constitute Seminole County approval of the funding of an administrative building for any public body out of tax increment revenues.

ADOPTED this 14th day of November, 1995.

AS AMENDED this 10th day of March, 2015.

AS AMENDED this 23rd day of June, 2015.

*Note: Exhibit A is on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-50 adopted March 10, 2015
Resolution 2015-R-106 adopted June 23, 2015

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.10 CASSELBERRY COMMUNITY REDEVELOPMENT AGENCY

30.10.10

RESOLUTION NO. 98-R-181 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF AUGUST 25, 1998.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, the City of Casselberry is a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County; and

WHEREAS, with a common and united commitment to progressive and positive economic development for the benefit of the citizens of the City of Casselberry and unincorporated Seminole County, the City of Casselberry and Seminole County has over the past several years engaged in positive dialogue and communications in an effort to encourage vibrant economic development within the incorporated area of the City of Casselberry and the unincorporated areas of Seminole County; and

WHEREAS, pursuant to Section 163.410, Florida Statutes, Seminole County may delegate to the governing bodies of municipalities within Seminole County the exercise of such powers conferred upon Seminole County in Part III, Chapter 163, Florida Statutes, as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes, permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, by Resolution 95-R-255, dated November 14, 1995, and adopted pursuant to Section 163.410, Florida Statutes (1993), the Board of County Commissioners of Seminole County delegated to the City of Casselberry the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter, 163, Florida Statutes (1993), as amended, such powers specifically including the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessary appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency pursuant to Part III, Chapter 163, Florida Statutes 91993), as amended; and

WHEREAS, the Board of County Commissioners of Seminole County in Resolution 95-R-255 set the following conditions upon the delegation of authority to the City of Casselberry in paragraph (c):

> None of the “increment revenues” derived by Seminole County shall be appropriated by Seminole County or deposited in the Redevelopment Trust Fund in accordance with Section 163.3187, Florida Statutes (1994 Supplement), as amended by Chapters 95-147, 95-310, 95-322 and 95-

396, Laws of Florida. No Seminole County tax revenues, equivalent revenues, or any other County funds of any kind shall be used in any way to fund the Community Redevelopment Agency created by the City of Casselberry nor any of said Agency's programs or projects. In no event may the City of Casselberry pledge or assert any interest in any Seminole County revenues or funds.

and

WHEREAS, the City of Casselberry, acting in accordance with Resolution 95-R-255, established the Casselberry Community Redevelopment Agency which has been active in the rehabilitation of real property within its community redevelopment area; and

WHEREAS, in the time since the establishment of the Casselberry Community Redevelopment Agency, the Board of County Commissioners of Seminole County, acting in accordance with Part III, Chapter 163, Florida Statutes, has created the U.S. Highway 17-92 Corridor Community Redevelopment Agency for the purpose of rehabilitating blighted areas of the U.S. Highway 17-92 corridor throughout the unincorporated areas of Seminole County; and

WHEREAS, several cities within Seminole County, including the City of Casselberry by resolution, have concurred in Seminole County's U.S. Highway 17-92 Corridor Community Redevelopment Agency Redevelopment Plan; and

WHEREAS, the Board of County Commissioners of Seminole County now desires, in the spirit of continued cooperation in the redevelopment of the United States Highway 17-92 area, to participate in the City of Casselberry Redevelopment Plan,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA; THAT:

Pursuant to Section 163.410, Florida Statutes (1997), the Board of County Commissioners of Seminole County, Florida, acting for and on behalf of Seminole County, Florida, hereby modifies Resolution 95-R-255 of the Board of County Commissioners, the resolution which delegated to the City of Casselberry the authority to establish a community redevelopment agency, as follows:

1. The delegation of authority set forth in Resolution Number 95-R-255 is modified consistent with the provisions of this Resolution.

2. Notwithstanding any language to the contrary in Resolution 95-R-255, commencing in the tax year 1998, "increment revenues" derived by Seminole County for those properties located with the Casselberry Community Redevelopment Agency's redevelopment area shall be appropriated by Seminole County and deposited in the Casselberry Community Redevelopment Agency Trust Fund in accordance with Section 163.387, Florida Statutes (1997). Such increment revenues, when deposited into the Trust Fund, may be used by the Casselberry Community Redevelopment Agency in a manner consistent with its redevelopment plan and with general law. Any such funds may be pledged as collateral for the repayment of bond revenues, consistent with Part III, Chapter 163, Florida Statutes (1997) and general law. This funding shall continue

through the existing term of the Casselberry Redevelopment Plan, and the level of funding shall be at the maximum level established by the funding of the Trust Fund consistent with the provisions of State law and this delegation.

3. Any and all actions relative to the creation and implementation of the Community Redevelopment Agency shall be structured and configured in such a way as to facilitate the consolidation of the Community Redevelopment Agency and all of its projects and programs into any multi-jurisdictional or Countywide Community Redevelopment Agency that may be established in the future by Seminole County. The potential consolidation of the Community Redevelopment Agency authorized herein with other community redevelopment areas into a multi-jurisdictional community redevelopment agency shall be optional with regard to the City of Casselberry. To address that potential, all documents of creation and implementation of the Community Redevelopment Agency shall provide for the contingent future transfer of any and all projects, programs, assets, property, funds, obligations, and liabilities to Seminole County and/or a multi-jurisdictional or Countywide community redevelopment agency established by Seminole County; provided, however, that any funds on account at the time of termination, expiration, or dissolution of the City of Casselberry Community Redevelopment Agency, that are not encumbered or pledged as security for any indebtedness, shall be transferred to the City of Casselberry for use as the City of Casselberry deems fit, within the proposed City of Casselberry Central City District; provided, further, however, that any real or personal property that has been purchased with Community Redevelopment Agency funds shall become the property of the City of Casselberry unless pledged or encumbered.

4. If unincorporated properties within the Community Redevelopment Area Study Area voluntarily petition for annexation, it is the continued intent of Seminole County to require that all formal processes be accomplished relative to the inclusion of said properties into the Community Redevelopment Area.

5. The City of Casselberry shall and hereby does hold harmless and indemnify Seminole County from and against any losses or claims of any type or nature whatsoever resulting in any way from the creation of the Community Redevelopment Agency.

6. As to all activities of any type or nature of or by the Community Redevelopment Agency, the Community Redevelopment Agency shall hold harmless and indemnify the County from and against any losses or claims of any type or nature whatsoever. This condition shall not preclude the City of Casselberry from obtaining indemnification from the Community Redevelopment Agency.

7. This delegation is made at the request of the City of Casselberry and shall not be construed to represent the taking or acceptance of any obligation by Seminole County or the making of any required finding or action by Seminole County under Chapter 163, Florida Statutes, or any other law, rule, or regulation (except only as to Seminole County's consent that the City of Casselberry may create a community redevelopment agency pursuant to the terms and conditions hereof) relative to the creation of community redevelopment agencies or areas and any actions relating thereto.

8. Any action by the City of Casselberry or the Community Redevelopment Agency in conflict with the limitations and requirements stated herein shall immediately revoke and rescind the authorization and delegation to the full extent made in this Resolution.

9. Neither the City of Casselberry nor the Community Redevelopment Agency shall contest or challenge any provision, term, or condition of this Resolution or Resolution 95-R-255.

10. If any clause, paragraph, provision, sentence, term, condition, or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable, or otherwise contrary to law; then this Resolution shall be of no force, effect, or meaning and, to that end, this Resolution is non-severable. Other than as stated herein, Resolution No. 95-R-255 shall remain in full force and effect as originally written.

ADOPTED this 25th day of August, 1998.

AS AMENDED this 10th day of March, 2015.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-50 adopted March 10, 2015

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.10 CASSELBERRY COMMUNITY REDEVELOPMENT AGENCY

30.10.15

RESOLUTION NO. 2002-R-33 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF FEBRUARY 26, 2002.

WHEREAS, amending Seminole County's Resolution Nos. 95-R-255 and 98-R-181 regarding the City of Casselberry's Community Redevelopment Agency ("CRA"); and

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, the City of Casselberry ("Casselberry") is a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County; and

WHEREAS, Seminole County and Casselberry have worked closely together to stimulate vibrant economic development in areas around and proximate to U.S. Highway 17/92, within the incorporated areas of Casselberry and the unincorporated area of Seminole County; and

WHEREAS, to stimulate said economic growth pursuant to Section 163.410, Florida Statutes (2001) and Seminole County Resolution No. 95-R-255, Seminole County delegated to Casselberry certain rights and authority to create a Community Redevelopment Agency with all necessary appurtenant responsibilities, rights and authority; and

WHEREAS, Casselberry did create this CRA on December 11, 1995 via Casselberry Ordinances Numbers 95-851 and 95-852; and

WHEREAS, the initial term of existence of this CRA was fifteen years; and

WHEREAS, pursuant to Seminole County Resolution No. 95-R-255, Casselberry has entered into both a Joint Planning Interlocal Agreement and a Utility Surcharge Reduction Interlocal Agreement satisfactory to Seminole County; and

WHEREAS, Casselberry desires and has requested of Seminole County to extend the term of existence of this CRA from fifteen (15) to twenty (20) years and to increase the CRA membership from five (5) to seven (7) members.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

Pursuant to Section 163.410, Florida Statutes (2001), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole

County, Florida, hereby makes the following amendments to Seminole County Resolution No. 95-R-255:

(a) Amendment of section (d) to extend of the term of the CRA from fifteen (15) to twenty (20) years; and

(b) Amendment of section (j) to increase to the membership of the CRA from five (5) to seven (7) members.

BE IT FURTHER RESOLVED, that Section (3) of Seminole County Resolution No. 98-R-181 is hereby amended to increase the number of members of the Community Redevelopment Agency's governing board nominated and appointed by the Casselberry City Commission from three (3) to four (4); and the number of members nominated by the Board of County Commissioners of Seminole County and appointed by the Casselberry City Commission from two (2) to three (3).

BE IT FURTHER RESOLVED, that except for the amendments specifically stated herein, this Resolution shall not be construed to limit or alter the provisions of Seminole County Resolutions No. 95-R-255 and 98-R-181 in any manner.

BE IT FURTHER RESOLVED that if any clause, paragraph, provision, sentence, term, condition or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable or otherwise contrary to law, then this entire Resolution shall be of no force, effect or meaning and, to that end, this Resolution is non-severable.

ADOPTED this 12th day of March, 2002.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.15 SANFORD COMMUNITY REDEVELOPMENT AGENCY

30.15.5

RESOLUTION NO. 90-R-213 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF JULY 10TH, 1990.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, pursuant to Section 163.410, Florida Statutes (1989), Seminole County may delegate to the governing bodies of municipalities within Seminole County, the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1989), as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes (1989), permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, the City of Sanford, a Florida municipal corporation, has requested that Seminole County delegate to the City of Sanford, pursuant to Section 163.410, Florida Statutes (1989), the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1989), such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with all of the necessarily appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency under Part III, Chapter 163, Florida Statutes (1989).

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA,

That, pursuant to Section 163.410, Florida Statutes (1989), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole County, Florida, hereby delegates to the City of Sanford such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (1989), in order to create and establish a Community Redevelopment Agency within its municipal boundaries subject to the conditions and limitations set forth herein.

BE IT FURTHER RESOLVED, that the above delegation is subject to the following conditions:

(a) In accordance with Section 163.410, Florida Statutes (1989), this delegation " ... shall confer only such powers ... as shall be specifically enumerated in [this] ... delegating resolution."

(b) The power delegated herein is the authority to create a Community Redevelopment Agency relating only to the property (the "Community Development Area") described in Exhibit "A" hereto (hereinafter referred to as "Seminole Properties") which properties relate to a proposed multi-use Development of Regional Impact shopping mall development ("Seminole Towne Center") on the 213.7± acres of property located in Northwestern Seminole County.

(c) No Seminole County tax revenues, equivalent revenues, or any other County funds of any kind shall be used in any way to fund the Community Redevelopment Agency created by the City of Sanford nor any of said Agency's programs or projects. The City of Sanford may pledge its revenues to the Agency, but in no event shall pledge or assert any interest in any Seminole County revenues or funds.

(d) If the City of Sanford has not created and established the Community Redevelopment Agency on or before June 30, 1994; then the delegation set forth in this Resolution shall be deemed terminated and shall be of no further force or effect.

(e) If the development order for the aforementioned Development of Regional Impact is not final pursuant to Section 380.06, Florida Statutes (1989), on or before June 30, 1991, including, but not limited to, the required transportation improvements as set forth in Exhibit "B" hereto; then the delegation set forth in this Resolution shall be of no further force or effect.

(f) Any proposed additional projects or any proposed expansion of the Community Redevelopment Area shall require that the City of Sanford seek and request an additional delegating resolution from Seminole County and, to that end, this delegating resolution shall not be deemed or construed, in any way, as a general delegation by Seminole County nor a pledge of any Seminole County funds or revenues to be used by the Community Redevelopment Agency or within the Community Redevelopment District.

(g) Neither the City of Sanford nor the Community Redevelopment Agency shall contest or challenge any provision, term or condition of this Resolution.

(h) The City of Sanford shall hold harmless and indemnify the County for and against any losses or claims of any type or nature whatsoever resulting in any way from the creation of the Community Redevelopment Agency and all activities of any type or nature of or by the Community Redevelopment Agency.

BE IT FURTHER RESOLVED, that any action by the City of Sanford or the contemplated Community Redevelopment Agency in conflict with the limitations and requirements stated herein shall immediately revoke and rescind the authorization and delegation to the full extent made in this Resolution.

BE IT FURTHER RESOLVED, that if a Community Redevelopment Agency is created by the City Commission of the City of Sanford and regardless of whether or not said City Commission acts as the governing body of the Community Redevelopment Agency, and thereafter such the Community Redevelopment Agency, on or before December 31, 1994, designates Seminole Properties as a Community Redevelopment Area, then the Community Redevelopment Agency may issue redevelopment revenue bonds with terms of up to 15 years on or before December 31, 1995, pursuant to Section

163.385, Florida Statutes (1989). Said bonds shall be issued to accomplish up to SIX MILLION THREE HUNDRED THOUSAND AND NO/100 DOLLARS ($6,300,000.00) of improvements as set forth in Exhibit "C" hereto. This authorization and the delegation set forth in this Resolution shall expire on January 1, 1995, if at least 51% of the Seminole Properties has not been designated by the Community Redevelopment Agency as a Community Redevelopment Area prior to January 1, 1995, and further shall expire on January 1, 1996, if said Community Redevelopment Area has not issued redevelopment revenue bonds, as contemplated above, prior to January 1, 1996.

BE IT FURTHER RESOLVED that this delegation is made at the request of the City of Sanford and shall not be construed to represent any required finding or action under Chapter 163, Florida Statutes (1989), (except as to Seminole County's consent that the City of Sanford may create a Community Redevelopment Agency pursuant to the terms and conditions hereof) relative to the creation of community redevelopment agencies or areas.

BE IT FURTHER RESOLVED that if any clause, paragraph, provision, sentence, term, condition or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable or otherwise contrary to law; then this entire Resolution shall be of no force, effect or meaning and, to that end, this Resolution is non-severable.

ADOPTED this 10th day of July, 1990.

*Note: Exhibit A, B and C are on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.15 SANFORD COMMUNITY REDEVELOPMENT AGENCY

30.15.10

RESOLUTION NO. 93-R-181 SEMINOLE COUNTY, FLORIDA

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF JUNE 8, 1993.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, pursuant to Section 163,410, Florida Statutes (1991), Seminole County may delegate to the governing bodies of municipalities within Seminole County the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1991) as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes (1991), permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, the City of Sanford, a Florida municipal corporation, previously requested that Seminole County delegate to the City of Sanford the right and authority to exercise certain powers conferred upon Seminole County such powers specifically including the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with all of the necessarily appurtenant responsibilities, rights, and authority as a governing body serving as a Community Redevelopment Agency; and

WHEREAS, such delegation occurred by means of the adoption of Resolution Number 90-R-213 by the Board of County Commissioners of Seminole County on July 10, 1990; and

WHEREAS, the City of Sanford has requested Seminole county to modify the delegation in certain limited ways which includes the expansion of the delegation to the City in order that the City may incorporate recently annexed lands into the jurisdictional boundaries of the Community Redevelopment Agency,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

That, pursuant to Section 163.10, Florida Statutes (1991), the Board of County Commissioners of Seminole County, Florida, acting for and on behalf of Seminole County, Florida, hereby modifies, to a limited extent, the delegation of power made to the City of Sanford delegating such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (1991), in order for the City of Sanford to create and establish a community redevelopment agency within its municipal boundaries subject to the conditions and limitations set forth herein;

provided, however, that all matters set forth in Resolution Number 90-R-213 shall continue in full force and effect except as specifically modified herein.

BE IT FURTHER RESOLVED that the delegation of authority set forth in Resolution Number 90-213 is modified only in the following ways:

(a) The delegation shall relate to that certain real property described in Exhibit "A" attached hereto and made a part hereof.

(b) The Redevelopment Agency established by the City of Sanford pursuant to the provisions of Resolution Number 90-R-213 may, on or before December 31, 1995, pursuant to Section 163.385, Florida Statutes (1991), issue redevelopment revenue bonds in an amount not to exceed $10,000,000.00 in lieu of the $6,285,157.00 figure set forth in Exhibit "C" to Resolution Number 90-R-213 and the $6,300,000.00 figure set forth at Page 4 of said Resolution. Furthermore, said bonds may be issued with terms of up to twenty (20) years from date of issuance.

(c) The above modifications are subject to and conditional upon neither the City of Sanford nor the Community Redevelopment Agency contesting or challenging any provision, term, or condition of this Resolution and Resolution Number 90R-213.

BE IT FURTHER RESOLVED, that this delegation modification is made at the request of the City of Sanford and shall not be construed to represent any required finding or action under Chapter 163, Florida Statutes (1991), (except as to Seminole County's consent that the City of Sanford may create a community redevelopment agency pursuant to the terms and conditions of Resolution Number 90-R-213 and hereof) relative to the creation of community redevelopment agencies or areas.

BE IT FURTHER RESOLVED that if any clause, paragraph, provision, sentence, term, condition, or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable, or otherwise contrary to law; then this entire Resolution shall be of no force, effect, or meaning and, to that end, this Resolution is non-severable.

ADOPTED this 8th day of June, 1993.

*Note: Exhibit A is on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.15 SANFORD COMMUNITY REDEVELOPMENT AGENCY

30.15.15

RESOLUTION NO. 95-R-246 **SEMINOLE COUNTY, FLORIDA**

THE FOLLOWING RESOLUTION WAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, AT THEIR REGULARLY SCHEDULED MEETING OF OCTOBER 24, 1995.

WHEREAS, Seminole County is a political subdivision of the State of Florida which has adopted a Home Rule Charter; and

WHEREAS, pursuant to Section 163.410, Florida Statutes (1993), Seminole County may delegate to the governing bodies of municipalities within Seminole county, the exercise of such powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, as Seminole County may deem appropriate; and

WHEREAS, Section 163.410, Florida Statutes (1993), permits such a delegation to be made subject to such conditions and limitations as Seminole County may impose; and

WHEREAS, the City of Sanford, a Florida municipal corporation which is wholly located within the jurisdictional boundaries of Seminole County, has adopted Resolution Number 95-1704 and has requested that Seminole County delegate to the City of Sanford, pursuant to Section 163.410, Florida Statutes (1993), the right and authority to exercise certain powers conferred upon Seminole County by Part III, Chapter 163, Florida Statutes (1993), as amended, such powers to specifically include the power to create a Community Redevelopment Agency as part of the municipal public body or taxing authority, together with necessarily appurtenant responsibilities, rights and authority as a governing body serving as a Community Redevelopment Agency under Part III, Chapter 163, Florida Statutes (1993), as amended; and

WHEREAS, a prior delegation occurred by means of the adoption of Resolution Number 93-R-181 by the Board of County Commissioners of Seminole County on June 8, 1993 (which was a modification of the delegation which occurred on July 10, 1990 pursuant to the adoption of Resolution Number 90-R-213 by the Board of County Commissioners of Seminole County); and

WHEREAS, insomuch as the City of Sanford has previously been delegated the authority to create a Community Redevelopment District over a certain area of property and has now requested that the delegation be modified to include an additional area into the jurisdictional limits of the Community Redevelopment Agency and insomuch as Board of County Commissioners of Seminole County have found and determined that the addition to the jurisdictional limits of the Community Redevelopment Agency would serve a public purpose and would be consistent with the goals, policies and objectives of the Seminole County Comprehensive Plan,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA, THAT:

(1) The delegation of authority set forth in Resolution Number 93-R-181 is modified consistent with the provisions of this Resolution.

(2) Pursuant to Section 163.410, Florida Statutes (1993), the Board of County Commissioners of Seminole County, Florida, acting for and on the behalf of Seminole County, Florida, hereby delegates to the City of Sanford such authority, rights, and responsibilities conferred upon Seminole County pursuant to Part III, Chapter 163, Florida Statutes (1993), as amended, in order that the City of Sanford may create and establish a Community Redevelopment Agency within its municipal boundaries subject to the conditions and limitations set forth herein.

(3) The above delegation is subject to the following conditions:

(a) The delegation shall relate solely and exclusively to that certain real property described in Exhibits “A” and “B” attached hereto and made a part hereof.

(b) In accordance with Section 163.410, Florida Statutes (1993), the this delegation “ ... shall confer only such powers ... as shall be specifically enumerated in [this] ... delegating resolution” and the City of Sanford shall be charged with and solely responsible for making any and all necessary findings relative to the actions taken with regard to the creation of a Community Redevelopment Agency and any and all actions taken subsequent to the creation of said Community Redevelopment Agency.

(c) The power delegated herein is the authority to create a Community Redevelopment Agency relating only to the property (the “Community Development Areas”) described in: Exhibit “A” attached hereto, which subject properties relate to the area proximate to or a part of the Seminole Towne Center Mall in northwest Seminole County; and Exhibit “B” attached hereto, which description relates to a proposed City of Sanford Downtown Water-front District containing numerous parcels of property and is located in an area lying essentially along the shore of Lake Monroe or proximate thereto within the existing municipal limits of the City of Sanford. As to the Community Redevelopment Area described in Exhibit “B”, if unincorporated properties within the Community Redevelopment Area Study Area voluntarily petition for annexation, it is the intent of Seminole County that all formal processes be accomplished relative to the inclusion of said properties into the Community Redevelopment Area.

(d) As to the Community Redevelopment Area described in Exhibit “A”, the following provisions of Resolutions 93-R-181 and 90-R-213 shall specifically continue to govern: paragraph (b) of 93-R-181; and, paragraphs (c) through (f) of 90-R-213.

(e) As to the Community Redevelopment Area described in Exhibit “B”, except for ninety-five percent (95%) of the “increment revenues” which shall be appropriated by Seminole County and by the City of Sanford and deposited in the Redevelopment Trust Fund in accordance with Section 163.387 (1994 Supplement), as amended, for a period not exceeding thirty (30) tax years, no Seminole County tax revenues, equivalent revenues, or any other County funds of any kind shall be used in

any way to fund the Community Redevelopment Agency created by the City of Sanford nor any of said Agency's programs or projects. The City of Sanford may pledge its revenues to the Agency, but in no event shall pledge or assert any interest in any Seminole County revenues or funds.

(f) If the City of Sanford has not created an established the Community Redevelopment Agency as contemplated herein on or before December 31, 1995, including the enactment of an ordinance establishing a Redevelopment Trust Fund as to the Community Redevelopment Area described in Exhibit "B"; then the delegation set forth in this Resolution shall be deemed terminated and shall be of no further force or effect; provided, however, that the delegation relative to the lands described in Exhibit "A" to which Resolution Number 93-R-181, relates as set forth in that Resolution shall remain in effect consistent with its terms.

(g) Any proposed additional Community Redevelopment Areas or any proposed expansion of the Community Redevelopment Areas shall require that the City of Sanford seek and request an additional delegating resolution from Seminole County and, to that end, this delegating Resolution shall not be deemed or construed, in any way, as a general delegation by Seminole County nor a pledge of any Seminole County funds or revenues to be used by the City of Sanford, the Community Redevelopment Agency or within the Community Redevelopment Areas.

(h) Neither the City of Sanford nor the Community Redevelopment Agency shall contest or challenge any provision, term or condition of this Resolution, Resolution Number 93-R-181 or Resolution Number 90-R-213.

(i) The members of the Community Redevelopment Agency's governing board shall be appointed by the Sanford City Commission in the following manner; Three (3) members nominated by and appointed by the Sanford City Commission and two (2) members nominated by the Board of County Commissioners of Seminole County and appointed by the Sanford City Commission; provided, however, that such County nominees shall not make Seminole County a co-venturer or partner in any of the activities of the City of Sanford or the Community Redevelopment Agency.

(j) Any and all actions relative to the creation and implementation of the Community Redevelopment Agency shall be structured and configured in such a way as to facilitate the consolidation of the Community Redevelopment Agency and all of its projects and programs into any multi-jurisdictional or countywide Community Redevelopment Agency that may be established in the future by Seminole County. The potential consolidation of the Community Redevelopment Agency authorized herein with other community redevelopment areas into a multi-jurisdictional community redevelopment agency shall be optional with regard to the City of Sanford. To address that potential, however, all documents of creation and implementation of the Community Redevelopment Agency shall provide for the contingent future transfer of any and all projects, programs, assets, property, funds, obligations and liabilities to Seminole County and/or a multi-jurisdictional or countywide Community Redevelopment Agency established by Seminole County.

(k) The City of Sanford shall and hereby does hold harmless and indemnify Seminole County from and against any losses or claims of any type or nature

whatsoever resulting in any way from the creation of the Community Redevelopment Agency.

(l) As to all activities of any type or nature of or by the Community Redevelopment Agency, the Community Redevelopment Agency shall hold harmless and indemnify the County from and against any losses or claims of any type or nature whatsoever. This condition shall not preclude the City of Sanford from obtaining indemnification from the Community Redevelopment Agency.

(4) Any action by the City of Sanford or the Community Redevelopment Agency in conflict with the limitations and requirements stated herein shall immediately revoke and rescind the authorization and delegation to the full extent made in this Resolution.

(5) This delegation is made at the request of the City of Sanford and shall not be construed to represent the taking on or acceptance of any obligation by Seminole County or the making of any required finding or action by Seminole County under Chapter 163, Florida Statutes (1993), as amended, or any other law, rule or regulation (except only as to Seminole County's consent that the City of Sanford may create a Community Redevelopment Agency pursuant to the terms and conditions hereof, the provisions of Paragraph (3)(e) on page 4 hereof, and consistency with the provisions of the Seminole County Comprehensive Plan) relative to the creation of community redevelopment agencies or areas and any actions relating thereto.

(6) If any clause, paragraph, provision, sentence, term, condition or part of this Resolution is found to be invalid, inoperable, unconstitutional, unenforceable or otherwise contrary to law; then this entire Resolution shall be of no force, effect or meaning.

(7) This resolution should not be construed to constitute County approval of the funding of an administrative building for any public body out of tax increment revenues.

ADOPTED this 24th day of October, 1995.

AS AMENDED this 23rd day of June, 2015.

*Note: Exhibit A and B are on record with the Clerk of the Circuit Court.

AUTHORITY: Resolution 2008-R-236 adopted October 28, 2008
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2015-R-105 adopted June 23, 2015

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.20 COMPREHENSIVE PLAN AND AMENDMENTS PROCEDURES

A. PURPOSE. To provide clear and comprehensive procedures relative to the Comprehensive Plan, land use, and related decisions made by the Board of County Commissioners including, but not limited to, land use designation and text amendments to the Seminole County Comprehensive Plan, the rezoning of property to new zoning classifications, and said actions when associated with development-of-regional impact decisions.

In addition, procedures of the Board of County Commissioners of Seminole County relative to amendments to the Seminole County Comprehensive Plan should be such that the actions of the Board are clear to the general public and such that pertinent, full, and effective public participation is encouraged and enhanced.

B. VOTING PROCEDURES. The procedures for votes on proposed amendments to the Seminole County Comprehensive Plan shall be as follows:

(1) A group of applications for amendments to the Seminole County Comprehensive Plan which are approved by the Board of County Commissioners at a public hearing shall form and constitute one (1) Plan amendment cycle within the guidelines of Chapter 163, Florida Statutes. The approved amendment applications shall be contained in one (1) ordinance enacting the amendments and shall form and constitute one Plan amendment.

The rejection of an application for an amendment to the Seminole County Comprehensive Plan shall be and constitute a denial of any associated application for rezoning unless the Board affirmatively considers and takes a separate vote on such rezoning application at the same public hearing at which the Plan amendment application was denied. A separate motion and vote on an application for rezoning which is associated with a Plan amendment application shall not be required or necessary.

(2) A motion to approve and the vote in favor of the ordinance enacting the approved Plan amendment applications as an amendment to the Seminole County Comprehensive Plan shall be, include and constitute a motion and vote to transmit the enacted ordinance to the Florida Department of Community Affairs in accordance with State law with the findings that the internal consistency of the Seminole County Comprehensive Plan has been maintained and that the collective amendment is consistent with State law including, but not limited to, the State Comprehensive Plan as set forth in Chapter 187 of the Florida Statutes and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council adopted consistent with the provisions of Chapter 186 of the Florida Statutes. An affirmative vote at a transmittal public hearing (the first public hearing on those Plan amendments requiring two (2) public hearings) shall also serve as an approved motion to continue the associated rezoning action to the second public hearing on the Comprehensive Plan amendment application.

C. AMENDMENT PROCEDURES. Procedures relative to amendments to the Seminole County Comprehensive Plan and associated applications for rezonings:

(1) The comprehensive planning process in Seminole County is a legislative process. The procedures used by the Board during its public hearings shall be consistent with the provisions relating to public participation set forth in the Seminole County Comprehensive Plan, and the chairperson of the Board shall control the order and methods by which presentations are made to the Board, subject to being overridden by a majority of the Board then sitting as to any particular matter.

(2) A group of applications for large scale amendments to the Seminole County Comprehensive Plan which are approved by the Board of County Commissioners at a public hearing shall form and constitute one (1) Plan amendment cycle within the guidelines of Chapter 163, Florida Statutes. The approved amendment applications shall be contained in one (1) transmittal package or ordinance enacting the amendments and, upon enactment of the ordinance, shall form and constitute one (1) amendment to the Seminole County Comprehensive Plan; provided, however, that each amendment application shall be referred to by an amendment number for compliance review purposes. Applications for amendments may be continued from an amendment cycle to another amendment cycle, when appropriate.

(3) The rejection of an application for an amendment to the Seminole County Comprehensive Plan (a vote against transmitting the proposed amendment at the transmittal public hearing, or a vote not to adopt the proposed amendment at the post State review public hearing, or the only hearing on small scale amendment) shall be and constitute a denial of any associated application for rezoning, including any proposed rezoning development order, unless the Board affirmatively considers and takes a separate vote on such rezoning application at the same public hearing at which the Plan amendment application was denied. Unless other findings are specifically stated, a motion to deny an application for an amendment shall include findings that the proposal was inconsistent with the provisions of the Seminole County Comprehensive Plan and with State law including, but not limited to, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council adopted consistent with the provisions of Chapter 186, Florida Statutes. A separate motion and vote on an application for rezoning which is associated with a Plan amendment application shall not be required or necessary, although the Board may take action, with findings, as to any rezoning application separate from the vote pertaining to the proposed Comprehensive Plan amendment.

(4) An affirmative vote at a transmittal public hearing (the first public hearing on large scale Plan amendments requiring two (2) public hearings) shall also serve as an approved motion to continue the associated rezoning action to the second public hearing on the Comprehensive Plan amendment application. Such affirmative vote shall be deemed to include and constitute a motion and vote to transmit the proposed amendment to the Florida Department of Community Affairs in accordance with State law with the findings that the internal consistency of the Seminole County Comprehensive Plan has been maintained.

(5) An affirmative vote on the ordinance enacting the adopting Plan amendment application(s) as an amendment to the Seminole County Comprehensive Plan must occur subsequent to the vote(s) on each proposed Plan amendment in order for the ordinance amending the Comprehensive Plan to be enacted. Such affirmative vote shall be deemed to include and constitute a motion and vote to transmit the enacted ordinance to the Florida Department of Community Affairs in accordance with State law with the findings that the internal consistency of the Seminole County Comprehensive Plan has been maintained and that the collective amendment is consistent with State law including, but not limited to, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council adopted consistent with the provisions of Chapter 186, Florida Statutes. Additionally, such vote shall be deemed to provide authorization for the filing of any proposed response to any Objections, Recommendations and Comments Report issued by the Florida Department of Community Affairs and issuance of any proposed findings of compliance or noncompliance with State law. The approval of an application for an amendment to the Seminole County Comprehensive Plan (a vote adopting the proposed amendment at the post State review public hearing or only hearing on small scale amendments) shall be and constitute an approval of any associated application for rezoning unless the Board affirmatively considers and takes a separate vote on such rezoning application at the same public hearing at which the Plan amendment application was approved. A separate motion and vote on an application for rezoning which is associated with a Plan amendment application shall not be required or necessary.

D. PUBLIC HEARING PROCEDURES. Procedures regarding all public hearings relative to applications for rezonings and other quasi-judicial land use decisions:

(1) The process of hearing applications for the proposed rezoning of property to a new zoning classification in Seminole County is a quasi-judicial process. The Board of County Commissioners will provide a fair and just forum for rezoning applications and for all other quasi-judicial land use decisions such as hearings related to special exceptions and variances. The procedures used by the Board shall be such that order is maintained, the public is encouraged to participate in rezoning decisions and other quasi-judicial land use decisions, the public's business is expeditiously accomplished, the rights of all citizens to instruct their representatives is respected, and all affected parties and interested citizens are provided an adequate opportunity to present their positions to the Board. The procedures used by the Board during its public hearings shall be consistent with the provisions relating to public participation set forth in the Seminole County Comprehensive Plan and the chairperson of the Board shall control the order and methods by which presentations are made to the Board, subject to being overridden by a majority of the Board then sitting as to any particular matter.

(2) The Board is very knowledgeable of the County in general. Accordingly, a part of the record of every quasi-judicial proceeding shall be the aerial photographs, land use maps, zoning maps, and other materials generally used by the County in making land use decisions or by County staff in making recommendations relative to land use matters.

E. GENERAL PROVISIONS.

(1) The procedures set forth herein shall be utilized by the Board unless and until alternative procedures are adopted by resolution.

(2) The Planning and Development Division of the Economic and Community Development Services Department and the Clerk to the Board of County Commissioners shall make efforts to insure that these procedures are made available to and understood by the public by posting a copy of this Resolution at all public hearings of the Board at which amendments to the Seminole County Comprehensive Plan, rezonings, or other land use matters involving quasi-judicial proceedings are considered by the Board.

F. AUTHORITY. Resolution 94-R-122 adopted April 26, 1994
Resolution 95-R-74 adopted March 14, 1995
Resolution 2012-R-107 adopted June 12, 2012

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.25 RELEASE OF CONSERVATION EASEMENTS

A. PURPOSE AND SCOPE. To provide regulations and procedures to govern requests for the release of conservation easements. The procedures contained herein apply to the following types of properties and easements:

(1) Easements obtained for stormwater or drainage retention purposes which were erroneously denominated as conservation easements; and

(2) Properties encumbered by a conservation easement through inadvertence, mistake or scrivener's error.

No other type of conservation easement may be released and staff shall return any application (and five hundred dollars ($500.00) of the application fee) found not to meet one or more of the above stated types of properties or easements. Acceptance and processing of an application does not guarantee that the Board of County Commissioner's of Seminole County (BCC) will approve the request as the release of a conservation easement is solely within the BCC's discretion and may be denied for any reason.

B. APPLICATION.

(1) The fee simple owner of property that is subject to a conservation easement held by Seminole County, or a designated agent, may submit an application to the Planning and Development Division for the release of all or a part of the conservation easement. The application fee is seven hundred dollars ($700.00) and must accompany the submittal of an application. If the application is returned due to a determination that it does not meet the requirements of Section A above, then two hundred dollars ($200.00) of the fee shall be retained by the County to cover the costs of the initial investigation of the application.

(2) The application shall, at a minimum, include the following information:

(a) The name of the owner of the fee interest in the property and, if applicable, the name of the designated agent;

(b) Proof of ownership of the property. If the applicant is not the owner of the fee title to the property, then the applicant shall present an affidavit of authority providing for the applicant's authorization to seek approval of the release of the subject conservation easement on behalf of the fee owner. The affidavit of authority shall be signed by the property owner and said signature shall be properly attested by a notary public;

(c) A copy of the document creating the conservation easement. The copy shall clearly identify its official land record recording information;

(d) A site plan or survey/sketch of description of the subject property showing the conservation easement area to be released, including the overall parcel,

drawn to scale on an 8.5" by 14" sheet, suitable for recording in the public records. The site plan or survey/sketch of description shall depict all on-site wetlands and flood-prone lands;

(e) A typed copy of the legal description of the conservation easement area requested to be released;

(f) A statement outlining the historical background of the project and explaining the development process that resulted in the County's obtaining the conservation easement;

(g) A statement of the owner's development plan for the subject property, a depiction of the proposed development to be located upon the conservation easement area, and a description of the proposed clearing, if any;

(h) A statement describing the stormwater system, soils report, flood zones, the number of proposed basins (if applicable), and a statement of whether or not there is legal positive outfall;

(i) A statement addressing the merits of the application; and

(j) A statement addressing how the release of the conservation easement would not be adverse to the public interest.

C. REVIEW OF APPLICATION.

The Planning and Development Division of the Economic and Community Development Services Department shall be responsible for reviewing all applications for the release of a conservation easement. The Planning and Development Division Manager shall first investigate the application to determine whether it meets the requirements of Section A above. If not, then the application shall be returned to the applicant along with the applicable fee refund. If the application meets the requirements of Section A above, then further review shall be undertaken as deemed appropriate. Upon conclusion of the review, the Planning and Development Division Manager shall prepare a written recommendation for the BCC, including supporting reasoning and documents, and shall cause the application to be brought before the BCC for consideration at a public hearing.

D. NOTICE OF HEARING.

Prior to holding a public hearing, the Planning and Development Division Manager shall cause to be published notice of the BCC public hearing to consider the applicant's proposal to release the conservation easement. The notice must be published once a week for at least two (2) weeks in a newspaper of general circulation in Seminole County. The notice shall, at a minimum, include the time and place at which the public hearing is to be held, a description of the requested action, a legal description of the conservation easement the applicant is requesting the BCC to release, and a general description of the location of the conservation easement.

E. BOARD PUBLIC HEARING.

Upon proper public notice being provided pursuant to Section D, the Board shall hold a public hearing to determine whether or not to release the conservation easement. Considering the opinions and recommendations of the Planning and Development Division Manager, public comment, the objectives, goals and policies of the Seminole County Comprehensive Plan (SCCP), and the provisions of the Land Development Code of Seminole County (LDC), the Board may release the conservation easement if it makes the factual finding that the release would not adversely affect the interest of the public.

F. APPROVAL OF APPLICATION; ENACTMENT OF RESOLUTION.

If the Board determines to grant the application request and release the conservation easement, the Board shall adopt a Resolution releasing the conservation easement to the fee owner. The Resolution shall specifically state that the release of the conservation easement does not adversely affect the interest of the public.

G. RECORDING OF RESOLUTION.

The Planning and Development Division shall record a copy of the Resolution in the official land records of Seminole County and mail the applicant a certified copy.

H. RETURN OF APPLICATION.

The decision that an application does not meet the requirements of Section A above is subject to review by the County Manager upon written request filed within fifteen (15) days after the date the application is returned. The County Manager's decision is final and not subject to further review.

I. DENIAL OF APPLICATION.

The Board's denial of an application shall preclude the Board's consideration of the same or substantially similar application for a period of one (1) year. The Board's denial of an application to release a conservation easement is a discretionary decision, is final, and is not subject to further review or appeal.

J. AUTHORITY. Resolution 2001-R-33 adopted February 13, 2001 and Florida Statutes §704.06
Resolution 2012-R-107 adopted June 12, 2012

SECTION 32. PUBLIC SAFETY DEPARTMENT

32.5 ANIMAL SERVICES DIVISION

32.5.5 ANIMAL CONTROL CERTIFICATION COURSE

A. GENERAL POLICY

(1) Section 20.111, Seminole County Code, provides that training and qualifications of employees in the Animal Services Division who will be designated as Enforcement Officers shall be established by resolution of the Board of County Commissioners.

(2) Florida Statutes 828.27 requires that County-employed animal control officers shall complete a minimum forty (40) hour training curriculum approved by the Florida Animal Control Association.

(3) The Board of County Commissioners has received and reviewed the training curriculum of the Animal Control Certification Course, as approved by the Florida Animal Control Association.

(4) In accordance with adoption of Resolution No. 92-R-146 on May 26, 1992, the Florida Animal Control Association approved Animal Control Certification Course is hereby established as the minimum training standard for Animal Control Officers in Seminole County.

B. PROCEDURES.

(1) Newly employed Animal Control Officers must successfully complete the Animal Control Certification Course within the first twelve (12) months of employment.

(2) In addition to the Certification Course, Animal Control Officers will undergo a comprehensive training program for a period of ninety (90) days or until the employee meets the requirements established by the Animal Control Official.

(3) Enforcement powers will be granted by the Animal Control Official to the Animal Control Officer after successful completion of the Animal Control Certification Course and the ninety (90) day comprehensive training program.

(4) The Animal Control Official Reserves the right to limit or remove enforcement powers from the employee based upon employee's performance.

C. AUTHORITY. Resolution 92-R-146 adopted May 26, 1992
Resolution 2012-R-107 adopted June 12, 2012

SECTION 32. PUBLIC SAFETY DEPARTMENT

32.5 ANIMAL SERVICES DIVISION

32.5.10 ANIMAL SERVICES TRUST FUND

A. GENERAL POLICY.

(1) The Seminole County Code, Chapter 20, Animals and Fowl, Part 2, Article V, Trust Fund, authorizes the Board of County Commissioners to accept and disburse gifts, grants, awards and contributions made to the Seminole County Animal Services Division.

(2) Such gifts, grants, awards and contributions are delivered to the Seminole County Clerk to the Board of County Commissioners for deposit.

(3) The Seminole County Animal Services Division is desirous to expend such gifts, grants, awards and contributions from time to time.

(4) The Board of County Commissioners of Seminole County, Florida hereby authorizes the Clerk to the Board to disburse such gifts, grants, awards and contributions as may be on deposit in said Trust Fund.

(5) Any and all other resolutions or parts of resolutions in conflict herewith are hereby repealed.

B. AUTHORITY. Resolution 2001-R-64 adopted April 10, 2001.
Resolution 2012-R-107 adopted June 12, 2012

SECTION 32. PUBLIC SAFETY DEPARTMENT

32.10 EMERGENCY MANAGEMENT

32.10.5 EMERGENCY MANAGEMENT DIVISION

A. GENERAL

(1) Chapter 252, Florida Statutes (1991), (Emergency Management Act) establishes a Division of Emergency Management and prescribes the powers and responsibilities thereof.

(2) Section 252.38, Florida Statutes (1991), authorizes and directs each County of the State of Florida, through its Board of County Commissioners, to establish a County organization for Emergency Management and prescribes the powers and responsibilities thereof.

(3) Sections 252.31 through 252.60, Florida Statutes (1991) establishes "State Emergency Management Act".

(4) In accordance with adoption of Resolution No. 93-R-242 on September 14, 1993, Seminole County, a political subdivision of the State of Florida, through its Board of County Commissioners, in official session assembled this date, does hereby establish a Department of County Government to be known as Seminole County Emergency Management Division to act in accordance with and in support of the State Emergency Operations Plan Programs.

(5) The Seminole County Emergency Management Division shall exist and be responsible for providing effective and orderly governmental control and coordination of emergency operations in disasters resulting from enemy attack, threat of enemy attack, sabotage or other hostile actions, or from natural or accidental causes as provided in Chapter 252, Florida Statutes.

(6) The Seminole County Emergency Management Division shall be headed by a director to be appointed by the Board of County Commissioners and who shall be responsible for the organization, administration and direction of the organization subject only to the direction and control of the Board of County Commissioners and the State as provided in said statutes.

(7) That all of the departments, agencies and services of County Government, including their employees, property, equipment and other resources which are administered by the Board of County Commissioners, shall be assigned and made available to said Emergency Management Division as required to effectuate the purposes of this division pursuant to statute.

B. AUTHORITY. Resolution 93-R-242 adopted September 14, 1993
Resolution 2012-R-107 adopted June 12, 2012

SECTION 34. PUBLIC WORKS DEPARTMENT

34.5 ADOPT-A-ROAD

A. PURPOSE. To create public involvement to help in our efforts to keep Seminole County roadways free of litter. Volunteer organizations may adopt a section of roadway leading into their community.

(1) Adopt-A-Road permit applications are available in the Roads/Stormwater Division.

(2) Participant responsibilities are outlined and located in the Roads/Stormwater Division.

(3) The Public Works Department's responsibilities are outlined and located in the Roads/Stormwater Division.

B. PROGRAM MANAGER. The administration, coordination, permitting and record keeping will be accomplished through the office of the Roads Superintendent with the Assistant Roads Superintendent serving as Program Manager. Some of the responsibilities include:

(1) Explain program to interested organizations.

(2) Secure an executed permit from an adopting organization.

(3) Schedule the litter removal done by an organization.

(4) Schedule pick up of bagged litter by the County.

(5) Supervise disbursement and return of items provided by the County.

(6) Provide analysis and reports to the Board of County Commissioners (BCC) and Public Works Department Director as required.

C. POLICIES AND PROCEDURES. The Public Works Department Director is authorized to administer the Adopt-A-Road Program. Procedures governing this program shall be incorporated in the Roads/Stormwater Division's Operating Manual and be consistent with other department policies and procedures applicable to volunteer programs.

C. AUTHORITY. Approved by the BCC on October 10, 1989
Resolution 2012-R-107 adopted June 12, 2012

SECTION 34. PUBLIC WORKS DEPARTMENT

34.10 ROAD MAINTENANCE AND CONSTRUCTION

AUTHORITY. Resolution 86-R-33 adopted October 28, 1986
Resolution 93-R-28 adopted January 26, 1993
Resolution 2010-R-88 adopted April 27, 2010
Resolution 2011-R-229 adopted December 13, 2011
Resolution 2012-R-107 adopted June 12, 2012

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A. PURPOSE. The need for reasonable country road construction and maintenance policies arises principally from the limitation of transportation revenues available to the County with which to operate a rapidly expanding County Road System. It is important to ensure to the degree possible that expenditures are equitable in terms of public need and safety, and that the benefit derived from each expenditure of transportation funds corresponds fairly to the source of the funds utilized, therefore:

The purpose of this statement of policies is:

(1) to serve as an informational document describing Seminole County's day-to-day road operating policies for the benefit and guidance of County Commissioners, County employees and the public.

(2) to combine in one document the several policies, directives, and regulations which have been adopted by the Board during the past 10 years, more or less.

In order to help dispel some of the confusion about the Board's obligations in regard to dedication of roads and easements appearing on record subdivision plats, Chapter 177.081, Florida Statutes, is reproduced in its entirety:

Chapter 177.081 Dedication and Approval

(1) Every plat of a subdivision filed for record must contain a dedication by the developer. The dedication shall be executed by all developers and mortgagees having a record interest in the lands subdivided, in the same manner in which deeds are required to be executed.

(2) When a tract or parcel of land has been subdivided and a plat thereof bearing the dedication executed by the developers and mortgagees having a record interest in the lands subdivided and the approval of the governing body has been secured and recorded in compliance with this chapter, all streets, alleys, easements, rights-of-way, and public areas shown on such plat, unless otherwise stated, shall be deemed to have been dedicated to the public for the uses and purposes thereon stated. However, nothing herein shall be construed as creating an obligation upon any governing body to perform any act of construction or maintenance within such dedicated areas except when the obligation is voluntarily assumed by the governing body.

B. AUTHORITY.

(1) References

(a) Board of County Commissioners' Directive No. 8-71; Criteria for Acceptance of Unpaved Roads into the County Road System.

(b) County Road Evaluation Procedure, 1971.

(c) Board of County Commissioners' Resolution, February 18, 1975, Procedure for Consideration of County Road Maintenance on Roads Located within Metes and Bounds Subdivision.

(d) Consideration of Accepting Roads into County Road System, 1975.

(e) County Policy for Working in Cities, 1975.

(f) Emergency Maintenance Policy Board Adopted December 30, 1975.

(g) Connected System of County Roads, January 1978.

(h) Road Policies and Procedures, November 22, 1978.

(i) Ordinance No. 78-29, Seminole County Road Improvement Assessment Program.

(j) Florida Transportation Code, s.334-339, Florida Statutes.

(k) Seminole County Land Development Code.

(l) Seminole County Road Maintenance and Construction Policies, March 4, 1980.

(m) Board of County Commissioners' Agenda Item February 16, 1999, Five-year Budget Projections, Future Funding Strategies and Road Paving Program.

(n) Board of County Commissioners' Agenda Item March 23, 1999, Proposed Program of Alternate Surface Treatment for Unpaved Roads.

(o) Board of County Commissioners' Agenda Item, May 11, 1999, Financial Comparison: Options for the Unpaved Roads Alternative Surface Treatment Program.

(p) Board of County Commissioners' Agenda Item, May 18, 1999, Stormwater, Sidewalk Program, Neighborhood Retrofits, Transportation Overview of Future Needs for Next 20 Years.

(q) Board of County Commissioners' Agenda Item, April 25, 2000, Alternate Surface Treatment/Unpaved Road Program.

(r) Board of County Commissioners' Agenda Item, June 26 and August 28, 2001, Landscaping Reimbursement Policy.

(s) Board of County Commissioners' Agenda Item, April 9, 2002, Alternate Surface Treatment/Unpaved Road Program.

(t) Board of County Commissioners' Agenda Item, August 27, 2002, Alternate Surface Treatment/Unpaved Road Program.

(2) Final Authority on all aspects of the Comprehensive Road Policy rests with the Board of County Commissioners of Seminole County. Changes, exceptions and waivers to such policies may be granted at the discretion of the Board.

C. DEFINITIONS.

ACCEPTANCE OF ROADS - An official action taken by the Board of County Commissioners in a regular Commission meeting which formally accepts a road into the County Road System for maintenance. Thereafter, the Public Works Department may, within the limits of its authority, perform maintenance on the accepted road without any further Board action.

ALLEY - A public or private right-of-way primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street.

BOARD - The Board of County Commissioners of Seminole County Florida.

COUNTY ROAD SYSTEM - Shall consist of all collector roads in the unincorporated areas and all extensions of such collector roads into and through any incorporated areas, all local roads in the unincorporated areas, and all urban minor arterials not in the state highway system. In Seminole County only those roads which have been formally accepted into the County Road System by an official action of the Board are considered to be in the Seminole County Road System.

DETENTION POND - A storm water treatment facility designed to detain and store design volumes of storm water for a specified period of time before allowing overflow into downstream receiving facilities off-site.

DEVELOPER **-** Any person engaged in developing or improving a lot or group of lots for use or occupancy. Also includes “Builder”.

EASEMENT **-** Any strip of land legally dedicated or conveyed for public or other private utilities, drainage, sanitation, or other specified uses having limitations, the title to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of servitude.

EMERGENCY **-** An adverse road condition of such severity that an owner residing thereon is deprived of vehicular access to his property.

EMERGENCY CORRECTIVE ACTION **-** The performance of corrective work authorized by the Public Works Department Director or the Board for a road that has not been accepted into the County Road System for maintenance. Such roads must have a right-of-way of record dedicated to the County or the public.

MAINTENANCE CLASS **-** The class, or degree, of maintenance given to a road that has been accepted into the County Road System by the Board. Accepted paved roads are assigned to receive Regular Maintenance and unpaved roads are assigned to receive Emergency Maintenance, as hereinafter described.

METES AND BOUNDS SUBDIVISION **-** An unrecorded subdivision developed without complying with Seminole County Land Development Code. In the absence of any dedications or conveyances of right-of-way to the County or the public, the roads in metes and bounds subdivisions are considered to be private property.

PLAT **-** A map or delineated representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable statutes and of local ordinances, and may include the terms “replat”, “amended plat”, or “revised plat”.

PUBLIC UTILITY - Any publicly or privately operated utility, such as, but not limited to, storm drainage, sanitary sewers, electric power, water service, gas service, or telephone line, whether underground or overhead.

RETENTION POND **-** A storm water treatment facility designed to totally retain design volumes of storm water on site.

RIGHT-OF-WAY **-** Land dedicated, deeded, used, or to be used, for a street alley, walkway, boulevard, public utilities, drainage facility, access for ingress and egress, or other purpose by the public, certain designated individuals, or governing bodies.

ROADWAY **-** The traveled portion of a street available for vehicular traffic.

RURAL SECTION - A paved street having an open drainage system, i.e., utilizing swales rather than curbs and gutters for drainage.

SERVICE ROAD **-** A public street, generally paralleling and contiguous to a main traveled way, primarily designed to promote safety by eliminating promiscuous ingress and egress to the right-of-way, and providing safe and orderly points of access at fairly uniformly-spaced intervals.

SIDEWALK **-** That paved portion of a right-of-way intended for pedestrian use.

STREET **-** Any access way such as a street, road, lane, highway, avenue, boulevard, alley, parkway, viaduct, circle, court, terrace, place, or cul-de-sac, and all of the land lying between the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved.

STREET, CUL-DE-SAC **-** A local street with only one outlet and having an appropriate turning area for the safe and convenient reversal of traffic movement.

SUBDIVISION **-** The division of a parcel of land, whether improved or unimproved, into two (2) or more lots or parcels for the purpose, whether immediate or future, of transfer of ownership or building development where:

(1) the subdivider advocates, proposes, suggests, or exhibits a proposed plan, map, or plat of development of land; or

(2) the subdivider proposes to create a street, right-of-way, or easement that joins or connects to an existing public street. ‘Subdivision” includes resubdivision and,

when appropriate to the context, shall mean the process of subdivision or the land subdivided.

URBAN SECTION **-** A paved street having curb and gutter incorporated in its design, and which may include inlets and an enclosed drainage system if required.

D. ACCEPTANCE OF ROADS.

(1) General

(a) Acceptance of roads into the County Road System of Seminole County can be accomplished only by an official action of the Board taken in a regular commission meeting. Current County policy requires adoption by the Board of a resolution of acceptance.

(b) The Public Works Department is without authority to expend public funds or perform any maintenance on a road that is not in the accepted County Road System without specific authority from the Board.

(c) Upon acceptance into the County Road System, a paved road shall be designated to be regularly maintained as set forth in Section D (1) (b).

(2) Paved Roads

(a) New Subdivision Roads - Acceptance of paved roads in new subdivisions shall be as provided in the most current edition of Seminole County Land Development Code.

(b) Other Paved Roads - Acceptance of roads that were paved to County standards by permit in a platted or deeded right-of-way, or as a commitment honored by a developer or builder, may be accepted by Board resolution subject to the required maintenance guarantee under certain circumstances at its discretion.

The Board may accept paved roads transferred to the County Road System from the State Highway System or the City Street Systems as may be provided by law and as mutually agreed upon by the jurisdictions involved.

E. MAINTENANCE OF ROADS.

(1) Accepted Roads

(a) Maintenance Responsibility – County maintenance responsibility includes the traveled roadway, and, wherever they exist, shoulders, sidewalks, side ditches, drainage structures, regulatory and street name signs, pavement markings, traffic and school signals, located within the limits of the County road right-of-way or easements legally dedicated to the County or the public.

(b) Work items to be performed by the Public Works Department for each type of road will be in general accordance with the following guidelines:

Work Item	MAINTENANCE CLASS Paved Roads Regular Maintenance	Unpaved Roads Emergency Maintenance
Pavement Patching	Yes	Not Applicable
Pavement Markings	Yes (Other than resident.)	Not Applicable
Regulatory Signing	Yes	No
Street Name Signing	Yes	Upon request of Dist. Commissioner
Shoulder Mowing	Yes (Non-residential only.)	No
Motor Grading	Not Applicable	Infrequent (Only as required to restore passability)
Side ditch maintenance (where existing).	Yes	No
Other drainage maintenance (swales, legal outfalls, etc.)	Yes	No (Abutting owners may have to accept or handle.)

(b) Maintenance of Facilities off the Road. Maintenance of outfall ditches, retention or detention ponds, canals, drainage or conservation areas and the like, shall be performed to the degree necessary for protection of the public road. There is no obligation upon the County to perform maintenance of the facilities described for aesthetic reasons.

(c) Maintenance of County Roads joining State Highway. Roadway maintenance, stop and street name signs, and pavement markings on County roads joining the State Highway System are the responsibility of the County, notwithstanding the fact that the County road extends into the limits of state highway right-of-way to join the state road edge.

(d) Maintenance of Side Roads joining County Roads by Others. Roadway maintenance, stop and street name signs, and pavement markings on side streets joining County roads inside of cities are the responsibility of the owner (city) of the side road, notwithstanding the fact that the side road extends into County road right-of-way to join the County road edge.

(2) Unaccepted Roads

(a) Opening of Roads

(i) By the County. Except when directed by the Board to construct a road in a dedicated but unaccepted, unused, right-of-way to serve a County purpose, the Public Works Department is not authorized to open, clear, grade, or stabilize a road in such a right-of-way at the request of others.

(ii) By Others. Developers, builders, or others planning to open a road in a dedicated but unaccepted, unused right-of-way must first obtain a permit as required in Section G, (2), (b), and shall clear, grade, and stabilize the road to County standards for grader maintenance in order that maintenance can be assumed by the County at minimum cost if the road is accepted by the Board at a later date.

(b) Emergency Corrective Action

(i) Consideration may be given to emergency corrective action where there is a one-time emergency condition on a road which does not meet criteria for acceptance into the County Road System.

(ii) To qualify for emergency corrective action, the road under consideration must meet all of the following minimum requirements:

- Must have a public right-of-way of record.
- Must exhibit an emergency condition of such severity that an owner residing thereon is deprived of vehicular access to his property.
- Must have been passable by automobile prior to the emergency and must be susceptible to correction by commonly used maintenance techniques such as grading, repair of wash-outs and depressions, and clearing of obstruction, and blockages in existing swales and ditches. Such work may be remedial or preventative at the discretion of the Public Works Department Director.

(iii) After receipt of a request for emergency corrective action, and upon determination by the Public Works Department Director that an emergency condition exists as defined in Paragraph (b), (ii) above, the Public Works Department Director is authorized to initiate appropriate corrective action.

(iv) If a determination is made that no emergency exists as defined in Paragraph (b), (ii) above, a written appeal may be made by the requestor to the Public Works Department Director. This appeal will be forwarded to the District Commissioner who may request a report from the Public Works Department Director containing the following information:

- Location and condition of road.
- Its right-of-way width.
- Number of residences served.
- Other pertinent information including a description of the recommended corrective action, if granted.
- Upon motion by the District Commissioner, the Board may authorize emergency corrective action.

(v) The Public Works Department shall maintain a record of all emergency corrective actions performed in order to determine the impact of this

procedure upon the department budget and detect recurring emergency conditions that may dictate other steps to alleviate.

(vi) No Board action or Public Works Department operation described herein pertaining to the provision of emergency corrective action shall be construed as an act of construction or maintenance voluntarily assumed by the governing body within the meaning of Chapter 177.081 Florida Statutes, or be construed as an act of acceptance of the road by the Board.

(vii) Emergency corrective action shall not be used as a pretext for opening roads, or guaranteeing access through obviously unsuitable terrain where no road was previously in existence or use.

(c) Private Roads (Including Roads in Unrecorded, or "Metes and Bounds" Subdivisions).

(i) The County has no responsibility or authority for maintenance of private roads.

(ii) Maintenance of such roads, including emergency measures, is solely the responsibility of the owners.

(d) Metes and Bounds Subdivisions. Roads in metes and bounds subdivisions, being private, are not eligible for acceptance into the County Road System, or for any County maintenance. Nor are they eligible for any kind of County participation. Current County policy for considering acceptance of roads in metes and bounds subdivisions requires that the roads be improved to County standards by others, and that required rights-of-way be conveyed to the County. In addition:

(i) The subdivision shall have been created of record prior to July 28, 1970.

(ii) Ownership of the lots therein shall not be vested in one owner, but for the most part in multiple ownerships.

(iii) Where lots average less than 3 acres in size, the roads must be paved to applicable standards of Seminole County Land Development Code.

(iv) Where lots average 3 acres or more, but less than 5 acres in size, paving requirements may be waived by the Board.

(v) Where lots average 5 acres or more in size, roads will not be considered for acceptance unless there is an overall public benefit as determined by the Board.

(e) City Streets

(i) The Board may give consideration to road maintenance inside of municipal limits by contract, subject to limitations of County manpower and equipment.

(ii) Funding for such maintenance will be paid entirely by the city and shall cover all County costs including labor and fringe benefits, materials, equipment rental, fuel, supervision and overhead. Payment shall be made to the County on a monthly basis (or as specified in the contract).

(3) Other Facilities in County Right-Of-Way. Seminole County will not fund the construction of or assume the maintenance of the following facilities which may be approved or permitted within the right-of-way of a County road:

(a) Decorative entrances, gates, walls, non-standard street signs, etc. shall be constructed and maintained by developer or homeowners in accordance with applicable provisions of Seminole County Land Development Code.

(b) Landscaping medians parkways, other planted areas, including irrigation, if any, except as provided in subsection (e) below.

(c) Street lighting systems.

(d) Private driveways.

(e) When a Homeowner Association (HOA) maintains landscaping on a County major collector or arterial road, the Board may consider approval of an annual maintenance reimbursement to the HOA based upon current County contracts for mowing and maintenance of planting beds. The following criteria must be met:

- Roadway must be a four-lane or wider major collector or arterial.
- Reimbursement is for median maintenance only.
- Landscaped median area must be, at minimum, approximately one (1) mile in length.
- The HOA must execute a formal agreement prior to its execution by the County and prior to any reimbursement being issued.

F. CONSTRUCTION OF ROADS.

(1) County Road Construction Program

(a) General. The annual road program is developed during the budget process each year and reviewed and approved by the Board. It includes all of those road projects to be constructed utilizing County Transportation Trust Funds, as well as projects to be funded from other sources, such as participation projects and assessment projects. The following categories of work are identified in the County road construction program:

(i) 100% County funded

- Major highways (80% 2nd Gas Tax Surplus, Local Option Gas Tax and Transportation Impact Fee).
- Usually urban minor arterials.
- Collectors in the County Road System.

- Local roads serving predominately as feeders.
- Resurfacing projects to preserve existing paved County roads.
- Bridges, including bridge repairs.
- Traffic operational improvement projects.
- Traffic signals, new and updated.
- School related projects.

(ii) Other funding, with or without County:

- Participation projects
- With municipalities
- With state
- With abutting owners

(iii) Grant projects

- County participation
- Outside contract

(b) Desirability of 5-Year Programming. It is recommended that the County's road program be planned for a period of 5 years, insofar as it is possible to do so, for the following reasons:

(i) Time required for:

- Surveys
- Plan preparation
- Acquisition of right-of-way and easements
- Relocation of public utilities
- Obtaining permits if required
- Advertisement for bids and contract letting, if applicable

Generally, only minor projects can be authorized by the Board and implemented within a single budget year.

(2) Right-Of-Way Acquisition

(a) General. In order to conserve public funds, it is County policy to acquire right-of-way and easements by donation wherever possible. Local road projects and certain collector road projects will require the donation of needed rights-of-way in order for the projects to be implemented. It is realized that because of population growth and increasing land values, purchase of right-of-way may be required more frequently than in the past.

Right-of-way for County roads is generally obtained by one of the following procedures:

(b) Donation. Where abutting property owners donate right-of-way or County road or drainage improvements, Seminole County will perform reasonable work of a minor nature in consideration therefore and to restore or maintain the owner's pre-existing facilities abutting the road, such as:

(i) Relocation of fencing, including minimum amounts of new material needed to make relocation possible.

(ii) Reconstruction of driveway, to be of same kind and materials as existing.

(iii) Replacement or relocation of culvert pipe, or installation of new culvert, if required by project.

(iv) Relocation, reconnection of farm irrigation systems and wells.

(v) Construction of one driveway entrance and culvert, if needed, where the owner's parcel did not have an access driveway prior to the project.

(c) Purchase (by negotiation, condemnation). Where abutting owners have been compensated through purchase of the right-of-way by negotiation or condemnation in accordance with the law, none of the foregoing policies in Section (b) apply except that driveway connections will be made as described in Section (3), "Driveway Policies During Construction".

(d) Commitments. Through the processes of subdivision review, rezoning review, and commercial or industrial site plan review, the Board may request commitments leading to donations of right-of-way by developers or builders on certain of the County's arterial or collector roads, major local roads, or major intersections.

(3) Driveway Policies During Construction. County policies for making connections to private driveways during road construction projects are as follows:

(a) Connections to unpaved driveways. County will construct a stabilized connection of same or similar type.

(b) Connections to paved driveways.

(i) Wherever a paved driveway exists between road edge and right-of-way line (front lot line), the County will reconstruct a paved connection at no cost to owner.

(ii) Occasionally, due to grade changes, it may be necessary to reconstruct a portion of driveway beyond the right-of-way limits, on private property. The County will perform this adjustment at no cost to the owner provided the owner grants specific permission for County forces to work on his property for the purpose.

(c) Driveway Culvert Pipes

(i) Where new culvert pipes are required as a result of new open drainage facilities that are a part of the road project design, the culverts will be furnished and constructed at no cost to the owners.

(ii) Where existing culverts must be relocated or replaced as a part of the road project design, the work will be performed at no cost to the owners.

(4) Participation Projects

(a) With Municipalities (City Street System Projects)

(i) The Board may give consideration to a city street project if a municipality feels that it can save monies by contracting with the County to construct certain projects within the municipal limits that are part of the City Street System. Such consideration is subject to limits of County manpower and equipment or impact on regular County road program.

(ii) Requests by municipalities should be made prior to May 1st so that budgetary considerations may be included in the upcoming budget year starting October 1.

(iii) Plans shall be prepared by the municipality and approved by the County.

(iv) Funding for such projects will be paid entirely by the municipality and shall cover all County costs including labor and fringe benefits, materials, equipment rental, fuel, supervision, and overhead. Payments for such projects may be made prior to any construction starting.

(v) The municipality and County shall execute a written agreement providing for the joint participation project which shall set forth the cost of approved plans with the agreement. No work shall start until the agreement has been executed.

(b) With Municipalities (Minor Projects under $1000).

(i) If a municipality feels that it can save monies by contracting with the County on small projects costing less than $1000 for labor and materials, the Board may give consideration to such projects.

(ii) Requests for such work should be made by the municipality in writing to the Board.

(iii) Estimates for the work will be prepared by the Public Works Department and sent to the municipality for their review.

(iv) At completion of the work the County will bill the municipality for the actual cost.

(c) With Municipalities - Traffic Signals. Within municipal limits, Board policy applying to construction and maintenance of traffic signals is as follows:

(i) Warrants must be satisfied. The County will consider participation in funding only after a traffic signal survey has been conducted at the intersection and one or more signal warrants are found to be satisfied in accordance with the Manual on Uniform Traffic Control Devices.

(ii) County will fund construction 100% and maintenance 100% at intersections which include two (2) roads which are functionally classified as either state highway or County road.

(iii) County will fund construction 50% and maintenance 100% at intersections which include a County road and a city street.

(iv) County will not fund construction or maintenance at intersections which consist of two city streets, or a state highway and a city street, where no County road is involved.

(v) School signs, flashing signals, crosswalks, including pavement markings. Within municipal limits, the County will:

- Maintain flashing signals on state highways
- Construct and maintain school signs, flashing signals, and crosswalks on County roads

(vi) The policies pertaining to traffic signals and school-related facilities are subject to County budget limitations and determination of priorities County-wide.

(d) With the State Department of Transportation. The Board will participate with the State of Florida Department of Transportation in certain eligible projects involving joint state highway and County road system needs. Typical projects may include:

(i) Traffic signals and intersection improvements.

(ii) Railroad signals.

(iii) Maintenance agreements.

(iv) Federal Aid projects affecting the County road system.

(v) Planning activities.

(e) With abutting owners.

(i) Assessment Projects. The Seminole County Municipal Services Program establishes the procedure by which road improvements may be made through assessment of abutting owners. It provides benefit for:

- Petition process and criteria from property owners who own abutting property.
- Public notice and hearings.
- Preliminary plans and estimates.
- Board determination whether to grant petition, and degree of County participation.
- Preparation and adoption of assessment ordinance.
- Public notice and hearing on assessment ordinance.

- Project implementation.
- Publication and recording of final assessment list. Assessment by County Property Appraiser and collection by County Tax Collector as provided by the specific assessment ordinance.

(ii) Commercial, industrial, multifamily projects and developers' commitments. Although most commitments made by developers are funded 100% by the developer, the Board may consider County participation in certain cases where a significant degree of County need or public benefit may exist. This might be typified by certain major traffic signal or intersection problems. Financial participation by the County is rare, however, and any such project that may be considered receives detailed commission and staff review before County participation is approved.

G. PERMITS.

(1) General

(a) Permits are required for the use of County road right-of-way for the construction, installation, or maintenance of any public utility, or any other facility, structure, driveway, pavement, or object in the road right-of-way other than those constructed or maintained by Seminole County.

(b) The Board has delegated the authority for issuance of permits to the Seminole County Public Works Department.

(c) Whenever construction is proposed in a County road right-of-way that will be major in scope and unusually disruptive of the right-of-way, it is the responsibility of the Public Works Department to notify the Board in advance in order that the Commissioners will be aware of the project and the reasons for temporary disruption.

(d) Applicants for permits must acknowledge that they have determined the locations of all other users of the right-of-way and will be responsible for the facilities of others.

(2) Types of Permits

(a) Use License (or Use Permit). Utilized by public utility companies, including privately and municipally owned, for construction and maintenance of overhead or underground public utility systems in the County road rights-of-way.

(i) Open cuts across paved County roads are prohibited unless it is physically or mechanically impossible to make the crossing by any other method. Cost is not allowed as a consideration in making this determination.

(ii) Permitted open cuts and emergency open cuts must be repaired to County standards.

(b) Permit to Construct Road in County Right-of-Way. Utilized by developers, builders, or others planning road construction in a platted or recorded County right-of-way.

(i) Work proposed must meet County standards for the function of the road being constructed.

(ii) Issuance of permit does not commit the County to accept unpaved road improvements.

(iii) Acceptance of paved roads may be considered after completion, subject to final inspection and 2-year maintenance guarantee.

(c) Driveway Permit (sometimes referred to as “Access Permit” or “Curb Cut Permit”). Utilized by abutting owners to construct a private driveway access facility joining any County road.

(i) Curb cuts must meet County standards.

(ii) On rural sections applicant must make provisions for drainage at no cost to County. If a culvert is required, the County will specify its type and size.

(iii) All driveway construction, including materials and labor, shall be at the expense of the applicant.

(iv) Only approved construction materials will be permitted within the right-of-way.

SECTION 34. PUBLIC WORKS DEPARTMENT

34.15 SEMINOLE COUNTY STATE ROAD 13 – FLAGLER TRAIL

A. PURPOSE. Provide historical facts and identify uses of the Seminole County acquired abandoned railroad right-of-way (ROW) known as State Road 13 in 1984 and currently known as Flagler Trail.

B. HISTORY.

(1) State Road 13 (Flagler Trail) is located in eastern Seminole County traversing the entire width of the County north to south. The ROW extends from Orange County, running parallel to County Road 419, crossing the Econlockhatchee River and passing northeasterly through Geneva to the St. John's River north of Lake Harney.

(2) Seminole County acquired the abandoned ROW in 1984 from Florida Department of Transportation (FDOT). Resolution 84-R-47 identifies that the Board of County Commissioners determined that it is in the public interest to reserve this ROW for public purposes such as, and not limited to, roadways, drainage and land for other County facilities. This ROW is deemed important for possible integration into Seminole County's Open Space and Recreation System as pedestrian, equestrian and bicycle trails and natural resource access area.

(3) Once a continuous ROW, numerous segments of the ROW were dedicated to private owners by FDOT prior to abandonment in 1984. Gaps extend from one lot to two (2) miles. Historical uses and obstructions within the ROW include access to residences and property, "cross-overs" from residences to adjoining roadways and fence barricades. Specific segments of the ROW are used as the sole access to residences.

(4) In 1990, St. John's River Water Management District Board authorized the purchase of 2,100 acres of the Econlockhatchee River CARL Acquisition Project.

(5) In January 1990, the Board of County Commissioners received a letter from Central Florida Commuter Rail Authority requesting that Seminole County make no use of or dispose of abandoned rail lines. This request was made in support of potential use of such corridors for mass transit facilities.

C. EXISTING CONDITIONS. Trail corridor was divided into four (4) segments due to its length and changing use and character of the right-of-way property. For each segment there are three (3) primary options for use.

(1) Access – ROW access to private properties.

(2) Rail Relocation – of the CSX freight lines by Commuter Rail Authority.

(3) Trail – continued designation as part of the Florida Trail and potential expanded trails through coordination with the Florida Trail Association and Rails to Trails Conservancy.

D. TRAIL SEGMENTS.

(1) Segment 1 – located from Orange County line north parallel to County Road 419 to the south edge of Chuluota.

(a) Access: Use of this segment for future public access is not recommended due to the segmented ownership patterns. Historical uses of the segment as a roadway shall continue to be permitted.

(b) Rail Relocation: Proposed relocation of the CSX Freight Line is not recommended due to segmented ownership and incompatibility with adjacent uses.

(c) Trail: Continue use of this segment as a part of the Florida Trail System. This would provide a trail system between existing County park facilities connecting Lake Mills, Spring Hammock and the future Econlockhatchee River area.

(2) Segment 2 – located north of Chuluota to State Road 426 and represents the largest segment of ROW remaining relatively undisturbed.

(a) Access: Due to environmental constraints, existing trail uses and proposed acquisition area, use of this property for roadway access shall be restricted to historical uses.

(i) If paved access is permitted, limit to the existing graded roadway adjacent to existing borrow permit, with no further northern access and retention of a continuous trail.

(ii) If paved access further to the north is permitted, that access extends no further than the CARL Acquisition Area Boundary. A continuous tract within the ROW shall be retained if any paved access is provided.

(b) Rail Relocation: Continue to work with Commuter Rail Authority to identify alternative corridor options.

(c) Trail: Continue to designate this segment as part of the Florida Trails. Continue coordination with the Florida Trail for maintenance and pursue designation as a National Scenic Trail.

(d) Other Concerns:

(i) Support efforts to eliminate dumping sites along entire State Road 13 corridor, particularly Segment 2.

(ii) Identify options to limit access to those portions not used as a roadway and alternative to ensure ROW maintenance.

(iii) Development of properties adjacent to Segment 2 of property to retain an opaque vegetated buffer with no direct access to existing trail. Open space areas shall be located adjacent to the portion of ROW used as a trail.

(3) Segment 3 – this portion of the ROW extends from State Road 426 through Geneva northeast to Harts Grove Subdivision.

(a) This is the most disjointed section of ROW with a large segment under private ownership and several existing roadway uses.

(b) On the southern border, Seminole Woods acquired private ownership of a two (2) mile segment, precluding use of the property as a continuous north-south ROW.

(c) North of Seminole Woods to Hart Grove, the ROW is under County ownership and is currently used for access to residences and properties. Several segments of ROW within the Geneva area are designated with different names other than State Road 13 and with inconsistencies there is a potential for addressing and emergency 911 problems.

(i) Access: No objection to future use for public roadway access.

(ii) Rail Relocation: Segment is not under consideration for rail line relocation.

(iii) Trail: This segment of ROW shall incorporate a recreational/trail corridor connecting to adjoining segments.

(4) Segment 4 – This segment extends from Harts Grove to the St. John's River and is owned by the County. No direct access to the ROW is required and several residences cross over the ROW to access Osceola Road.

(a) Access: Public roadway needs within this part of the County are limited. Continue unpaved access with no obstructions for adjacent properties.

(b) Rail Relocation: Not under consideration for relocation of rail lines.

(c) Trail: Designate for future recreational trail use.

E. NON-USE OF ROW. If the ROW is not used for the purposes stated herein, then the ROW shall be returned to the Florida Department of Transportation.

F. SPECIAL INTEREST. In Segment 2, if paved access to the north is permitted, that access extend no further than the CARL Acquisition Area Boundary and that a continuous trail within the ROW shall be retained if paved access is provided.

G. AUTHORITY. Resolution 84-R-47 dated March 1, 1984
State Road 13 BCC Work Session dated July 30, 1990
Above documents on file in the County Attorney's Office
Resolution 2012-R-107 adopted June 12, 2012

SECTION 34. PUBLIC WORKS DEPARTMENT

34.20 SIGNING AND LIGHTING SEMINOLE COUNTY TRAIL AND PEDESTRIAN OVERPASSES/TUNNELS POLICY

A. PURPOSE. To establish requirements for a uniform design for trail and pedestrian overpass and tunnel structures respectively to include signage, lighting and other features.

B. TRAIL OVERPASSES AND TUNNELS. Defined as multi-use overpasses and tunnels that provide for the continuity of a trail over or under a roadway, but are not a functional part of the roadway. Hours of operation are from sunrise to sunset or as specifically stated at the site by the County.

(1) Regulatory lighting on pedestrian overpasses will be provided where appropriate and permitted by the agency with jurisdiction.

(2) Regulatory signage for usage or directional purposes will be provided on trails for trail users as permitted by Federal and State Statutes. Identifying signage for motorists may be provided on structures where appropriate and permitted by the agency with jurisdiction.

(3) Decorative signage, lighting, or other items on structures crossing State or Federal roadways must be approved and permitted by FDOT. Current FDOT policies prohibit any of these uses with the exception of the following flags: United States America, State of Florida, county and city. To maintain consistency throughout the County, decorative signage, lighting, or other items are prohibited on structures crossing County or local roadways.

C. PEDESTRIAN OVERPASSES (NON-TRAIL). Defined as multi-use overpasses associated with the Federal, State, or local roadway transportation systems and a functional part of the roadway. They are open for operation 24 hours a day.

(1) Regulatory lighting on pedestrian overpasses will be provided where appropriate and permitted by the agency with jurisdiction.

(2) Regulatory signage for usage or directional purposes will be provided on the overpass for users as permitted by Federal and State Statutes. Identifying signage for approaching motorists may be provided on structures where appropriate and permitted by the agency with jurisdiction.

(3) Decorative signage, lighting, or other items on structures crossing State or Federal roadways must be approved and permitted by FDOT. Current FDOT policies do not permit such usage with the exception of the following flags: United States of America, State of Florida, county and city. To maintain consistency throughout the County, decorative signage, lighting, or other items are prohibited on structures crossing County or local roadways.

D. AUTHORITY: Resolution 2008-R-87 adopted March 25, 2008
Resolution 2012-R-107 adopted June 12, 2012

SECTION 34. PUBLIC WORKS DEPARTMENT

34.25 VEHICLE USE POLICY

A. PURPOSE. To establish operational guidelines and policies related to the operation of County vehicles, permanent 8-hour vehicle assignments, 24-hour vehicle assignments, and utilization of private vehicles to conduct official County business and to maximize utilization of all County vehicles to ensure the highest return available for capital, operating, and maintenance dollars.

B. ORGANIZATIONS AFFECTED. All departments and divisions with County employees who utilize sedan/compact vehicles, station wagons, pickup trucks, vans, panel and utility trucks for County business.

C. PROCEDURES.

(1) Departments or divisions are responsible for submitting requests for vehicle purchases and replacements.

(2) In consultation with Department Directors, the Public Works Department shall be responsible for developing a prioritized list of new and replacement vehicle purchases; developing specifications to include type, size, suitability, durability, overall cost and fuel mileage; and implementing those purchases after they have been adopted as part of the annual budget. With coordination of affected Department and Division Heads, evaluate and prepare specifications for both additional and replacement equipment which:

- Meet the real requirements of the task to be performed.
- Encourage the competitive bidding process; and
- Minimize purchase price and/or total life cost.

(3) The Public Works Department shall be responsible for developing and maintaining a comprehensive list of vehicle assignments. The County Manager shall have the authority to assign vehicles and to transfer vehicles between departments to ensure optimum utilization of the County fleet. Special care should be taken to maintain proper accounting records between general and enterprise funds. The vehicle assignment list shall include information on daily and take-home assignments.

(4) The County Manager must authorize all increases to the County fleet, take-home assignments, and regular overnight parking of vehicles at a location other than the employee's official headquarters.

(5) The assignment of a County-owned vehicle on a 24-hour basis as a condition of employment for any position must be authorized by the County Manager.

(6) As a part of the budget process, the Resource Management Department shall be responsible for reviewing the new and replacement list developed for the various Departments and after approval by the County Manager, the Resource

Management Department will incorporate any recommended purchases into the annual budget, subject to the availability of funding.

D. MONITORING UTILIZATION OF VEHICLES.

(1) Department/Divisions have primary responsibility to ensure proper utilization of their assigned County vehicles. The Public Works Department will generate a monthly vehicle report inclusive of accumulated vehicle mileage, monthly mileage, and fuel cost per mile. The report will be submitted to Department Directors for their review. Inappropriate use of a vehicle may result in disciplinary action as deemed necessary by the Department Director.

(2) Vehicle assignments - daily and/or take-home are authorized based on the requirements of a specific position not an individual. When an employee leaves the position to which a vehicle is assigned (i.e., transfer, promotion, resignation), at the option of the County Manager, the vehicle assignment may remain with the position, but does not follow the employee.

(3) For tax purposes, the Department Director must notify the Public Works Department of any personnel changes associated with vehicle take-home assignments.

E. REVIEW/REPORTING. It is the responsibility of the affected Department Director and the County Manager to monitor and control the utilization of all County-owned vehicles. All permanent vehicle assignments shall be reviewed annually and those not meeting the established criteria shall be revoked. A vehicle assignment utilization report shall be prepared by the Public Works Department and be forwarded to the Department Director for review and input prior to forwarding to the Resource Management Department and the County Manager as part of the annual budget process. Department Directors shall recommend to the County Manager 24-hour vehicle assignments for the next fiscal year.

F. ASSIGNMENT GUIDELINES FOR ALL COUNTY VEHICLES FALL INTO THESE FIVE (5) CLASSIFICATIONS:

(1) 8 hour assigned County vehicles.

(a) The assignment of an 8-hour vehicle will be determined by the Department Director.

(b) Criteria for assignment must meet <u>one</u> of the following:

(i) Vehicle is subjected to frequent abnormal, excessive, or hazardous conditions which cannot be avoided.

(ii) Vehicle is required to carry special equipment, parts and tools, or emergency response equipment.

(iii) Employee's position is one of inspection, deliveries, enforcement, investigation, community outreach directly associated with daily authorized work programs, grounds, equipment maintenance, facilities, or road maintenance in which 70% of the employee's work day is spent at a site other than their reporting location.

(2) Department Motor Pools. As required for efficient use of personnel and equipment, departments may maintain a small motor pool at a location as designated by the Department Director. Employees requiring a vehicle for a day or portion thereof will request such vehicles from their departmental motor pool through the Department Director or Division Manager who will make assignments from the motor pool as available.

The department is responsible for maintaining accurate motor pool records; insuring a regular preventative maintenance schedule for each vehicle; and for the cleaning and washing of vehicles on an as needed basis.

(3) County-wide Motor Pools.

(a) A small County-wide motor pool is maintained for the convenience of authorized County personnel to use on an as needed basis at the following location: Seminole County Services Building.

(b) The County-wide pool is intended to serve the needs of those employees who have a need for occasional official transportation and cannot obtain needed transportation from a departmental source.

(c) Keys will be issued to authorized personnel requiring County vehicles by the designated personnel within the Fleet/Facilities Division. When receiving keys to a vehicle, the user must complete and sign the motor pool dispatch records.

(d) Before vehicles are returned to the Fleet/Facilities Division, they will be in reasonably clean condition, windows rolled up, doors locked, and the key returned to the Fleet/Facilities Division. The user must log the odometer reading and the time in on the motor pool dispatch record. If the tank is less than one-half full, the tank must be refilled at the Five Points fueling facility by the user before returning to the Fleet/Facilities Division.

(e) The Fleet/Facilities Division is responsible for insuring a regular preventative maintenance schedule for each vehicle and making sure the vehicle is cleaned and washed on an as needed basis.

(4) Vehicles Required for Extended Overnight.

(a) County vehicles required for authorized extended or overnight trips may be obtained by contacting his/her respective Department Director.

(b) For overnight and travel beyond 125 miles radius the user should have the vehicle serviced prior to departure. The use of additional fuels and lubricants shall be the responsibility of the user department. Any towing charges or emergency repairs needed and incurred against the vehicle during out to County trips shall be the responsibility of the Fleet Maintenance Contractor. Any emergency repairs exceeding $150 must be pre-approved by the Fleet Maintenance Contractor.

(c) When operationally practical, and when agreed to by the employee, the County may authorize the use of a personally owned vehicle for official use in this

category. The County will reimburse the employee using personal vehicles for County business at the rate established in Chapter 112, Florida Statutes.

(5) Assignment on a twenty-four hour basis.

(a) The County Manager shall be the approving authority for all 24-hour vehicle assignments.

(b) Take home vehicles will not be assigned out of the County without specific authorization from the County Manager.

(c) In order to provide a greater margin of protection for the County's vehicle and equipment from collision, damage, or theft, all employees approved for overnight assignment of vehicles shall be required to have off-street parking available on which to park said vehicles at their residence when not in use.

(d) The assignment to an employee for use of a County vehicle on a twenty-four hour basis may be made if one or more of the following criteria are met:

(i) An assigned on-call employee is called out for bona fide emergencies on an average of four (4) times per month for the preceding three (3) month period. The on-call employee must be specifically on call for emergencies and require transportation and tools or equipment on board the vehicle to perform his or her emergency duties.

(ii) Use of a marked 24-hour County response vehicle will reduce the County's liability during a bona fide emergency response affecting Public Safety in the areas of fire suppression, emergency medical response, accidents, sever weather, loss of roadway, loss of traffic signals or barricades, or severe water or sewer disruption, or stormwater washouts. In every case this need will attempt to be filled by assigning a minimum rotating staff to an on-call assignment with a County vehicle.

(iii) The employee is in an administrative or executive position which requires regular weekend and/or evening attendance at public meetings or functions.

(iv) The employee has been provided with a County vehicle as part of an employment agreement or contract as approved by the County Manager.

G. THE FOLLOWING GENERAL POLICIES SHALL APPLY TO THE USE OF COUNTY VEHICLES IN ALL FIVE (5) CLASSIFICATIONS.

(1) General policies on use of County vehicles.

(a) The Department/Division specifically assigned a non-motor pool vehicle is responsible for maintaining the vehicle in a clean condition. Washing of the vehicle will be accomplished using private car wash facilities and paid for out of departmental petty cash funds will all appropriate receipts and proper accounting procedures used.

(b) Any employee operating a County vehicle or a privately owned vehicle utilized in conducting County business has to possess and maintain the

appropriate Florida Driver's License and shall observe all traffic regulations and anti-littering regulations.

(c) All County vehicles will have the vehicle registration and insurance carrier card in the vehicle at all times.

(d) Upon completion of a trip and before returning the vehicle to its assigned location, the vehicle shall be topped off with fuel at the Five Points fueling facility.

(e) Personal use of the vehicle is restricted to the time the employee is enroute to or from work (8-hour and 24-hour vehicles only). Brief stops, such as at convenience stores on route, are permitted. Using the vehicle to go to a business establishment or other location after returning home is not permitted, unless it is an assigned County function or meeting, or unless the employee has been specifically instructed by the County Manager to have the vehicle in his/her possession for immediate response because of special, unique circumstances. Any visit to a legitimate business site while enroute to or from work should be brief and should not subject the vehicle to undue danger, nor should said business establishment be illegal or lend discredit to the County Government or its operations.

(f) Vehicles being driven home as authorized in Section F(5), "24-hour assignment", may deviate from the direct route to and from work or assigned location only for the purpose of picking up County employees in an authorized car pool which requires only minimal deviation from the direct route between work and the residence of the driver.

(g) Under no circumstances will a County vehicle be driven by persons not employed by the County, except in case of an emergency.

(h) Employees who are assigned to operate a County vehicle to perform official duties shall be permitted to take all authorized breaks and lunches within the assigned area, but shall not leave the assigned area without authorization from their immediate supervisor.

(i) Anyone failing to comply with the County's Vehicle Use Policies or with State or local traffic regulations will be reported to the Department Director for appropriate action.

(j) In addition to warranted discipline, the Department Director or County Manager shall have the right to deny, until remedied, the use of a County vehicle to anyone found violating rules contained herein.

(2) Liability for Vehicle Use: Reporting Requirements.

(a) Any damage to a County vehicle or personally owned vehicle used for County business will be reported to the immediate supervisor and Department Director upon occurrence. The supervisor will initiate the appropriate accident report and notify the Insurance, Benefits & Training Division. Any police accident report will also be submitted. A copy of the police and the County's accident form shall also be submitted to Fleet Headquarters at Five Points along with the vehicle. The supervisor

will also notify the Safety Office for possible investigation of the accident on the County's behalf.

(b) Major accidents involving significant damage to vehicles or property or injury to employees or to the public shall be immediately reported to the County Manager for his information.

(c) All vehicles which are in non-serviceable condition, or which are found to have unsafe equipment, will be reported verbally, or in writing to the immediate supervisor or Department Director for initiation of the appropriate corrective action including pick up or delivery to the Fleet Maintenance facility for inspection or repair.

(d) Employees consensually operating personal vehicles in the performance of duties shall maintain basic insurance as required by the State of Florida. Seminole County reserves the right to request, from the employee, verification of insurance coverage.

(3) Employee Responsibilities.

(a) All employees are expected to comply with these vehicle policies as they exist herein, or as they may be amended.

(b) All employees who operate County vehicles are expected to exercise reasonable care in the safekeeping, use and maintenance of County vehicles to which they are assigned. Accordingly, negligence in the use and care of County vehicles, including but not limited to, abuse, misuse, willful or negligent loss, and/or destruction will result in disciplinary action up to and including termination. Serious cases of negligence may result in the filing of a civil and/or criminal action against the employee.

(c) Operate all vehicles in a safe manner. Comply with all State and local traffic regulations including safety restraint laws for driver and all passengers and including not littering from the vehicle. Employee should display safe and courteous driving habits which reflect favorably on Seminole County and its employees.

(d) Comply with Internal Revenue Service requirements regarding vehicle assignments. (Not applicable for Public Safety or marked emergency vehicles).

(e) Have off-street parking available at their residence to park the County vehicle when not in use (24-hour vehicle assignment only).

(f) Possess and maintain the appropriate Florida Driver's License for the classification of County vehicle they operate. The Human Resources Division of the Resource Management Department will conduct periodic verifications of all County vehicle operators' drivers' licenses.

(g) Comply with the requirements imposed by the issuing legal authority for citations issued while operating a County vehicle and notification to their immediate supervisor of the infraction and the effect (if any) that the penalty may have on the employee's ability to maintain the required driver's license.

(h) Promptly report driver license restrictions, expiration, denial, suspension, or revocation immediately to their supervisor.

(4) Recordkeeping.

(a) The County Manager shall be responsible for allocating 24-hour vehicle assignments. These assignments shall be reviewed in January of each year by having Department Directors submit or resubmit the "Request for 24-hour Vehicle Assignment" form to the County Manager.

(b) The Public Works Department shall be responsible for maintaining a comprehensive list of 24-hour vehicle assignments. Departments shall be responsible for maintaining a comprehensive list of all of their 8-hour vehicle assignments.

(c) It will be the responsibility of the Department Directors to monitor and control the utilization of all County-owned vehicles in their areas. An annual vehicle assignment utilization report shall be prepared by the Public Works Department and submitted to affected Department Directors for their review prior to submission to the County Manager. Department Directors shall annually submit requests and supporting documentation to the County Manager via the Public Works Department of 24-hour vehicle assignments.

(d) Operators of County vehicles (except 24-hour assignments) shall log mileage at the beginning and end of each shift or vehicle assignment.

H. VEHICLE ALLOWANCE CRITERIA.

(1) Florida Statute 112.061 provides that privately owned vehicles used for official travel in lieu of publicly owned vehicles or common carrier may be authorized at a fixed rate per mile. Reimbursement for operation, maintenance, insurance, ownership of a vehicle cannot be allowed according to Florida Statutes, except for incidental expenses such as bridge, road, ferry, and tunnel fares and storage or parking fees.

(2) Florida Statute 112.061 also provides for the establishment of vehicle allowances (in lieu of a County vehicle assignment). The allowance takes into consideration the customary use of a vehicle and expenses incidental to the operation, maintenance, and ownership of a vehicle. The County Manager will have the authority to consider and grant vehicle allowances, in accordance with budget restrictions, to those who qualify for said allowance. Mileage allowances in excess of those established under Section 112.06 (7) (d) (1) may be exceeded by enactment of ordinance or resolution by the BCC. TWO (2) VEHICLE USE CLASSIFICATIONS HAVE BEEN ESTABLISHED FOR VEHICLE ALLOWANCE.

(a) Casual User. The casual vehicle user is an employee who periodically uses his or her private vehicle for County business. The casual vehicle user is reimbursed on a flat fee per mile basis equal to the standard mileage rate as established by the Federal Internal Revenue Service from time to time. A travel log form must be completed monthly or within thirty (30) days of any travel for official County business.

(b) Continuous User. The continuous vehicle user is one who averages 400 miles or more per month, excluding miles driven to and from work from the employee's residence during normal business hours. The continuous vehicle user shall be paid a fixed allowance of $225.00 per month.

(i) It will be the employee's responsibility to report any vehicle allowance in accordance with Internal Revenue Service Regulations.

(ii) Authorization for the monthly vehicle allowance negates the use of a County vehicle for any local travel by the employee for official County business.

(iii) Any employee receiving a vehicle allowance may not utilize fuel from a County facility.

(iv) Employees must maintain his/her own insurance policies in full force and effect at those minimum levels required by State law.

I. AUTHORITY. Approved by the BCC April 14, 1992
Resolution 2005-R-216 adopted November 15, 2005
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2010-R-26 adopted January 26, 2010
Resolution 2012-R-107 adopted June 12, 2012