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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1.5 ORGANIZATION

A. PURPOSE. To provide for the efficient, orderly, and responsible operation of the Board of County Commissioners, the Operating Policies and Procedures of the Seminole County Board of County Commissioners is hereby established in Appendix A.

B. AUTHORITY. Resolution 2020-R-131 adopted November 10, 2020

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 are hereby delegated the authority to sign documents for their respective areas of responsibilities.

B. Deputy Directors are hereby delegated the authority to sign documents for their respective Departments.

C. The designated Circuit Court Judge will 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 will 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 is hereby delegated the authority to sign documents not specifically restricted by law to another official. In the absence of the County Manager, the Deputy County Manager is hereby delegated the authority to sign documents. In the absence of both the County Manager and Deputy County Manager, the Assistant County Manager is hereby delegated the authority to sign documents. This authority includes the authority to sign pleadings and interrogatories during the course of litigation for which defense or prosecution of the litigation 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 must be approved by the County Attorney and notice of such action must be given to the Board of County Commissioners.

H. The Environmental Services Department Director is authorized to execute renewals to Residential Franchise Contracts and Commercial Franchise Contracts and the associated franchise certificate. Before executing any such renewal, the Environmental Services Department Director shall ensure the respective contractor has complied with the respective franchise agreement, the associated franchise certificate, and Chapter 235 of the Seminole County Code.

I. **AUTHORITY**. Approved by BCC March 14, 1995
Resolution 2007-R-42 adopted March 13, 2007
Resolution 2024-R-131 adopted December 10, 2024

SECTION 3. COUNTY ADMINISTRATION

3.20 CODE ENFORCEMENT LIEN REQUESTS FOR WAIVERS/REDUCTIONS AND PROCEDURE TO SATISFY LIENS PAID IN FULL

A. PURPOSE. To establish policy/procedure for the Board of County Commissioners in reducing, waiving or satisfying 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 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. SATISFACTION/RELEASE OF CODE ENFORCMENT LIENS PAID IN FULL. When recorded code enforcement liens are complied and paid in full, including all applicable costs, interest, administrative expenses, and attorney's fees, a satisfaction or release of lien shall be executed by the County Manager, or his/her designee, and shall be recorded administratively by Seminole County staff. The satisfaction or release of any code enforcement lien, paid in full, shall not require the approval of the Board of County Commissioners.

D. AUTHORITY. Approved by BCC March 14, 2000 as a briefing item
Resolution 2024-R-94 adopted August 27, 2024

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 OR EXECUTE INSTRUMENTS AND DOCUMENTS AND TO SET PUBLIC HEARINGS

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

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

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

(2) Utility agreements.

(3) Reclaimed water agreements.

(4) Maintenance agreements.

(5) Letters of credit.

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

(7) Cross access easements and agreements.

(8) Drainage easements.

(9) Sidewalk easements.

(10) Performance bonds.

(11) Payment bonds.

(11) Maintenance bonds.

(12) Estoppel letters.

(13) Utility easements.

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

(1) Release of subdivision maintenance bonds.

(2) Release of subdivision performance bonds.

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

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

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

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

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

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

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

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

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

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

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

SECTION 3. COUNTY ADMINISTRATION

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 of the Circuit Court and Comptroller and the custodian of County funds. 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 with the provisions of Section 218.415, Florida Statutes. 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 and retaining sufficient balances in bank deposit accounts, investment pools or money market funds allowing for daily withdrawal of funds.

(3) Investment Income – The County will strive to maximize the return on the portfolio, while first endeavoring to minimize the risk to public funds.

(4) Factors not considered – Environmental, Social and Governance (ESG) factors will not be considered in investment decisions.

C. INVESTMENT PERFORMANCE AND REPORTING.

(1) In addition to the quarterly reports submitted by the County Investment Advisor as required in Section D herein, the Clerk shall provide a monthly report 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
- Original Cost of the Security
- Current Market Value
- Settlement Date
- Date of Maturity
- Coupon Rate
- Credit Rating
- Yield to Maturity

- Accrued Interest
- Portfolio Diversification Ratios

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

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

D. EXTERNAL INVESTMENT ADVISOR. The Board finds that the development of a sound financial strategy requires specialized knowledge and skills. Multiple circumstances must be considered when investing public funds, not the least of which include the state of the economy, investment laws, and potential market outcomes. Ensuring that decisions related to the investment of public funds are supported by the advice of professionals with the appropriate level of investment expertise and training is in the best interest of the public. As such, the Board shall utilize an external state and/or federally licensed investment advisor (hereinafter "County Investment Advisor") to provide recommendations and guidance regarding administration and management of this policy and underlying portfolio. All securities recommended for purchase by the County Investment Advisor must be in compliance with the constraints identified by this policy with respect to specific instruments, maturity, composition, credit, and diversification. It shall be the policy of the Board to rely upon the advice of the County Investment Advisor, as the qualified investment expert, when making investment decisions. The Clerk, as custodian of the County funds, shall implement the Board's investment decisions as soon as practicable.

The County Investment Advisor and the Clerk will meet quarterly. The County Investment Advisor shall provide the County with quarterly reports on performance and compliance with the policy. The quarterly report shall contain the portfolio's weighted-average yield 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 to 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.

The County Investment Advisor shall be selected in conjunction with the procurement of the County Financial Advisor services unless otherwise directed by the Board. In these services, the Board will consider past investment performance; fees; assets; under management; experience of the firm and the individuals managing portfolios of similar size and complexity, and investment restrictions. The County Investment Advisor will be evaluated annually by the County. The determination of retention will be based upon the investment performance, compliance with this policy, and State and Federal law.

E. PRUDENCE AND ETHICAL STANDARDS.

(1) The standard of prudence to be used by County shall be the "prudent person rule" which shall be applied in the context of managing the overall portfolio. 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 rule" 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.

(3) An Investment Advisor retained by the County shall be held to the "Prudent Expert" standard which states that a fiduciary shall manage a portfolio with the care, skill, prudence, and diligence, under the circumstances then prevailing, that a prudent man acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims.

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

(1) The Local Government Surplus Funds Trust Fund, "Florida Prime," the state investment pool administered by the State Board of Administration (SBA) or any intergovernmental investment pool authorized pursuant to the Florida Interlocal Cooperation Act, as provided for in Section 163.01 of the Florida Statutes, and established in Section 218.405.

(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 – for which the direct obligations of, or the obligations the principal and interest, are 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 include but are not limited to, Private Export Funding Corporation (PEFCO), Small Business Administration (SBA), Housing and Urban Development (HUD), 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 Agricultural Mortgage Corporation ("Farmer Mac"), 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 Primary Dealers, as designated by the Federal Reserve Bank of New York, 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) Commercial Paper with a stated maturity of two hundred seventy (270) days or fewer from the date of its issuance, rated not less than A-1 or P-1 or an equivalent rating by at least two (2) nationally recognized credit rating agencies; or one (1) nationally recognized credit rating agency and fully secured by an irrevocable letter of credit issued by a bank organized and existing under the laws of the United States.

(10) Bonds, or other evidence of indebtedness of U.S. counties, incorporated cities, towns, or duly organized school districts which carry a minimum "AA-" rating by Standard and Poor's, "Aa3" by Moody's Investor Service, or the equivalent rating by a nationally recognized rating agency at the time of purchase.

(11) Corporate bonds, debentures, and notes that are denominated in United States dollars. The debt must be rated at least “AA-“ by Standard and Poor’s, or “Aa3” by Moody’s Investor Service, or the equivalent rating by a nationally recognized rating agency.

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.

Derivatives, as well as any Investment not specifically listed in this Section, are not eligible for purchase by the County.

G. 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) Florida Prime 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. Maximum maturities may be exceeded when deemed beneficial and authorized by the Board.

The County’s total portfolio may contain investments with stated maturities not to exceed five (5) years, with the exception of mortgage-backed securities, while the weighted-average maturity of the overall portfolio shall be limited to three (3) years.

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 and County Investment Advisor 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
Commercial Paper	270 days
Municipal Obligations	5 years
Corporate Obligations	3 years
Federal Agencies and Federal Instrumentalities	5 years
Certificates of Deposit	5 years
Term Repurchase Agreements	30 days
Flex Repos and GICs	N/A
Mortgage Backed Securities	30 years

(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 regularly 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.

H. 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	30 percent
Total Investment Pools	40 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	25 percent
Term Repurchase Agreements	10 percent
Mortgage Backed Securities	30 percent
Commercial Paper	20 percent
Municipal Bonds	20 percent
Corporate Bonds	10 percent

NOTE: Allocation to any single issuer of Commercial Paper, Corporate or Municipal bonds shall be limited to five percent (5%) of the total portfolio at time of purchase.

(2) Leveraged investments or agreements are 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.

I. 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 periodically by the County Investment Advisor, who shall make recommendations to the Board based on the finding of such reviews.

J. CONTINUING EDUCATION. The County Investment Advisor and Clerk, as custodian of the County funds, 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.

K. 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 County's approved list.

(2) 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. A listing of the Qualified Public Depositories is available on a quarterly basis from the *Florida Administrative Weekly*.

(3) In addition, the approved 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 or the County's Investment Advisor will acknowledge in writing that they have received a copy, read, and concur with the County's investment policy prior to engaging in any investment activity involving County funds.

(5) The County Investment Advisor shall present the approved list to the Board on an annual basis for information and disclosure purposes.

L. THIRD PARTY CUSTODIAL AGREEMENTS. The Clerk will execute a third-party custodial and safekeeping agreement with a third-party custodial and safekeeping institution. 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 with respect to 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.

M. MASTER REPURCHASE AGREEMENT. The Clerk and the County Investment Advisor shall require all approved institutions and dealers transacting repurchase agreements to execute and perform as stated in the Master Repurchase Agreement.

N. BID REQUIREMENT. The Clerk and the County Investment Advisor shall jointly 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 for approval by the Board. A minimum of three (3) qualified banks and/or dealers will be contacted and asked to provide bids to the Clerk.

(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 County Investment Advisor 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.

O. 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 Assistant Finance Director and the Finance Director. Investment activity must be approved by the Clerk, Chief Deputy Clerk or Finance Director.

(14) The following positions are designated as having the authority to initiate all investment activities directed by the Board, and shall be considered investment officers for the purposes of this policy:

(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.

P. RAPIDLY CHANGING MARKETS. It is sometimes necessary to react quickly to rapidly changing investment markets in order to protect the safety of taxpayer assets, fund the day-to-day needs of county government, and take advantage of the best value of an investment at the time of purchase. Therefore, the Board of County Commissioners,

recognizing that drastic changes in the financial markets may occur rapidly and unexpectedly, authorizes the Clerk, as custodian of surplus county funds, to make appropriate trades under the following conditions and with the acceptance of advice from the County Investment Advisor:

(1) where increased risk factors of an investment make divestiture desirable; or

(2) where day-to-day operations of county government require the immediate movement of assets to properly fund county government; or

(3) where an investment of high value to the portfolio may become available.

In addition, if the Board of County Commissioners has approved an investment for future purchase, and the investment yield on the day of purchase is significantly below the expected yield as presented to the Board, the purchase shall be made if the prevailing market yield is not less than 15 basis points below the yield at the time of approval by the Board. If the differential is *more* than 15 basis points, the Clerk and the Investment Advisor shall decide if it is still in the best interest of the County to follow through with the approved transaction. If the trade is executed at the lower yield, the investment advisor will be responsible for submitting an outline of the reasons for this decision to the Board.

All trades effectuated pursuant to this subsection P must follow the intent and structure of the Investment Policy and the Board's periodic direction, and will be made immediately available for review by the Board of County Commissioners and the County Manager in the form of a written investment report.

Q. AUTHORITY. Resolution 95-R-237 adopted September 26, 1995
BCC approved policy amendment April 9, 2002
Resolution 2008-R-211 adopted September 9, 2008
Resolution 2017-R-47 adopted March 28, 2017
Resolution 2019-R-25 adopted February 12, 2019
Resolution 2020-R-35 adopted March 24, 2020
Resolution 2023-R-79 adopted August 8, 2023
Resolution 2023-R-141 adopted December 12, 2023

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 20%. **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/Ride-sharing applications (such as, but not limited to, Uber or Lyft) – receipt required for all fares. Tip on taxi service is allowed, not to exceed 20% 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 Sanford International Airport, 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 not 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 3.50A. "General Policy", above, the following expenses of County officials and County employees are reimbursable if approved by the County Manager (or designee):

(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/ride-sharing applications (such as, but not limited to, Uber or Lyft) and airport limousine fares and tips up to 20%; 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 20% of food and beverage are reimbursable.

(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/Ride-sharing applications (such as, but not limited to, Uber or Lyft) 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
Resolution 2022-R-103 adopted August 23, 2022

SECTION 3. COUNTY ADMINISTRATION

3.53 PUBLIC RECORDS REQUEST POLICY

A. PURPOSE. The purpose of this Public Records Request Policy is to provide an administrative process for County employees to properly respond to, coordinate, and fulfill a Public Records Request ("Request") in compliance with Chapter 119, Florida Statutes, also known as the "Public Records Act".

B. SCOPE. The Public Records Act provides a right of access to the records of state and local governments as well as private entities acting on their behalf. Unless an Exemption exists, this right of access applies to all materials made or received by the County in connection with the transaction of official business which are used to perpetuate, communicate, or formalize knowledge. Therefore, every person who has custody of a Public Record must permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under Reasonable Conditions, and under supervision by the Custodian of the Public Records.

C. DEFINITIONS.

(1) *Actual Cost of Duplication* means the cost of the materials and supplies used to duplicate the Public Record but does not include the labor and overhead costs associated with such duplication.

(2) *Confidential* means information is not subject to inspection or copying by the public and may be released only to those persons and entities designated in the Public Records Act.

(3) *County* means Seminole County.

(4) *Custodian* means the designated County employee(s) within a department, division, or office, including Commissioner offices, of the County whose responsibilities include communicating with the Public Records Coordinator and gathering Public Records in response to Requests.

(5) *Extensive* means in excess of fifteen (15) minutes.

(6) *Exempt or Exemption* means a provision of general law which provides that a specified record or meeting, or portion thereof, is not subject to the access requirements of Section 119.07(1), Florida Statutes, Section 286.011, Florida Statutes, or Article I, Section 24 of the State Constitution, as any one of these may be amended.

(7) *Information Technology Resources* means data processing hardware and software and services, communications, supplies, personnel, facility resources, maintenance, and training.

(8) *Public Records* mean all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or

received pursuant to law or ordinance or in connection with the transaction of official business by County.

(9) *Public Records Coordinator* means the County employee(s) designated by the County Manager whose responsibilities include communicating with the requester and coordinating with the Custodian in the fulfillment of Requests.

(10) *Reasonable Conditions* mean reasonable regulations that would permit the Custodian to protect Public Records from alteration, damage, or destruction, and to ensure that the person reviewing the Public Records is not subjected to physical constraints designed to preclude review.

(11) *Redact* means to conceal from a copy of an original Public Record, or to conceal from an electronic image that is available for public viewing, that portion of the Public Record containing Exempt or Confidential information.

D. GENERAL INFORMATION.

(1) Requests are *not* required to be made in writing. As such, Requests may be made in person, over the phone, through email, on a sticky note, or in any other manner which is sufficient for the Custodian to identify the Public Records desired.

(2) A person who requests Public Records is not required to provide his or her name or contact information to receive the Public Records requested.

(3) A person is not required to explain the purpose or reason for the Request.

(4) The County must provide a copy or allow inspection of the Public Record in the medium requested if the County maintains the Public Record in that medium, and the County may charge a fee in accordance with Chapter 119, Florida Statutes. The County is not required to create new or reformat existing Public Records in response to a Request.

(5) The Public Records Act requires the County to provide access to or copies of Public Records but does not require that the County provide *information* from or about the Public Records.

E. COPYING OR INSPECTION OF PUBLIC RECORDS.

(1) **Public Record Request Received.** Upon receipt of a Request, the Request must be promptly reviewed and forwarded to the applicable Custodian and the Public Records Coordinator.

(2) **Acknowledge.**

(a) The Public Records Coordinator must promptly respond to the requester in writing acknowledging the Request. If the Request was made verbally or the requester did not provide contact information, the Request must be acknowledged upon receipt of the Request verbally to the extent feasible, and notes must be kept as to the date and time the Request is received and acknowledged. See Attachment A for sample language.

(b) If the Request is ambiguous or if it is determined that the Request is insufficient to identify the Public Records sought, the Public Records Coordinator must promptly contact the requester stating that more information is needed to produce the Public Records. See Attachment A for sample language.

(3) **Notification and Initial Evaluation.**

(a) The Public Records Coordinator must promptly provide notification of the Request to the applicable Custodian. Prior to any work being performed by the County in response to the Request, the Public Records Coordinator, in coordination with the Custodian, must evaluate the Request to determine whether there will be Extensive use of Information Technology Resources, or Extensive clerical or supervisory assistance, or both. If no Extensive use of Information Technology Resources, or Extensive clerical or supervisory assistance, or both are needed, the Custodian must promptly begin gathering Public Records that are responsive to the Request. Thereafter, the Public Records must be provided by the Custodian to the Public Records Coordinator to fulfill and close out the Request.

(4) **Extensive Use of Information Technology Resources or Extensive Clerical or Supervisory Assistance, or Both.**

(a) If Extensive use of Information Technology Resources, or Extensive clerical or supervisory assistance, or both, are needed to produce the requested Public Records, the County may impose a reasonable special service charge that reflects the actual costs incurred for the Extensive use of such resources or personnel.

(b) The Custodian must provide the Public Records Coordinator the estimated amount of time it will take for any Extensive clerical or supervisory assistance in gathering and reviewing the Public Records for Exempt or Confidential information.

(c) If the Request involves e-mails, the Public Records Coordinator must contact Information Technology ("I.T.") for I.T. to provide the estimated amount of time it will take for any Extensive use of Information Technology Resources needed to perform a search of the County servers. Generally, I.T. will only perform a search of e-mails. The Public Records Coordinator must coordinate with I.T. to determine if there are any other software platforms that may contain Public Records responsive to the Request. At minimum, I.T. will need the following information:

(i) the date range for the search if a date range is provided by the requester; and

(ii) the specific search terms.

NOTE: I.T. will only search the exact terms provided. Do not add search terms or parameters outside of what has been expressly requested. In addition, if there are Public Records known to exist that are not produced by the search terms, the Public Records Coordinator must review the search terms and parameters to determine the deficiency and provide I.T. with additional search terms or parameters.

(5) **Deposit and Gathering Public Records.**

(a) If Extensive use of Information Technology Resources, or Extensive clerical or supervisory assistance, or both are required, the Public Records Coordinator must complete and provide the requester a Special Service Charge Form ("Form"), which will inform the requester that a deposit of fifty percent (50%) of the estimate will be required before beginning any work on the Request, with the remaining fifty percent (50%) of the estimate to be collected prior to producing the Public Records to the requester. If the Request was made verbally, the information from the Form should be communicated to the requester and notes must be kept as to the date and time the communication takes place. See Attachment B for an example as to how the Public Records Coordinator will calculate costs and charges.

(b) Once the County receives the initial fifty percent (50%) deposit, the Public Records Coordinator must notify the Custodian(s) and I.T., as applicable, who must promptly begin gathering Public Records that are responsive to the Request.

(c) If at any time during the gathering of the Public Records, the estimated amount of time is anticipated to increase, the Custodian(s) and I.T., as applicable, must stop work, and notify the Public Records Coordinator. The Public Records Coordinator must request approval of the cost estimate increase from the requester, in writing, prior to the Custodian(s) and I.T. staff, as applicable, continuing to gather the Public Records.

(d) If at any time during the gathering of the Public Records, a Custodian discovers that information may be in the custody of another County department, division, or office, the Custodian must promptly notify the Public Records Coordinator.

(6) **Redact.**

(a) The Custodian(s) must review and Redact statutorily authorized Exempt or Confidential information within Public Records gathered from the Custodian's department, division, or office, including Commissioner offices, and Public Records searched for by I.T., as applicable. A resource document consisting of a common list of Exempt and Confidential Information can be requested from the Public Records Coordinator.

(i) A Custodian who asserts that an Exemption applies to a part of such Public Record must redact that portion of the Public Record to which an Exemption has been asserted and validly applies, and such Custodian must produce the remainder of the Public Record to the Public Records Coordinators for inspection and copying.

(ii) If a Custodian contends that all or part of the Public Record is Exempt from inspection and copying, he or she must state the basis of the Exemption that he or she contends is applicable to the Public Record, including the statutory citation to an Exemption created or afforded by statute.

(iii) If requested by the Requester seeking to inspect or copy the Public Record, the Custodian of Public Records must state in writing and with particularly the reasons for the conclusion that the record is Exempt or Confidential.

(b) The Custodian must provide a cover memo in a form approved by the County Manager's Office, to the Public Records Coordinator with the basis and the statutory citation for any Redacted Exempt or Confidential information.

(c) Upon reviewing, if there are any responsive Public Records to or from the County Attorney's Office, including Public Records pertaining to actual or potential litigation involving the County, the Custodian reviewing the Public Records must notify the Public Records Coordinator who must contact the County Attorney's Office to review the Public Records for Exempt or Confidential information prior to releasing the Public Records.

(7) **Fulfill.** Once review and Redaction is completed, if any, the Custodian must copy any responsive electronic Public Records on a thumb drive along with any other gathered responsive Public Records and communicate to the Public Records Coordinator that the Public Records are ready. The Public Records Coordinator must collect the remaining fifty percent (50%) of the balance due, if any, prior to producing the Public Records. Once the remaining fifty percent (50%) of the balance due is provided to the County by the requester, the Public Records Coordinator must provide the Form and cover memo, as applicable, and provide the Public Records responsive to the Request.

(8) **Closeout.**

(a) **Completed Requests.** Once the Public Records have been provided to the requester, the Request may be closed as having been completed.

(b) **Lack of Response from Requester.** If, after notifying the requester of all estimated applicable costs and charges, the requester does not respond, then the Public Records Coordinator must follow up with the requester after seven (7) calendar days from the date of the initial notification of the estimated applicable costs and charges. If, after seven (7) calendar days from the date of the initial follow up, the requester has not responded to the estimated applicable costs and charges, the Public Records Coordinator must follow up again with the requester. If the requester does not respond after seven (7) calendar days from the last follow up, the Public Records Coordinator may close the Request.

(c) **Refusal of Requester to Pay Estimated Costs and Charges.** If the requester refuses to provide the estimated applicable costs and charges, the Public Records Coordinator may close the Request.

F. FEES FOR INSPECTING AND COPYING.

(1) Pursuant to Section 119.07, Florida Statutes, as may be amended, the following fees will be imposed for all Requests:

For each one-sided copy of not more than 8 ½ by 14 inches	$0.15
For each two-sided copy of not more than 8 ½ by 14 inches	$0.20
For each certified copy of a Public Record	$1.00
All other copies and materials Examples include but are not limited to, envelopes, postage, and thumb drives	Actual Cost of Duplication
Extensive use of Information Technology Resources or Extensive clerical or supervisory assistance, or both	Actual Cost of Duplication + special service charge The special service charge must be reasonable and based on the actual labor costs involved

(2) The fees authorized in this Public Records Request Policy are in addition to any other fees authorized by Florida Statutes.

G. PUBLIC RECORDS TRAINING. All County department, division, office directors and managers, Commission aides, Custodian(s), and all other County Employees required by the County Manager's Office must attend an initial training on this Public Records Request Policy and thereafter on an annual calendar basis.

H. DESIGNATION OF CUSTODIAN(S). All County department, division, and offices, including Commission offices, must provide the County Manager's Office the name of the Custodian(s) annually each calendar year or if there is a change, whichever occurs first.

I. AUTHORITY. Resolution 2024-R-26 adopted March 12, 2024

Attachment A

Sample Responses

Acknowledgment of a Public Records Request:

> This correspondence will acknowledge receipt of your public records request made on _____, 20___, for [*briefly summarize the request,* or, if lengthy, *"the records enumerated in your attached letter"*]. We are reviewing our records to determine if there are any records responsive to your request. Once this has been determined, I will provide you an estimate of the cost, if any, to provide these records, as authorized by Florida Statutes.

Ambiguous Public Records Request:

> This will acknowledge receipt of your public records request made _____, 20__. I understand your public records request to be as follows: [*restate what you think they are asking for*]. If this is not your request, please let me know immediately to assist you in fulfilling your request.

Attachment B

Example on Calculating Costs and Charges

Example:

John Doe requests all records pertaining to the property located at 1234 ABC Street, Sanford, Florida. It is determined by I.T. that 4,321 records exist pertaining to the Request, excluding the removal of any duplicates.

Public Records Coordinator determines that a special service charge must be imposed for review/Redaction of records since the volume of the records and the number of potential Exemptions will make review and Redaction of the records an Extensive task.

Extensive use of Information Technology Resources	2 hours (estimated time provided by I.T.) 2 hours x $45.00 (hourly rate of I.T. staff person) = $90.00
Thumb Drive	$5.00
Extensive use of Clerical Labor	7 hours (estimated time provided by Custodian) $15.00 (hourly rate of Custodian) 7 x $15.00 = $105.00 (cost of review/Redaction)
Total:	$200.00
Initial 50% Deposit	$100.00
Remaining 50% Balance Due	$100.00

SECTION 3. COUNTY ADMINISTRATION

3.54 PUBLIC RECORDS MAINTENANCE, STORAGE, AND RETENTION POLICY

A. PURPOSE. The purpose of this Public Records Maintenance, Storage, and Retention Policy ("MSR Policy") is to provide administrative direction for County employees to properly maintain, store, retain, and dispose of Public Records in compliance with Florida Statutes, the Florida Administrative Code, and the Rules established by the Florida Division of Library and Information Services of the Department of State ("Rules").

B. DEFINITIONS.

(1) *County* means Seminole County.

(2) *Custodian* means the designated County employee(s) within a department, division, or office, including Commission offices, of the County whose responsibilities, at minimum, include communicating with the Public Records Coordinator, gathering Public Records in response to Requests, and maintaining, storing, and disposing of Public Records as authorized in this MSR Policy.

(3) *Division* means the Florida Division of Library and Information Services.

(4) *Public Records* mean all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by County.

(5) *Public Records Coordinator* means the County employee(s) designated by the County Manager whose responsibilities include communicating with the requester and coordinating with the Custodian in the fulfillment of Public Record requests.

C. RECORDS MANAGEMENT LIAISON OFFICER.

(1) **Designation.** The County Manager is responsible for designating a Seminole County Records Management Liaison Officer ("RMLO"), as required by Section 257.36(5)(a), Florida Statutes, as may be amended.

(2) **RMLO Responsibilities.** The RMLO is responsible for:

(a) serving as a point of contact between County and the Division;

(b) working with the Division to establish new Public Record retention schedules and ensuring the appropriate disposition of Public Records eligible for destruction;

(c) training and advising County staff in Public Record management practices;

(d) participating in County decision-making for issues such as preservation, access, digital imaging, storage, and disposal;

(e) working with County Information Technology staff to ensure information systems comply with Public Record management requirements; and

(f) reporting annually to the Division regarding County's compliance with records management statutes and rules.

D. SEMINOLE COUNTY DEPARTMENT, DIVISION, AND OFFICE RESPONSIBILITIES.

(1) All County department, division, and office directors, managers, Commission aides, and Custodians are responsible for Public Records management oversight within their respective department, division, and offices. Custodians are responsible for keeping a current inventory of all Public Records within their respective department, division, and offices and of all Public Records stored with a County-authorized off-site storage vendor.

(2) Annually, all Custodians must coordinate with the highest-level County employee within the respective County department, division or office to complete a Records Management Compliance Statement in a form prescribed by County Information Technology and provide the same to the RMLO. Thereafter, the RMLO must complete a Records Management Compliance Statement for signature by the Commission Chair and submit the same to the Division in accordance with the Division's requirements.

E. MAINTENANCE AND STORAGE OF PUBLIC RECORDS. All Public Records should be secured in, and may not be removed from, the building or office in which they are ordinarily used for official purposes. Public Records in an electronic format must be stored on County systems and may not be stored on personal devices. In general, Public Records may be scanned in a PDF or PDF/A format and designated as the record copies, and the original physical copy can be designated as a duplicate and disposed of in accordance with the "Retention Schedules and Disposal of Public Records" Section of this MSR Policy, provided that the electronic records are in compliance with Rule 1B-26.003, Florida Administrative Code, as may be amended, and the completeness and accuracy of the scanned copies have been verified. Other formats in which Public Records may be scanned are provided for on the International Organization for Standardization's ("ISO") website: www.iso.org.

F. RETENTION SCHEDULES AND DISPOSAL OF PUBLIC RECORDS.

(1) County must comply with the Rules adopted by the Division establishing retention schedules and the disposal process for Public Records regardless of the format of the Public Records. The retention schedules for most of the County's Public Records are in GS1-SL – State and Local Government Agencies, as may be amended. Additional retention schedules can be found through the Division's website. County is not permitted to reduce the retention periods adopted by the Division; however, retention periods may be extended, for reasons such as audits, litigation, Public Record requests, accreditation standards, or the need to comply with Federal, state, and local laws and regulations.

Retention periods are determined by the content, nature, and purpose of the Public Records, and are set based on their legal, fiscal, administrative, and historical values, regardless of the format in which they reside or the method by which they are transmitted. If a County department, division, or office director or manager, in coordination with the applicable Custodian, determines the Public Record should be stored with a County-authorized off-site storage vendor because the Public Record is not used or referenced more than once a year, the applicable County director or manager and Custodian may box and send the Public Records to a County-authorized off-site storage vendor until the retention period has been met for disposal of the Public Record.

(2) Prior to the disposal of Public Records, Custodians must review GS1-SL – State and Local Government Agencies and consider specific retention schedules, audits, litigation, Public Record requests, whether the Public Records are confidential or exempt, accreditation standards, and Federal, state, and local laws and regulations. Once this information has been reviewed, the Custodian must provide a Records Destruction Form to the highest-level County employee within the respective County department, division or office to complete and submit to the RMLO for written approval, irrespective of whether such written approval is electronically provided or in hard copy form. Once written approval is provided by the RMLO, the Custodian(s) must make every effort to locate copies of Public Records in other departments, divisions, and offices in the County and provide the applicable Custodian(s) a copy of the written approval. The Public Records may then be disposed.

G. VIOLATION. Violation of this MSR Policy may result in disciplinary action up to and including termination of employment.

H. AUTHORITY. Resolution 2024-R-26 adopted March 12, 2024

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SECTION 3. COUNTY ADMINISTRATION

3.55 PURCHASING POLICY

I GENERAL INFORMATION

3.551 PURPOSE. The purpose of this Purchasing Policy is to provide for the fair and equitable treatment of all persons involved in public procurement by the County, for the efficient and effective use of public funds in procurement, and to provide safeguards for maintaining a procurement operation of quality and integrity.

3.552 DEFINITIONS.

Allocate (or Allocation) means to attach receipts, supporting documentation for purchases, sign the statements, and assign cost center codes in the County-authorized banking platform.

Attractive Items means the definition specified in Rule 69I-73.001, Florida Administrative Code.

Bid Security means an original bond provided by a surety company authorized to do business in the State of Florida and that is included on the U.S. Department of Treasury list of approved sureties, or an alternative form of security in the form of a cashier's check or a certified check satisfactory to the County.

Blanket Purchase Order means a unilateral, contractually binding document issued by the Division upon receipt of an approved requisition from the User Department, encumbering funds to procure indeterminable, miscellaneous goods and services over a specific period within the same County fiscal year.

Board means the Board of County Commissioners of Seminole County, Florida.

Business Day means any calendar day from 8:00 a.m. to 5:00 p.m. Sanford, Florida time, except a Saturday, Sunday, or a County observed holiday.

CAO means the Seminole County Attorney's Office.

Cooperative Purchase is a method of procurement where two or more public entities combine their procurement requirements to reduce administrative costs and obtain lower pricing through volume buying.

County means Seminole County, a political subdivision of the State of Florida.

County Road System means the definition specified in Section 334.03, Florida Statutes, as may be amended.

Custodian means the definition specified in Section 274.01(2), Florida Statutes, as may be amended.

Custodian's Delegate means the definition specified in Rule 69I-73.001, Florida Administrative Code.

Delegate means a County employee, designated by the User Department director, responsible for administering the P-Card usage within the User Department.

Design-Build Contract means the definition specified in Section 287.055(2)(i), Florida Statutes, as may be amended.

Design-Build Firm means the definition specified in Section 287.055(2)(h), Florida Statutes, as may be amended.

Design Criteria Package means the definition specified in Section 287.055(2)(j), Florida Statutes, as may be amended.

Designee means a County employee who has been designated in writing to perform a duty by another County employee who is authorized to delegate authority to such person. Division Designee information must be provided in writing to the County Manager or Designee and the Resource Management Director each time there is a change in Designee.

Direct Pay Item includes payments relating to dues and memberships in trade or professional organizations; subscriptions for periodicals; newspaper or like advertisements; postage; expert witnesses; abstracts of titles for real property; closing costs and processing fees for acquisitions; title insurance for real property; utility services (water, sewer, electrical, natural gas, and communications); copyrighted books and videos; and fees and costs for job-related seminars and training certifications by accredited, professional organizations; catering service fees; licenses; permits; costs for Florida prepaid toll program; approved travel expenses for County employees; and other expenses approved by the County's Chief Financial Officer.

Division means the Seminole County Purchasing and Contracts Division.

Electronic Signature means any letters, characters, or symbols, manifested by electronic or similar means, executed, or adopted by a party with an intent to authenticate a writing.

Evaluation Committee means no less than three (3) County employees who are subject matter experts or who have operational experience pertaining to the project and who will assist in the evaluation of proposals; evaluations to be included as part of the agenda backup if the project requires Board approval. "Subject matter experts" are County employees with qualifications and experience in a particular field or work process. For goods and services FIVE HUNDRED THOUSAND AND NO/100 DOLLARS ($500,000.00) and above annually, the Department Director must be on the Evaluation Committee. For goods and services ONE MILLION AND NO/100 DOLLARS ($1,000,000.00) and above annually, the County Manager or Designee must be on the Evaluation Committee. For marketing or advertising Vendors related to tourism or County sports facilities, sales, business development, and event management for County sports, the Evaluation Committee may include a maximum of two (2) Tourist Development Council ("TDC") members appointed by the TDC or otherwise authorized by the Board. User Departments must submit the names of potential Evaluation Committee members to the Purchasing Manager for approval.

Mandatory Bid Limit means ONE HUNDRED THOUSAND AND 01/100 DOLLARS ($100,000.01).

Notice to Proceed means a written document issued by the Division and signed by the Vendor authorizing the commencement of work pursuant to a fully executed contract.

Procurement Officer means any person within the Division who has the written authority to commit County resources or funds.

Professional Services means services within the scope of the practice of architecture, professional engineering, landscape architecture, or registered surveying and mapping, as further specified by Section 287.055(2)(a), Florida Statutes, as may be amended.

Property (i.e., tangible personal property) means the definition specified in Section 274.01, Florida Statutes, as may be amended.

Purchase Order means a unilateral, contractually binding document issued by the Division upon receipt of an approved requisition from the User Department, encumbering funds to procure goods, services, or both.

Purchasing Policy means Section 3.55 of the Seminole County Administrative Code constituting the Board's official policy concerning procurement matters.

Purchasing Manager means the Seminole County Purchasing and Contracts Division Manager.

Purchasing Ordinance means Chapter 220 of the Seminole County Code of Ordinances.

Release Order means a unilateral, contractually binding document issued by the User Department to encumber funds and authorize the procurement of goods pursuant to a fully executed contract.

Responsible or Responsibility means a Vendor who has submitted a bid or proposal, and who is capable, as determined by the County, in all respects to fully perform the solicitation and contract requirements and who has the integrity and reliability which will give reasonable assurance of good-faith performance, which includes, but is not limited to the factors specified in the "Responsibility and Responsiveness" Section of this Purchasing Policy.

Responsive means a Vendor who has submitted a bid or proposal, which conforms in all material respects, as determined by the County, to the solicitation.

Review Committee means at least three (3) County employees who are subject matter experts pertaining to the project. "Subject matter experts" are County employees with qualifications and experience in a particular field or work process. User Departments must submit the names of potential Review Committee members to the Purchasing Manager for approval.

Single Source means one (1) Vendor, among others that may exist, who possesses unique capabilities, such as functional or performance requirements, and who meets County criteria.

Sole Source means a Vendor who has the exclusive right to manufacture and sell goods.

User Department means the County department desiring to procure goods or services.

Vendor means an actual or potential supplier of goods or services.

Work Order means a bilateral, contractually binding document issued by the Division, upon receipt of an approved requisition from the User Department pursuant to a fully executed master services agreement for a specific project, encumbering funds to procure goods, services, or both.

3.553 ADMINISTRATIVE RESPONSIBILITIES.

(1) ***General Responsibilities of the Division*.** The general responsibilities of the Division include:

(A) providing centralized procurement support and training to all User Departments;

(B) providing centralized procurement support and training to County Constitutional Offices and other select public entities (e.g., the 18th Judicial Circuit, the Florida Department of Health, the State Attorney's Office, and the Public Defender's Office) providing services in the County that may elect to utilize the services of the Division;

(C) verifying the appropriate method of procurement in accordance with the Purchasing Ordinance and Purchasing Policy;

(D) procuring goods and services in an ethical, timely, and cost-effective manner in accordance with all applicable laws, regulations, codes, policies, and procedures;

(E) monitoring a fair distribution of work among awarded Vendors under a master services agreement;

(F) coordinating with the User Departments when unique pricing structures are warranted for a project;

(G) acting as the County representative on all procurement matters, including coordinating with the Risk Management Division for a determination on the appropriate insurance requirements for the procurement and including such requirements in the contract;

(H) establishing and maintaining professional business relationships with all Vendors; and

(I) maintaining accurate and complete procurement records in an electronic format, to the extent possible, but in all cases, in accordance with Florida Public Records Law and Florida's retention guidelines.

(2) ***General Responsibilities of the User Department.*** The general responsibilities of the User Department include:

(A) strategically planning for the purchase of goods and services as far in advance of the need as reasonably possible;

(B) ensuring the appropriate County management approvals have been obtained for the procurement of goods and services;

(C) ensuring that sufficient funds have been allocated and are available for the goods and services sought;

(D) refraining from communicating with Vendors for goods and services during an active procurement, unless otherwise authorized by the Purchasing Ordinance, Purchasing Policy, or Board action;

(E) providing the Division a clear and accurate scope of work, complete specifications, and technical information for the goods and services to be procured at the time of the request;

(F) informing the Division when the volume of work requires multiple Vendors and specify how the workload will be divided;

(G) ensuring a fair distribution of work among awarded Vendors under a master services agreement;

(H) providing the Division complete requisition information, including the contract number (when applicable), a description of the goods and services to be procured, and the time for completion or date of delivery in an electronic format, to the extent possible, and providing the Division, when applicable, the Contract Services Request Form;

(I) keeping the Division apprised of any information that may impact the procurement and contract for the goods and services, including grant funding requirements and documentation;

(J) providing the Division information concerning revisions to County contracts or terms and conditions received from the Vendor for County review;

(K) ensuring County employees responsible for procuring goods and services on behalf of the County are not approving requisitions or processing invoices; and

(L) ensuring contracts are properly administered in compliance with the fully executed contract terms and conditions, including all exhibits.

(3) ***General Responsibilities of the County Attorney's Office*.** The CAO is responsible for providing legal assistance, including advice, guidance, drafting and approving contracts and ensuring that all contracts processed by the Division, and which are sent to the CAO for review follow all applicable laws, regulations, codes, policies, and procedures. Once all parties have appropriately executed the County-approved contract, the CAO will review and if approved, execute the contract as to form and legal sufficiency.

3.554 ENCUMBRANCE OF FUNDS. Except in the case of emergency, P-card, or Direct Pay Item purchases authorized by the Purchasing Ordinance or the Purchasing Policy, Procurement Officers may not encumber any funds until the Clerk of the Circuit Court and Comptroller's Office has certified, after pre-audit, there is a sufficient unencumbered appropriated balance for the proposed purchase.

3.555 UNAUTHORIZED COMMITMENTS PROHIBITED.

(1) Except as authorized by the Purchasing Ordinance or the Purchasing Policy, County employees are prohibited from making unauthorized commitments. County employees who make unauthorized commitments are subject to disciplinary action pursuant to the Seminole County Personnel Policies and Procedures. If an unauthorized commitment is made by a County employee, the applicable User Department must provide a fully completed Unauthorized Commitment Form ("UCF") to the Purchasing Manager within ten (10) Business Days of the User Department becoming aware of the unauthorized commitment. The UCF must include:

(A) background information pertaining to the unauthorized commitment;

(B) corrective action the User Department director has taken to prevent unauthorized commitments in the future, including requiring the County employee who makes the unauthorized commitment to attend procurement training; and

(C) disciplinary action taken against the County employee, if any.

(2) To the extent known, the Purchasing Manager will review the UCF for factual accuracy. If there are revisions to be made to the UCF, the Purchasing Manager will coordinate with the applicable User Department director to ensure a complete and accurate record of the facts are provided. If no revisions need to be made to the UCF, the Purchasing Manager will forward the UCF to the approving authority specified in this Section. Execution of the UCF by the applicable User Department director and the Purchasing Manager is only considered approval of the contents within the UCF and is not considered approval of the unauthorized commitment.

(3) If the unauthorized commitment is TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($250,000.00) or less, the Purchasing Manager must submit the UCF to the County Manager for approval of the unauthorized commitment. If the unauthorized commitment is TWO HUNDRED FIFTY THOUSAND AND 01/100 DOLLARS ($250,000.01) and over, the UCF must be submitted to the Board for approval of the unauthorized commitment. If approved by either the County Manager or

the Board, the County Manager or the Chairman, as applicable, must execute the UCF signifying approval of the unauthorized commitment.

(4) Unauthorized commitments are not binding on the County.

3.556 WAIVER OF REQUIREMENTS. The Board, when deemed to be in the best interest of the County, may waive any requirements set forth in this Purchasing Policy, and proceed thereafter to take any action necessary determined to be in the best interest of the County. Notwithstanding this Section, the County must comply with all applicable laws, regulations, codes, and the terms and conditions of any grant.

3.557 ETHICS. County employees must comply with all applicable ethics laws, regulations, codes, policies, and procedures, including Seminole County Administrative Code Section 24.1 (Code of Ethics for County Employees), Seminole County Administrative Code Section 24.15 (Personnel Policies and Procedures), and Chapter 112, Part III, Florida Statutes (Code of Ethics for Public Officers and Employees), as may be amended. County employees are subject to disciplinary action for violations of the foregoing.

3.558 ELECTRONIC SIGNATURES.

(1) ***Electronic Signatures by Vendors*.** The Division is authorized to accept Electronic Signatures by Vendors on procurement documents.

(2) ***Electronic Signatures by the Division*.** County employees in the Division are authorized to use Electronic Signatures to the extent the County employees in the Division are authorized to execute procurement documents.

3.559 TANGIBLE PERSONAL PROPERTY OF COUNTY.

(1) ***Generally*.** Chapter 274, Florida Statutes and Rule 69I-73, Florida Administrative Code, as may be amended govern Property (also known as tangible personal property or fixed assets) owned by the County. Property control measures are set to provide a basis for establishing insurance values, maintain Property documentation to assist with replacement planning, transfer of Property within the County, and the disposition of surplus Property. The Property Administrator within the Division is delegated by the Board the responsibility for overseeing Property control measures, as outlined in this Section, for User Departments and other County entities such as, Constitutional Officers, the State Attorney's Office, and the Public Defender's Office. As authorized by Chapter 274, Florida Statutes, as may be amended, each User Department director, and respective Constitutional Officer, State Attorney, and Public Defender are delegated as the "Custodian," (with authority to designate a Custodian's Delegate within the respective department or office) who is each responsible for County Property within the respective User Department or entity, whichever is applicable.

(2) ***Threshold for Recording Property*.** In accordance with Rule 69I-73.002, Florida Administrative Code, all Property with a value or cost of FIVE THOUSAND AND NO/100 ($5,000.00) or more and a projected useful life of one (1) year or more and Attractive Items with a value or cost less than FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00), must be recorded in the County's financial system for inventory

purposes. For clarity, Attractive Items are not capital assets, but includes property that is susceptible to theft or loss, such as small generators, electronics, and trailers.

(3) ***Property Acquisition and Control Procedures*.** The Property Administrator must be notified in writing when a User Department receives Property, including the method of purchase. A BCC identification number will be assigned and will be physically affixed or otherwise marked by the Property Administrator or Custodian and registered in the County's financial system for inventory purposes.

(4) ***Property Donations*.**

(A) ***Receipt of Donated Property.*** User Departments receiving donated Property must promptly prepare and submit a memo to the Property Administrator, who will assign a BCC identification number and record the Property in the County's financial system for inventory purposes. The memo must include:

(i) how the Property was acquired;

(ii) the person or entity donating the Property;

(iii) a description of the Property, including the condition; and

(iv) an estimated dollar value of the Property.

(B) ***Donating County Property*.** User Departments seeking to donate surplus Property must prepare and submit a memo to the Purchasing Manager requesting approval, including documentation from the receiving entity confirming the request or acceptance of Property and the entity's tax exemption letter. The memo must include:

(i) a description of the Property; and

(ii) the BCC identification number.

(5) ***Inventory of County Property*.** In accordance with Rule 69I-73.006, Florida Administrative Code, the Property Administrator must coordinate with each Custodian or the Custodian's Delegate, to conduct a complete physical inventory of all Property, within the respective departments or offices, annually and whenever there is a change of Custodian or change of Custodian's Delegate. Custodians must notify the Property Administrator in writing within ten (10) Business Days when there is a change of Custodian or change of Custodian's Delegate. Within ten (10) Business Days from the completion of the physical inventory, the Custodian or the Custodian's Delegate is responsible for completing the Asset Disposition Form for Property not found during the physical inventory and providing a copy of the police report (when applicable). The Asset Disposition Form is located on the Division's intranet webpage for User Departments or can be requested by other offices from the Property Administrator. The Property Administrator must prepare a report pertaining to the inventory of County Property and will provide such report to the County Manager, Chief Financial Officer, and the Clerk of the Circuit Court and Comptroller's Office.

(6) ***Surplus County Property*.** County Property determined to be surplus Property, as specified in Section 274.05, Florida Statutes, as may be amended, may be disposed in coordination with the Property Administrator. The manners of disposition include Property sold, donated, transferred, cannibalized, scrapped, destroyed, or traded. The User Department or office may offer surplus Property to other governmental units in the County. Prior to relocation of County Property, the Asset Disposition Form must be completed and promptly provided to the Property Administrator. County staff involved in the disposal of surplus Property must promptly provide the Property Administrator supporting documentation, which includes, insurance recovery funds, irrespective of the responsibility of the County staff charged with completing the Asset Disposition Form. User Departments must receive written approval from the Fleet Services Manager for disposition of rolling stock. Thereafter, rolling stock can be disposed of by the Property Administrator with the use of a Licensed Salvage Motor Vehicle Dealer, who must apply for a Certificate of Destruction, in accordance with Section 319.30, Florida Statutes, as may be amended. Each User Department or office is responsible for the expense associated with the relocation of the Property, including logistical planning. Non-rolling stock with no salvage value can be disposed of as determined by the Custodian or Custodian's delegate in accordance with Section 274.06, Florida Statutes, as may be amended.

3.560 COMPLIANCE WITH LAWS. Vendors and the County must comply with all applicable laws, regulations, codes, policies, and procedures. For procurements involving State or Federal Funds, the County will include applicable provisions in the contract between the County and the Vendor, such as Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts under Federal Awards. All references to the laws, regulations, codes, policies, and procedures in this Purchasing Policy include those as may be amended.

3.561-3.570 RESERVED.

II SOURCE SELECTION AND CONTRACT FORMATION

3.571 GENERAL.

(1) ***Competitive Procurement*.** The County must procure goods and services in accordance with the Purchasing Ordinance and the Purchasing Policy. User Departments may not split the purchase of goods and services to avoid competitive procurement thresholds. When determined by the Division to be in the best interest of the County, the Division may combine requirements to competitively procure goods and services. The authorization document issued by the County may be on a fixed fee basis, where the scope of work is clearly defined and labor categories and rates are included in the contract; or may be on a not-to-exceed basis, where the scope of work is not clearly defined. To the extent feasible, the County encourages and promotes the use of recycled goods.

(2) ***Types of Solicitations*.** Depending on the goods or services sought, the County may use any of the following types of solicitations to procure goods and services: Invitation for Bid and BID ("IFB" or "BID"), Construction Contract ("CC"),

Request for Proposal ("RFP"), Professional Services ("PS"), Design-Build ("DB"), Request for Information ("RFI"), and Request for Qualifications ("RFQu").

(3) ***Additional Approvals Required from Specific User Departments*.** Prior to the procurement of goods and services for the User Departments listed below, the following specific approvals must be obtained by User Departments:

(A) Fleet and Facilities – The approval of the Fleet Manager or Designee is required for the procurement of vehicles, motorized equipment, roadway equipment, after-market enhancements, and other Fleet related purchases.

(B) Information Technology – The approval of the Chief Information Officer or Designee is required for the procurement of goods and services that leverage solutions and equipment related to externally hosted technology, telecommunications, technology infrastructure/network, peripherals, software (both subscriptions and perpetual licenses), endpoints and devices, and maintenance and support contracts. Information Technology is responsible for reviewing the contemplated procurement to determine whether any portions of the solicitation include information that would be confidential and/or exempt from Florida's Public Records Law, redacting the applicable portions of the solicitation, and advising the Division accordingly.

(C) Emergency Management (Telecommunications) – The approval of the Emergency Manager or Designee is required for the procurement of goods and services for radio systems and all associated software and hardware, including interfaces to mission critical voice 911 dispatch communication equipment, computer aided dispatch ("CAD"), fire alerting systems, secured encrypted communications, radio tower leases, and all inside building structured cabling systems. Emergency Management (Telecommunications) is responsible for coordinating with Information Technology and reviewing the contemplated procurement to determine whether any portions of the solicitation include information that would be confidential and/or exempt from Florida's Public Records Law, redacting the applicable portions of the solicitation, and advising the Division accordingly.

(D) Human Resources – The approval of the Director of Human Resources or Designee is required for the temporary hiring of employees, including staffing hired through an employment agency.

(E) County Manager's Office – Any use of the County logo must be approved in advance by the County Manager or Designee.

(4) ***Contract Negotiations.*** Contract negotiations are intended to finalize the agreement terms, conditions, scope of work, or the Vendor's technical or price proposal. When contract negotiations are necessary or in the best interests of the County, the negotiations team must develop a negotiation strategy to address each identified issue prior to entering negotiations with the Vendor. The Procurement Analyst will serve as the negotiations team leader and the lead negotiator on pricing issues. The County's Project Manager will be the lead negotiator on technical issues. Other members of the negotiation team may take the lead in respective areas of expertise; however, the

Procurement Analyst is responsible for maintaining the focus and direction of the negotiation.

(5) ***Sales Tax Recovery*.** When determined by the Purchasing Manager or Designee, in coordination with the User Department, to be in the best interest of the County, Sales Tax Recovery ("STR") Resolution No. 96-R-177 will apply to the procurement of goods in construction projects. For procurements where the STR Resolution will apply, the Division will coordinate with the CAO to include specific requirements for Vendors in both the solicitation and the contract.

(A) Vendors must include total costs in their submittal, including price of goods (e.g., materials and equipment, with taxes included) and services, including all labor and administrative costs, inspection, handling, and storage costs, if any. If builder's risk insurance is required in the solicitation, Vendor's submittal must provide insurance coverage for the entire construction project, including the costs for goods subject to STR. Vendors must require that their suppliers follow the County's STR procedures.

(B) After award, the Vendor must furnish the County with a list identifying goods to be procured by the County for the construction project. The list must be reviewed and approved by the County project manager and the engineer of record.

(C) Once approved by the County project manager and the engineer of record, the User Department must complete a STR requisition and include information such as, item quantities, pricing by the Vendor's suppliers, delivery location, date of delivery, and any special terms that have been negotiated between the Vendor and their suppliers pertaining to payment terms, discounts, rebates, warranty information, credits, and any other applicable terms and conditions.

(D) Upon receipt of a STR requisition with all information required by the Division, the Division will issue a Purchase Order with supporting documentation to the supplier and will require a Certificate of Entitlement from the User Department.

(E) The Vendor must generate a deductive change order stating the total price in the Purchase Order including the amount of sales tax. The deductive change order must be approved by the County project manager and submitted to the Division to be executed by the Purchasing Manager or Designee. The deductive change order must be executed before the Purchase Order is paid.

(F) The Vendor is responsible for confirming the goods received from suppliers as well as goods delivered to the County meet the requirements of the solicitation and the executed contract, including the related Purchase Order and change orders. Once confirmed, the Vendor, must submit all applicable invoices to the County representative. After review and upon approval, the County will make payment directly to the supplier in accordance with the Purchase Order. The County reserves the right to have a representative present during receipt of goods for the County construction project.

(G) Under STR, the Vendor must warrant the goods in the same manner as non-STR goods and will be responsible for any schedule interruptions or delays in connection with the goods. The Vendor must provide the County representative with a monthly report documenting the amount and description of STR goods accepted by the Vendor.

(6) ***County Purchased Goods*.** User Departments are authorized to prepare scopes of work for projects such that goods are competitively procured directly from a Vendor, as authorized in the Purchasing Ordinance and Purchasing Policy. In these instances, the County may benefit from exemption of taxes, subject to Section 212.08, Florida Statutes, and Rule 12A-1.094, Florida Administrative Code, as may be amended. From the time of acceptance, the County assumes the risk of loss of any County purchased goods until the County provides the goods to the installation Vendor. The County project manager must notify the County's Risk Management Division, in writing, in advance when the County intends to purchase goods under this Section for coordination of storage location and to mitigate the risk of loss through appropriate insurance, which may include deductibles or self-insured retention.

(7) ***Application of Sunshine Law to Purchasing Meetings.*** Section 286.011, Florida Statutes, as may be amended, commonly referred to as the "Sunshine Law," provides a right of access to governmental proceedings and certain meetings, subject to statutory exemptions that may apply under certain conditions. Generally, while informal discussions among County staff are not subject to the Sunshine Law, Section 286.0113, Section 255.0518, and Section 255.0525, Florida Statutes, as may be amended, apply to certain meetings relating to or involving solicitations and Vendors, such as bid and proposal openings. The Division must ensure these statutory requirements are met.

(8) ***Public Records Law*.** Sealed bids and proposals are exempt from Public Records Law for a temporary duration in accordance with Section 119.071(1)(b)(2), Florida Statutes, as may be amended.

3.572 BRAND NAME OR EQUAL SPECIFICATIONS. User departments may seek to use a particular brand for certain goods. In these situations, the desire to use a particular brand is not due to the brand itself, but rather due to the minimum characteristics and level of quality provided by a specific brand that meet the County's needs. When User departments desire to procure a particular brand for certain goods, User departments must prepare and provide the Division clear specifications, including the level of performance required of the goods, to allow for "brand name or equal" submittals by Vendors.

3.573 RESPONSIBILITY AND RESPONSIVENESS.

(1) ***Responsive*.** The County will review the Vendor's submittal for Responsiveness. A lack of conformity that is non-material in nature may be considered a technicality or irregularity that may be waived by the Division, in its sole discretion.

(2) ***Responsibility*.** In determining whether a Vendor is Responsible, the County will perform due diligence in reviewing the following factors, which may include:

(A) the ability, capacity, and skill of the Vendor to perform the contract;

(B) the character, integrity, reputation, judgment, experience, and efficiency of the Vendor;

(C) the quality of Vendor's performance on previous contracts;

(D) the previous and existing compliance by the Vendor with applicable laws, regulations, codes, policies, and procedures;

(E) the sufficiency of Vendor's financial resources;

(F) the quality, availability, and adaptability of Vendor's goods and services to the particular use required;

(G) the number and scope of exceptions to the draft contract proposed by Vendor;

(H) reasonableness of the price proposed;

(I) whether the Vendor meets licensing and certification requirements;

(J) whether the Vendor can perform the contract promptly, or within the time specified, without delay or interference;

(K) whether the Vendor is suspended or debarred by the County, another locality in the State of Florida, or the State of Florida;

(L) whether the Vendor is active and legally registered to conduct business in the State of Florida; and

(M) the Vendor's ability to meet insurance requirements.

(3) ***Request for Additional Information and Failure to Provide Requested Information*.** At any time, the Division may request additional information from a Vendor that has formally responded to a solicitation. If the Vendor fails to provide the information within the timeframe requested by the Division, the Division will base the determination of Responsibility upon information available or may find the Vendor non-Responsive. If the Vendor is found non-Responsive or non-Responsible, the Division Manager or Designee will prepare a written determination setting forth the basis of the finding. A copy of the Division's findings will promptly be provided to the Vendor and a copy will be made part of the contract file.

3.574 SMALL PURCHASES.

(1) ***Generally.*** A purchase in an amount less than the Mandatory Bid Limit must be made in accordance with the procedures authorized in this Purchasing Policy.

(2) ***Purchases $10,000.00 or Less.*** A purchase in an amount TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) or less may be made in accordance with the "Purchasing Card (P-Card) Program" Section of this Purchasing Policy, or by requesting a Purchase Order or Blanket Purchase Order for issuance and execution by

the Division. Blanket Purchase Orders may not be issued for a single item exceeding FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00).

(3) ***Purchases between $10,000.01 and $25,000.00.*** Two (2) quotes must be obtained by the User Department and provided to the Division with the requisition for purchases between TEN THOUSAND AND 01/100 DOLLARS ($10,000.01) and TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00). Upon receiving the quotes, User Departments must complete a Quotation Form and submit it to the Division. The Division will issue and execute either a Purchase Order or a Blanket Purchase Order. Blanket Purchase Orders may not be issued for a single item exceeding FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00).

(4) ***Request for Quotations ("RFQ") between $25,000.01 and $100,000.00*****.** The Division will attempt to obtain at least three (3) written quotes and will provide the quotes to the User Department for purchases between TWENTY-FIVE THOUSAND AND 01/100 DOLLARS ($25,000.01) and ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00). The Division will issue and execute a Purchase Order.

(5) ***Documentation*****.** The Division shall maintain documentation on the quotes received to justify the award.

(6) ***Award.*** Generally, the purchase must be made from the lowest, Responsive, Responsible Vendor; however, if the purchase is from a Vendor that is not the lowest priced Vendor, the User Department must provide the Division written justification for review and approval to ensure the purchase is in the best interest of the County. Once approved by the Division, the User Department is responsible for entering a requisition for a Purchase Order.

3.575 COMPETITIVE SEALED BIDDING.

(1) ***Generally*****.** The procurement of goods and services equal to or greater than the Mandatory Bid Limit must be competitively awarded, unless an exemption to the competitive solicitation requirement exists within the Purchasing Ordinance or the Purchasing Policy, as authorized by law.

(2) ***Types of Solicitations*****.**

(A) ***Invitation for Bid and BID.*** An IFB and BID is used when there is a defined scope. IFB results in a term contract where Vendors may not begin work without a Release Order. For an IFB that includes the procurement of Property, User Departments must request a Purchase Order from the Division. BID is used for one-time purchases where Vendors may not begin work without a Purchase Order.

(B) ***Construction.*** Construction solicitations are used for projects involving the construction or improvement of public property, resulting in a construction contract ("CC"). For project specific CC's, Vendors may not begin work without a Notice to Proceed. For CC master services agreements, projects will be competed among the awarded Vendors and a Work Order will be issued to the lowest priced Vendor.

(3) ***Public Notice*.**

(A) ***IFB and BID.*** Public notice for IFB and BID must be advertised in a newspaper of general circulation and on the County website for a reasonable period prior to bid opening.

(B) ***Construction*.** Public notice for construction projects must be advertised in accordance with Section 255.0525, Florida Statutes, as may be amended. Note, there are differing advertisement requirements based on the monetary thresholds referenced in the statute.

(C) ***Pre-Bid Conference.*** The Division will coordinate with the User Department to determine whether a pre-bid conference is appropriate. If a pre-bid conference is requested by the User Department, one will be scheduled in accordance with Section 255.0525(2), Florida Statutes, as may be amended.

(4) ***Liquidated Damages.*** As it may be difficult to calculate damages resulting from the failure of a Vendor to complete the contract on time, liquidated damages may be included in the contract. Liquidated damages are enforceable if the assessment is not strictly a penalty, and the assessment of actual damages as of the time of making the contract is uncertain. The amount of liquidated damages must not be unreasonable, must not be so grossly disproportionate to any damages that might reasonably be expected to follow from a breach, and must not be intended to induce the breaching Vendor to perform the contract. User Departments are responsible for determining the appropriate amount of liquidated damages prior to advertisement of a solicitation. Nothing in this Section is intended to limit the County's ability to include a provision for liquidated damages and the County's ability to collect actual damages for other elements calculated based on costs actually incurred.

(5) ***Bid Submission*.** It is the sole responsibility of the Vendor to ensure the Vendor's bid reaches the location, time, and date specified in the solicitation. Bids received after the time and date, and at any other location than specified, will not be accepted and will be returned unopened to the Vendor. Irrespective of the method of delivery chosen by the Vendor, the County will bear no responsibility for Vendor's failure to successfully deliver bids to the County in accordance with the solicitation. Vendors may withdraw bids at any time prior to bid opening, provided the person within the Vendor's organization who submitted the bid provides a written request, which will be confirmed verbally by the Division.

(6) ***Bid Review*.** Bids will be reviewed initially by the Division for Responsiveness and Responsibility. For construction projects, a Review Committee will review bids to further determine Responsibility and will be responsible for conducting reference checks unless such reference checks are requested to be performed by the Division. Except when requested for the Division to perform reference checks, upon gathering information, the Review Committee must promptly forward to the Division written comments from references. For non-construction purchases, the County's Project Manager will review bids and will provide a recommendation for award to the Division. The Division may request additional information to determine whether the Vendor is Responsible. If the Vendor fails to timely provide the requested information,

the County may base the determination of a Responsible Vendor upon the information available or may determine the Vendor to be non-Responsive. Prior to award or rejection, the Purchasing Manager must consider any additional information gathered as it relates to whether a Vendor is Responsible. Nothing in this Section is intended to prohibit the acceptance of a voluntary reduction in price from the lowest bidding Vendor after bid opening and prior to award, provided such reduction is not conditioned on, or does not result in, the modification or deletion of any items submitted by Vendor in response to the solicitation.

(7) ***Errors in Extension of Unit Prices*.** Prior to award, the Division may correct calculation errors in the extension of unit prices provided in the Vendor's submittal, upon Vendor's concurrence in writing to correct the calculation errors. If the Vendor does not concur to the correct calculation of the extension of unit prices, the Vendor's bid will be deemed non-Responsive. The County will not revise the unit prices bid. If a Vendor provides bid prices in words and in digits and the words and the digits do not match, the words will control. Any other discrepancies in the bid may be sufficient to consider the bid as non-Responsive.

(8) ***Requirement for Bid Security*.** A Vendor must provide Bid Security for all competitive sealed bidding for construction contracts if the price is estimated to exceed TWO HUNDRED THOUSAND AND NO/100 DOLLARS ($200,000.00) or if required by the Purchasing Manager or Designee.

(A) ***Amount of Bid Security*.** The amount of Bid Security required will be indicated in the solicitation.

(B) ***Rejection of Bids for Non-Responsiveness with Bid Security Requirements*.** If the solicitation requires Bid Security and Bid Security is not provided with the bid, the bid will be rejected as non-Responsive.

(10) ***Withdrawal of Bid*.** A Vendor may withdraw their bid prior to bid opening. At Vendor's option, Vendor may re-submit their bid prior to bid opening. If the Vendor withdraws their bid prior to bid opening, no action will be brought against the Bid Security. Failure to withdraw a bid prior to bid opening may result in County retaining Vendor's Bid Security. For the avoidance of doubt, Vendor may not re-submit their bid after bid opening.

(11) ***Unbalanced Bids*.** The County will review bids for any extreme variations from the County's estimate or where obvious unbalanced unit or lump sum pricing exists. If a bid contains the aforementioned, the Division will prepare written justification to support the award or determine the bid non-Responsive.

(12) ***Bids Exceeding Budgeted Funds*.** If only one (1) bid is received from a Responsive, Responsible Vendor which exceeds the County's budgeted funds, the Purchasing Manager or Designee may negotiate an adjustment to the bid price or bid specifications provided, that it would not be in the County's best interest to re-solicit due to time and economic concerns.

(13) ***Tie Bids*.** If a tie results between two or more lowest, Responsive, Responsible Vendors, a best and final offer will be requested from the tied Vendors. If the best and final offer results in a tie, the shortest delivery time will be used as the basis for award, and if the shortest delivery time results the same, a coin flip will be performed as the basis for award.

(14) ***Award*.**

(A) ***Generally*.** The County will enter into a contract with the lowest, Responsive, Responsible Vendor in accordance with the Purchasing Ordinance and the Purchasing Policy. In the event only one (1) bid is received, the County may award or negotiate with the sole Vendor if it is deemed to be in the best interest of the County. For contract awards to multiple Vendors, the County will distribute the work equally. Equal distribution of the work will be measured by the dollar value of the work, such that each Vendor obtains an equal share, to the extent possible, of the total dollars spent annually on the contract.

(B) ***Public Construction Projects*.** The construction or improvement of a public building, structure, or other public construction work and electrical work must be Competitively Awarded to an appropriately licensed contractor for each project estimated to cost more than the monetary thresholds specified in Section 225.20(1), Florida Statutes, as may be amended. “Competitively Awarded” for purposes of this “Public Construction Projects” Section is defined and specified in Section 255.20(1), Florida Statutes, as may be amended.

(i) ***Continuing Contracts for Public Construction Projects*.** The construction or improvement of a public building, structure, or other public construction work must be Competitively Awarded to an appropriately licensed contractor for each project that is estimated to cost equal to or less than the monetary thresholds defined and specified in Section 255.20(1), Florida Statutes, as may be amended, provided that each Work Order under the contract does not also exceed such monetary thresholds.

(C) ***County Road System*.** County Road System projects, such as construction and reconstruction of roads and bridges, resurfacing, full scale mineral seal coating, and major bridge and bridge system repairs estimated to cost more than the monetary threshold specified in Section 336.41(4), Florida Statutes, as may be amended, must be competitively awarded. The County may elect to utilize a continuing contract based on unit prices, provided that each Work Order under the contract does not exceed the estimated costs specified in 287.055(2)(g), Florida Statutes, as may be amended. Notwithstanding, all construction and reconstruction of roads and bridges, including resurfacing, full scape mineral seal coating, and major bridge and bridge system repairs, to be performed utilizing the proceeds of the eighty percent (80%) portion of the surplus of the constitutional gas tax must be competitively awarded in accordance with Section 336.41(4), Florida Statutes, as may be amended.

3.576 COMPETITIVE SEALED PROPOSALS.

(1) ***Generally*.** The procurement of goods and services equal to or greater than the Mandatory Bid Limit must be competitively awarded, unless an exemption to the competitive solicitation requirements exists within the Purchasing Ordinance or the Purchasing Policy, as authorized by law.

(2) ***Types of Solicitations*.**

(A) ***Request for Information ("RFI").*** An RFI is used to solicit information from Vendors that will be the basis for the award of a contract or that will result in a subsequent solicitation.

(B) ***Request for Proposal ("RFP").*** An RFP is used to procure goods and services when the requirements are not clearly known, are qualitative rather than quantitative, or when the User Department seeks a solution to a problem, and the selection of a Vendor is made based on an evaluation where price is one factor among others specified in the solicitation. For contracts pursuant to an RFP, Vendors must not begin work without a Purchase Order or Work Order.

(C) ***Request for Qualifications ("RFQu")***. An RFQu is used to obtain statements of qualifications from Vendors to gauge interest in the marketplace or to select the most qualified Vendors to move forward in an RFP solicitation process, either of which may result in the award of an Agreement.

(3) ***Public Notice*.** Public notice must be advertised in a newspaper of general circulation and on the County website in accordance with Section 255.0525, Florida Statutes, as may be amended.

(4) ***Pre-Proposal Conference.*** The Division will coordinate with the User Department to determine whether a pre-proposal conference is appropriate. If a pre-proposal conference is requested by the User Department, one will be scheduled in accordance with Section 255.0525(2), Florida Statutes, as may be amended.

(5) ***Proposal Submission*.** It is the sole responsibility of the Vendor to ensure the Vendor's proposal reaches the location, time, and date specified in the solicitation. Proposals received after the time and date, and at any other location than specified, will not be accepted and will be returned unopened to the Vendor. Irrespective of the method of delivery chosen by the Vendor, the County will bear no responsibility for Vendor's failure to successfully deliver proposals to the County in accordance with the solicitation. Vendors may withdraw proposals at any time prior to proposal opening, provided the person within the Vendor's organization who submitted the proposal provides a written request, which will be confirmed verbally by the Division.

(6) ***Proposal Review and Evaluation Committee*.**

(A) Proposals will be reviewed initially by the Division for Responsiveness and Responsibility.

(B) The Evaluation Committee will independently evaluate proposals fairly and equally based only on the criteria set forth in the solicitation and must provide detailed comments. The method of evaluation will be specified in the RFP as either a weight (points) system or a rating (adjectival) system.

(i) For the weight (points) system, each criterion will be assigned a specific percentage and each Evaluation Committee member must document justification for the score given, which includes describing strengths, weaknesses, and deficiencies.

(ii) For the rating (adjectival) system, each criterion will be assigned a specific adjective and the Evaluation Committee member must document justification for the adjective given. The adjectives are: *Highly Acceptable* – proposals that exceed the criterion requirement and have enhancing features, which must be documented, as benefitting the County; *Acceptable* – proposals that meet the County's requirements; *Marginal* – proposals contain minor weaknesses or deficiencies, which must be documented, and that could have an impact if accepted; and *Unsatisfactory* – proposals that contain major weaknesses or deficiencies, which must be documented, and that could have a negative impact on the project.

(C) The Division will coordinate and facilitate the Evaluation Committee meeting and assist the Evaluation Committee in complying with procedural and statutory requirements. In the sole discretion of the County, the County may elect to have Vendors serve as consultants in an advisory or subject matter expert capacity, but not as an evaluator.

(D) After review and evaluation of proposals, a final ranking will be established. At the Evaluation Committee's request, the Division may invite top ranked Vendors for discussions and presentations to assure the Vendor's full understanding of the scope of services. The Evaluation Committee will also be responsible for conducting reference checks unless such reference checks are requested to be performed by the Division. Except when requested for the Division to perform reference checks, upon gathering information, the Evaluation Committee must promptly forward to the Division comments from references.

(E) The Division may request "best and final offers" or conduct negotiations for minor scope changes and pricing from the top ranked Vendors.

(F) The Division may negotiate with the highest-ranked Responsive, Responsible Vendor, for an adjustment to the price proposal, specifications, or both to enter into a contract within budget.

(7) ***Award.*** The Division will compile the Evaluation Committee's scores to determine the final ranking. The County will enter into a contract with the top-ranked, Responsive, Responsible Vendor determined, in writing, to be the most advantageous to the County. In the event only one (1) proposal is received, the County may award or negotiate with the sole proposer, if determined to be in the best interest of the County.

3.577 CONSULTANTS' COMPETITIVE NEGOTIATION ACT.

(1) ***Generally*.** Services within the scope of the practice of architecture, landscape architecture, professional engineering, and registered surveying and mapping are governed by Section 287.055, Florida Statutes, as may be amended, also known as the "Consultants' Competitive Negotiation Act ("CCNA").

(2) ***Types of Solicitations*.**

(A) *Professional Services ("PS")* are used for projects governed by the CCNA. PS solicitations may result in a master services agreement. Under master services agreements, Vendors must not begin work until the Division issues a Work Order. Alternatively, PS solicitations may result in a project specific agreement. Under project specific agreements, Vendors may begin work upon full execution of the agreement.

(i) *Project-Specific* in accordance with Section 287.055, Florida Statutes, as may be amended.

(ii) *Continuing Contracts* means the definition used in Section 287.055(2)(g), Florida Statutes, as may be amended.

(iii) *Construction Manager at Risk ("CMAR")* means a professional services solicitation for a consultant who will provide pre-construction services (e.g., constructability reviews and cost estimating) and construction services (with their own workforce and sub-contractors), assuming all responsibility for the construction of a project at a Guaranteed Maximum Price.

(iv) *Construction Management ("CM")* a professional services solicitation for a consultant to oversee a construction project on behalf of the COUNTY.

(B) *Design-Build* ("*DB*") means a single contract with a Design-Build Firm for the design and construction of a public construction project. Vendors must not begin work until a Notice to Proceed is issued.

(3) ***Public Notice*.** The County must provide notice in accordance with Section 287.055(3), Florida Statutes, as may be amended. Public notice for solicitations must be advertised in a newspaper of general circulation and on the County website for a reasonable period prior to solicitation opening.

(4) ***Proposal Submission*.** It is the sole responsibility of the Vendor to ensure the Vendor's proposal reaches the location, time, and date specified in the solicitation. Proposals received after the time and date, and at any other location than specified, will not be accepted and will be returned unopened to the Vendor. Irrespective of the method of delivery chosen by the Vendor, the County will bear no responsibility for Vendor's failure to successfully deliver proposals to the County in accordance with the solicitation. Vendors may withdraw proposals at any time prior to proposal opening, provided the person within the Vendor's organization who submitted the proposal provides a written request, which will be confirmed verbally by the Division.

(5) ***Due Diligence*.** If after proposal opening, there are fewer than three (3) firms that respond to the solicitation, the Division must perform due diligence and determine that every effort was made to meet the requirements set forth in Section 287.055(4), Florida Statutes, as may be amended. Once a determination has been made that such due diligence was performed, the County will proceed with evaluation of the proposals received or may choose to cancel the solicitation and issue a new solicitation.

(6) ***Proposal Review and Evaluation*.** Proposals will be reviewed initially by the Division for Responsiveness and Responsibility. The Evaluation Committee will independently evaluate proposals fairly and equally based only on the criteria set forth in the solicitation and in compliance with Section 287.055, Florida Statutes, as may be amended. In the sole discretion of the County, the County may elect to have Vendors serve as consultants in an advisory or subject matter expert capacity, but not as an evaluator.

(A) The Evaluation Committee will evaluate statements of qualifications and performance data submitted and must conduct discussions with Vendors, and may require public presentations in accordance with Section 287.055(4)(a), Florida Statutes, as may be amended.

(B) The Evaluation Committee must select in order of preference no fewer than three (3) firms deemed to be the most highly qualified to perform the required services, in accordance with Section 287.055(4)(b), Florida Statutes, as may be amended. Thereafter, the Division must provide such order of preference to the Board for authorization to negotiate a contract.

(7) ***Competitive Negotiation and Award*.** Once the Board approves the ranking and authorization has been provided to negotiate with the top ranked firm(s), the Procurement Analyst will request a rate schedule and a Truth-in-Negotiation certificate from the top ranked firm or firms and the Division will negotiate a contract with the most qualified firm or firms for Professional Services at compensation which the Division determines is fair, competitive, and reasonable, in accordance with Section 287.055(5), Florida Statutes, as may be amended.

3.578 DESIGN-BUILD SERVICES.

(1) ***Generally*.** The County may elect to use a Design-Build Firm for the procurement of design-build services pursuant to a Design-Build Contract. Design-build services must be procured in accordance with Section 287.055(9), Florida Statutes, as may be amended. The solicitation documents must identify which procurement method will apply for the project.

(2) ***Procurement Methods*.** Pursuant to Section 287.055(9)(c), Florida Statutes, as may be amended, the County must use one of two types of procurement methods, as further specified in the statute:

(A) *Competitive Proposal Selection Process*.

(B) *Qualification Based Selection Process.*

(3) ***Public Notice*.** The County must provide notice in accordance with Section 287.055(3), Florida Statutes, as may be amended. Public notice for solicitations must be advertised in a newspaper of general circulation and on the County website for a reasonable period prior to solicitation opening.

(4) ***Proposal Submission*.** It is the sole responsibility of the Vendor to ensure the Vendor's proposal reaches the location, time, and date specified in the solicitation. Proposals received after the time and date, and at any other location than specified, will not be accepted and will be returned unopened to the Vendor. Irrespective of the method of delivery chosen by the Vendor, the County will bear no responsibility for Vendor's failure to successfully deliver proposals to the County in accordance with the solicitation. Vendors may withdraw proposals at any time prior to proposal opening, provided the person within the Vendor's organization who submitted the proposal provides a written request, which will be confirmed verbally by the Division.

(5) ***Proposal Opening*.** Proposals will be opened in accordance with Section 255.0525(2), Florida Statutes, as may be amended.

(6) ***Proposal Review and Evaluation*.** Proposals will be reviewed initially by the Division for Responsiveness and Responsibility. The Evaluation Committee will independently evaluate proposals fairly and equally based on the criteria set forth in the solicitation and Section 287.055, Florida Statutes, as may be amended. Only the criteria set forth in the solicitation and Section 287.055, Florida Statutes, as may be amended, may be used to evaluate the proposals. In the sole discretion of the County, the County may elect to have Vendors serve as consultants in an advisory or subject matter expert capacity, but not as an evaluator.

(A) The Evaluation Committee will evaluate statements of qualifications and performance data submitted and must conduct discussions with, and may require public presentations by, no fewer than three (3) Design-Build Firms, in accordance with Section 287.055(4)(a), Florida Statutes, as may be amended. If there are fewer than three (3) Design-Build Firms that respond to the solicitation, the Division must perform due diligence and determine that every effort was made to meet the requirements set forth in Section 287.055(4), Florida Statutes, as may be amended. Once a determination has been made that such due diligence was performed, the County will proceed with evaluation of the proposals.

(B) If at least three (3) Design-Build Firms have submitted proposals or after performing due diligence when fewer than three (3) Design-Build Firms respond to the solicitation, the Evaluation Committee must select in order of preference no fewer than three (3) Design-Build Firms deemed to be the most highly qualified to perform the required services, in accordance with Section 287.055(4)(b), Florida Statutes, as may be amended. Thereafter, the Division must provide such order of preference to the Board for authorization to negotiate a contract.

(7) ***Competitive Negotiation and Award*.** Once Board authorization has been provided, the Division must negotiate a contract with the most qualified Design-Build Firm at compensation which the Division determines is fair, competitive, and

reasonable, in accordance with Section 287.055(5), Florida Statutes, as may be amended.

(8) ***Stipend to Unsuccessful Shortlisted Design-Build Firms***. The County may, in its sole discretion, offer a stipend to unsuccessful shortlisted Design-Build Firms. The determination of whether a stipend will be offered must be made by the County prior to public notice of the solicitation and will be based upon the User Department's analysis of the estimated proposal development costs and the anticipated degree of engineering design required during the procurement process. The stipend must be conditioned upon the effect that if an unsuccessful shortlisted Design-Build Firm accepts the stipend, the County acquires ownership of the design work prepared for the submittal and the County may use the design work in County's sole discretion.

3.579 PURCHASING CARD (P-CARD) PROGRAM.

(1) ***Generally*.** The County P-Card Program is designed to improve efficiency in processing low dollar procurements from any Vendor that accepts a credit card.

(2) ***P-Card Form*.** Upon the completion of a Purchasing Card Request Form ("PCRF") by the User Department and submittal of the PCRF to the Division, the Division will submit the request for the issuance of a P-Card in the name of the County employee. Each cardholder's spending limit is specified on the PCRF completed by the User Department and approved by the User Department director. In the case of User Department directors, the PCRF must be approved by the County Manager or Designee. User Departments may specify more restrictive requirements for use of the P-Card on the PCRF than specified in this "Purchasing Card (P-Card) Program" Section. User Departments must submit a revised PCRF to the Division in the event of any changes (e.g., request for closure of the P-Card, changes to spend limits, departmental transfers, or temporary pauses of the P-Card due to extended absences) to the original PCRF submitted.

(3) ***Lost or Stolen P-Cards*.** In the event a cardholder's P-Card is lost or stolen, the cardholder must immediately notify the issuing bank, the Delegate, if any, and the Division.

(4) ***P-Card Deactivation.*** Upon written notification to the Division, the Division will be responsible for promptly deactivating cardholders who separate from the County, whether by resignation or otherwise.

(5) ***Cardholders or Delegates*.** A cardholder or Delegate in the P-Card Program is tasked with responsibilities that include, but are not limited to:

(A) checking budget availability to support purchases;

(B) coding and Allocating P-Card charges to the User Department at the end of each billing cycle;

(C) signing the coded transaction report and verifying with cardholder's financial staff for accuracy;

(D) forwarding the coded transaction report to the Clerk of the Circuit Court and Comptroller's Office; and

(E) serving as the liaison between the Clerk of the Circuit Court and Comptroller's Office and the cardholder's department in reconciliation of transactions, invoices, fraud, and disputes.

(6) ***P-Card Training and P-Card Agreement*.** After submittal of the PCRF to the Division but prior to receipt of the P-Card, the County employee must attend initial training provided by the Division. After initial training is completed, all cardholders must sign a P-Card Agreement, signifying agreement to the terms and conditions specified in this Purchasing Policy. Thereafter, all cardholders and Delegates must attend annual training within thirty (30) days of notification from the Division. Failure to timely complete the annual training will result in loss of P-Card privileges.

(7) ***Cardholder Spending Limits*.**

(A) ***Maximum Credit Limit*.** The County's maximum credit limit on a P-Card is set to TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00). User Departments seeking a credit limit exceeding this amount must provide the Division a memorandum from the County Manager specifying the name of the individual approved to exceed the maximum credit limit and the amount approved for an increase.

(B) ***Single Item Purchase Limit*.** The single item purchase limit for goods is set to ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS ($1,500.00). The single item purchase limit may not be exceeded without the written approval of the Division.

(C) ***Total Amount Per Transaction Purchase Limit*.** The total amount per transaction purchase limit is set to FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00).

(D) ***Maximum Daily Transactions*.** The maximum daily (twenty-four (24) hour period) number of transactions is set to ten (10) and may not be exceeded without the written approval of the Division.

(8) ***P-Card Limitations*.**

(A) ***P-Card Use*.** The P-Card may be used for authorized County purchases set forth in this Purchasing Policy, including Direct Pay Items. The P-Card may only be used by the person whose name appears on the P-Card. P-Card cardholders are encouraged to use merchants who do not charge convenience fees. If no merchants are found who do not charge convenience fees, the convenience fees must not exceed five percent (5%) of the purchase. If convenience fees are expected to exceed five percent (5%), the purchase must be made by means other than through the use of a P-Card, as authorized by the Purchasing Ordinance and Purchasing Policy or through an approval in writing by the P-Card Administrator or Designee to proceed with the purchase. The Community Services Department may pay fees associated with the Shelter Plus Care and Rapid Re-Housing programs.

(B) ***Prohibited Uses*.** Cardholders may not:

(i) allow anyone other than the cardholder to use the P-Card;

(ii) copy or share the P-Card or the P-Card information in any form;

(iii) split purchases into multiple transactions or use multiple P-Cards to avoid compliance with this Purchasing Policy;

(iv) backorder or pre-pay for purchases; and

(v) conduct P-Card transactions that result in automatic renewal charges unless authorized in advance by the Division in writing.

(C) ***Prohibited Purchases*.** The P-Card may not be used to make the following purchases:

(i) gasoline, fuel, and oil for County or personal vehicles;

(ii) telephone, cell phone, and utility services;

(iii) gas-powered tools maintained by Fleet Services or gas-powered tools in an amount over FIVE HUNDRED AND NO/100 DOLLARS ($500.00);

(iv) payments on invoices older than forty-five (45) days, except as approved by the P-Card Administrator;

(v) food purchases, except as approved by the County Manager;

(vi) alcoholic beverages and tobacco products;

(vii) entertainment expenses;

(viii) clothing and apparel, except as approved by the County Manager;

(ix) gift cards, except as approved by the County Manager;

(x) taxes;

(xi) rental or lease of buildings or land, except with the use of a Centralized P-Card;

(xii) computer equipment, including software, personal computers, tablets, laptops, cell phones, printers, network equipment, or any computer equipment that is inserted into a computer, such as memory or disk drives over TWO HUNDRED AND NO/100 DOLLARS ($200.00), except by the Information Technology Department.

(D) ***Limited Use*.** Procurements for goods and services pursuant to County-approved contracts, including piggyback contracts, requires due diligence by the User Department to obtain contract pricing prior to the use of a P-Card.

(9) ***Emergency P-Cards*.** The Division has four (4) P-Cards designated as "Emergency Purchasing Cards" for use during declared emergencies by governmental entities, which affect the County. Emergency Purchasing Cards may be used by the Division or County employees designated by the County's Chief Financial Officer. County employees designated by the County's Chief Financial Officer to use Emergency Purchasing Cards must have completed initial P-Card training and the most recent annual P-Card training. Emergency Purchasing Cards may be used without limitation; however, purchases must be made in accordance with this Purchasing Policy to the extent practicable.

(A) Among the Division's four (4) Emergency Purchasing Cards, the County's Fire Department has two (2) Emergency Purchasing Cards for use during declared emergencies where Seminole County has been requested to assist. When County Fire Department employees are deployed, the Fire Chief or Delegate must notify the Division of the name and contact information, including current cell phone number, of those holding the Emergency Purchasing Cards.

(10) ***Centralized P-Card*.**

(A) The Division is responsible for the use of the Centralized P-Card on behalf of User Departments. The Centralized P-Card has a transaction and spend limit in the amount of THREE MILLION AND NO/100 DOLLARS ($3,000,000.00); however, transactions must be made in accordance with this Purchasing Policy to the extent practicable. Transactions that may be completed with the Centralized P-Cards are generally those that are reoccurring expenses.

(B) In the event, the User Department requests payment using the Centralized P-Card, the Division may require the User Department to enter a requisition in the financial system for processing, notating the requested use of the Centralized P-Card.

(11) ***P-Card Travel Privileges*.**

(A) ***Generally*.** Cardholder must submit to the Division an approved Travel Authorization Request Form ("Travel Form"), at least five (5) Business Days prior to the travel. Travel-related charges will be allowed for County-authorized travel for the dates specified on the Travel Form.

(B) ***Requirements*.**

(i) Travel expenses must be in accordance with the "Travel" Section (3.50) of the Seminole County Administrative Code, as may be amended.

(ii) Cardholders must include the completed Travel Form with each Allocation.

(C) ***Exception*.** The County's Tourism Division is not subject to this "P-Card Travel Privileges" Section.

(12) ***P-Card Transaction Documentation*.** All cardholders must obtain detailed documentation for each transaction and must Allocate transactions no later than 5:00 p.m. Sanford, Florida time on the 25th day of each month by reconciling the transactions appearing on the monthly coded transaction report. The reconciliation includes reviewing all information on the monthly coded transaction report, verifying charges, credits, outstanding disputes, refunds, and confirming appropriate account lines are used. In the case of the County's Fire Department for the use of Emergency Purchasing Cards specifically, the Delegate is responsible for the aforementioned. P-Card transaction documentation must be retained in accordance with the Florida Department of State, Division of Library and Information Services retention schedule requirements, including item #435 titled, "Financial Transaction Records: Detail," as may be amended.

(13) ***P-Card Program Internal Controls*.** The Clerk of the Circuit Court and Comptroller's Office is responsible for:

(A) reviewing each coded transaction report and supporting documentation to ensure compliance with County-established policies;

(B) contacting the Delegate or the cardholders to resolve any discrepancies found within the documentation and may escalate issues to the Division; and

(C) notifying the Division of all missing signatures, discrepancies, late coded transaction reports, receipts, or suspicious purchases for the Division to investigate and take the appropriate action in accordance with this Purchasing Policy.

(14) ***Disciplinary Actions.***

(A) A cardholder is in violation of this Purchasing Policy when one makes improper or unauthorized uses of the P-Card, including when one makes uses of the P-Card without strict adherence to the P-Card Program. In the event this occurs, the cardholder, Delegate, or anyone with knowledge of the violation must immediately report such violation to the Division. The Division is authorized to take the following actions as it pertains to P-Card privileges:

(i) First Offense – suspension of cardholder privileges for a minimum of seven (7) calendar days and written notification to immediate supervisor.

(ii) Second Offense – suspension of cardholder privileges for a minimum of thirty (30) calendar days and written notification given to immediate supervisor and User Department director.

(iii) Third Offense – immediate cancellation of P-Card and written notification to cardholder, immediate supervisor, User Department director, and the County's Human Resource Department.

(B) The County may, in addition to or in lieu of the Division's actions, take additional disciplinary actions against the cardholder, including suspension without pay; termination of employment; requiring the cardholder to reimburse the County for the total amount of improper charges through payroll deduction or direct payment; or pursuing civil or criminal charges.

3.580 APPROVAL AUTHORITY.

(1) ***Purchases $100,000.00 or Less*.** The Purchasing Manager or Designee is authorized to award and execute documents for purchases ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) or less.

(2) ***Purchases between $100,000.01 and $250,000.00.*** The County Manager or Designee is authorized to award and execute documents for purchases between ONE HUNDRED THOUSAND DOLLARS AND 01/100 ($100,000.01) and TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS ($250,000.00).

(3) ***Purchases $250,000.01 and Over*.** The Board is authorized to award purchases TWO HUNDRED FIFTY THOUSAND AND 01/100 DOLLARS ($250,000.01) and over.

(A) ***Professional Service Contracts*.** The Board is authorized to award master service contracts for Professional Services based on an estimated usage.

(4) ***Construction Purchases $500,000.00 or Less*.** The Purchasing Manager or Designee is authorized to award and execute construction contracts, including related documents, provided the amount does not exceed FIVE HUNDRED THOUSAND AND NO/100 ($500,000.00), and provided the award is to the lowest, Responsive, Responsible Vendor. The Board is authorized to award construction contracts exceeding FIVE HUNDRED THOUSAND AND NO/100 ($500,000.00) or if the award is to a Vendor other than the lowest, Responsive, Responsible Vendor.

(5) ***Revenue Generating Contracts.*** All revenue generating contracts must be awarded by the Board unless such authority to award is otherwise delegated to the Division.

(6) ***Parks and Recreation and Community Services*.** The Board desires to exempt certain services from the Purchasing Policy for the Parks and Recreation Department and the Community Services Department. All other services must be procured in accordance with the Purchasing Ordinance and this Purchasing Policy. See Seminole County Administrative Code Section 12.10 titled, "Community Services Approval Authority," for Community Services, and Section 28.45 titled, "Parks and Recreation Approval Authority" for Parks and Recreation.

(7) ***Renewal Term Options*.**

(A) The Purchasing Manager or Designee is authorized to exercise renewal term options, in accordance with the terms and conditions of the original contract, as may be amended, provided:

(i) the Division notifies the User Department, and the User Department confirms the need to continue services and confirms the budget is available to exercise the renewal option;

(ii) requests for increases in costs are within the Board-approved budget, and are reasonable, as determined by research conducted by the Division; and

(iii) the Vendor's past performance is satisfactory.

(B) If there are exigent circumstances, the Purchasing Manager or Designee may request an amendment from the CAO to revise the term and grant an additional six (6) month extension beyond the renewal term. Any extensions beyond six (6) months must be approved by the Board.

(8) ***Work Orders*.** The Purchasing Manager or Designee is authorized to execute Work Orders, provided the Work Orders are within the Board-approved budget.

(9) ***Construction Change Orders*.** The Purchasing Manager or Designee is authorized to execute all change orders, provided the change does not exceed a five percent (5%) increase over the Board-approved contract value for construction contracts, unless approved otherwise by the Board. Board-approved contracts may include deductive change orders based on the County's STR procedures and may include budgeted contingency. In either case, the Board-approved contract value remains unchanged for purposes of calculating the five percent (5%) increase specified in this "Construction Change Orders" Section. Change orders for amounts greater than those specified in this "Construction Change Orders" Section may be approved by the County Manager or Designee, but must be promptly ratified by the Board.

(10) ***Amendments*.** User Departments may submit requests to the Division for amendments for modifications to a contract, which may include minor changes to the scope of work, completion time, and compensation.

(A) The Purchasing Manager or Designee is authorized to execute amendments for Vendor name changes and assignments.

(B) For non-construction contracts, the Purchasing Manager or Designee is authorized to execute amendments for increases in contract pricing within the Board-approved budget amount for the User Department.

(C) Amendments revising contractual terms that increase liability exposure, or amendments for mergers, acquisitions, or the like, must be approved by the Board in advance of execution.

(11) ***Delegation of Authority to Execute.*** The Board and County Manager or Designee's authorization for award or approval includes a delegation of authority for the Purchasing Manager or Designee to execute the awarded or approved documents.

(12) ***Settlement of Contract Claims*.** The Purchasing Manager, with the concurrence of the County Manager, is authorized to settle contract claims, provided the

contract value and settlement amount is ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) or less. The Board must approve settlement of contract claims if the contract value and settlement amount exceeds ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00).

3.581 PIGGYBACK PURCHASES.

(1) ***Generally*.** The Division is authorized to piggyback other governmental agency contracts. The User Department must enter a requisition referencing the contract number and attaching applicable supporting documentation, as required by the Division.

(2) ***Review Process*.** The Purchasing Manager or Designee is responsible for ensuring the piggyback will meet the County's needs and the purchase is within the parameters of the competitively awarded contract to the lowest priced Vendor. The Purchasing Manager or Designee will review the following information: a copy of the government agency solicitation, bid tabulation, executed contract, and amendments, if any, Vendor's written confirmation that the goods or services offered are under the same pricing, terms, and conditions as the competitively awarded contract, and an acceptable certificate of insurance is provided to the County. The Division will issue and execute a Purchase Order or a Blanket Purchase Order to authorize the procurement. Blanket Purchase Orders may not be issued for a single item exceeding FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00).

3.582 COOPERATIVE PURCHASES. The Division is authorized to make Cooperative Purchases if determined by the Division to be in the best interest of the County. If the Division is the lead agency in a Cooperative Purchase, the Division must follow the Purchasing Policy for the procurement.

3.583 NON-COMPETITIVE PURCHASES.

(1) ***Emergency Purchases*.** The County Manager, the Purchasing Manager, or Designees of the aforementioned, are authorized to make emergency purchases of goods and services in the event of disruption of essential operations, or when there exists a threat to public health, safety, or welfare, or when the protection or preservation of public property would not be possible through a competitive procurement, provided that the emergency purchase is made with competition to the extent practicable under the circumstances. Failure to plan for normal needs or project deadlines, or an attempt to expend remaining budgeted funds prior to fiscal year-end, do not constitute emergency purchases.

(A) If the emergency purchase is made during a Business Day, the Division must be notified in writing as soon as practicable. If the emergency purchase is outside of a Business Day, the User Department director may authorize the purchase. Irrespective of when an emergency purchase is made, an Emergency Purchase Approval Form must be completed no later than the next Business Day thereafter and submitted to the Purchasing Manager or Designee. In addition, the respective County staff specified in the "Approval Authority" Section of this Purchasing Policy must be

notified no later than the next Business Day based on the dollar value of the emergency purchase.

(2) ***Single Source or Sole Source*.** Prior to a Single Source or Sole Source request, User Department staff must complete the Single Source or Sole Source Justification Form ("SS Form") and must submit the SS Form to the Division for evaluation. The Division will attempt to seek competition. If no competition exists, a Single Source or Sole Source purchase may be made after contract negotiations in accordance with the "Approval Authority" and "Contract Negotiations" Sections specified in this Purchasing Policy.

(3) ***Direct Pay*.** Pursuant to the authority provided in the Purchasing Ordinance, Direct Pay purchases do not require a Purchase Order and as such, User Departments must forward payment requests for Direct Pay purchases to the Clerk of the Circuit Court and Comptroller's Office.

(4) ***Certain Fleet Repairs*.** The Fleet Manager or Designee may authorize disassembly of fleet equipment to determine the extent of repairs and for an accurate cost estimate. In these situations, competition is not required, because the fleet equipment would require reassembly and subsequent disassembly by another Vendor to determine an accurate cost estimate resulting in additional costs that could be avoided. If the Fleet Manager or Designee authorizes the disassembly, the Division will determine whether payment will be made by Purchase Order or P-Card. Repairs equal to or greater than the Mandatory Bid Limit will require written approval from the User Department Director.

(5) ***Certain Heavy Equipment Repairs*.** The Solid Waste Manager or Designee may authorize disassembly of heavy equipment to determine the extent of repairs and for an accurate cost estimate. In these situations, competition may not be required, because the heavy equipment would require reassembly and subsequent disassembly by another Vendor to determine an accurate cost estimate resulting in additional costs that could be avoided. If the cost estimate exceeds TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00), before the Solid Waste Manager or Designee authorizes the repairs, the estimate should be reviewed with the Division to determine if competition is necessary and how the payment will be made, either by Purchase Order or P-Card. Repairs equal to or greater than the Mandatory Bid Limit will require written approval from the User Department Director.

3.584 – 3.599 RESERVED.

III. CONTRACT ADMINISTRATION.

3.600 CONTRACT COMPLIANCE.

(1) ***User Department Areas of Responsibility*.**

(A) ***Oversight*.** After award and execution of a contract authorized by the Purchasing Ordinance and this Purchasing Policy, User Department staff is responsible for ensuring the Vendor and the County complies with all terms and

conditions of the contract, the Purchasing Ordinance, and this Purchasing Policy, including compliance with deliverables, milestones, and reviewing invoices.

(i) ***Receipt of Goods*.** User Department staff is responsible for inspecting and accepting or rejecting the goods received. Upon receipt, User Department staff must inspect goods immediately for damages, shortages, overages, and unauthorized substitutions. If an inspection results in the foregoing, User Department staff should contact the Vendor immediately to address the issue(s). The payment process should not be completed until the discrepancy is resolved and the County is in possession of the goods as purchased.

(ii) ***Invoices*.** Upon confirmation of goods received or services rendered, as contracted, the User Department must sign, date, and approve the invoice by including "FINAL INVOICE" on the payment document, subject to confirmation liquidated damages have been paid, if any, and forwarding the packing slip, if any, to the Clerk of the Circuit Court and Comptroller's Office for processing of payment.

(B) ***Performance Evaluations*.** User Departments are strongly encouraged to periodically complete written evaluations to document performance for all contracts. Performance evaluations will be used, in part, to determine whether it is in the best interest of the County to enter into renewal terms and award of future contracts.

3.601 CONSTRUCTION FINAL PAYMENT. A construction contract is ready for final payment when all contractual obligations have been satisfied and all disputes, if any, have been settled. Once a construction contract is ready for final payment, the County's Project Manager must complete all documents necessary, including: (i) Contractor's Waiver of Lien – Final and Complete; (ii) Consent of Surety to Final Payment; (iii) Certificate of Substantial Completion; (iv) Certificate of Final Inspection and Completion; (v) Contractor's Release; (vi) Material and Workmanship Bond (if required in the solicitation); and (vii) Subcontractor's Waiver and Release of Lien upon Final Payment. These final payment documents must be routed by the User Department through the Division for appropriate signatures and then sent to the Clerk of the Circuit Court and Comptroller's Office. Thereafter, the User Department may approve payment by including "FINAL INVOICE" on the payment document and requesting the Clerk of the Circuit Court and Comptroller's Office authorize final payment, subject to confirmation liquidated damages have been paid, if any, and release of retainage, if any. The County will make payment to Vendors in accordance with the Local Government Prompt Payment Act, Chapter 218, Part VII, Florida Statutes, as may be amended.

3.602 TERMINATION OF CONTRACTS. The Purchasing Manager or the County Manager may terminate contracts within their respective approval authority monetary limits specified in this Purchasing Policy. Termination of contracts beyond the approval authority monetary limits of the Purchasing Manager and the County Manager must be approved by the Board. In cases of emergency, the Purchasing Manager or the County Manager may terminate any contract when determined to be in the best interest of the County. In such case, the termination must be ratified by the County Manager or the Board, as applicable.

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
Resolution 2016-R-164 adopted October 11, 2016
Resolution 2018-R-70 adopted May 22, 2018
Resolution 2019-R-144 adopted August 27, 2019
Resolution 2020-R-138 adopted November 10, 2020
Resolution 2021-R-82 adopted June 8, 2021
Resolution 2024-R-92 adopted August 27, 2024

SECTION 3. COUNTY ADMINISTRATION

3.56 GUIDELINES FOR PUBLIC/PRIVATE PARTNERSHIPS, UNSOLICITED PROPOSALS AND EVALUATION PROCESS

I. INTRODUCTION, POLICY AND INTENT. Consistent with the provisions contained in Section 255.065, Florida Statutes, Florida encourages redevelopment of underdeveloped and underutilized properties through public/private partnerships (hereinafter "P3") where appropriate. The County recognizes properly structured P3s share risk and expense amongst public and private partners; encourage efficiencies and innovation in design, construction, operations and maintenance; and maximize funding and cash flow initiatives.

A public-private partnership is a contractual agreement between a public agency (federal, state or local) and a private sector person or entity organized for the purpose of timely delivering services or facilities in a cost effective manner that might not otherwise be possible using traditional sources of public procurement. Through this contractual agreement, the assets and professional skills of each sector (public and private) are shared and leveraged to deliver a service or facility to be used by the general public. Each sector shares in the potential risks of the timely and efficient delivery and operations of the service or facility. To be considered under Seminole County's Public/Private Partnership Program, all parties must comply with the following Guidelines for P3 Applications and Evaluation Process (hereinafter "Guidelines").

The County reserves the right at all times to reject any or all bids/proposals at any time before signing a Comprehensive Agreement for any reason and may decline to pursue the Proposed Project. In the latter event, the County may accept new proposals for the Proposed Project should the County choose to restart the process at a later date. Discussions between the County and Private Entities about needed infrastructure, improvements, or services shall not limit the ability of the County to later decide to use standard procurement procedures to meet its infrastructure needs, whether the project will be a public/private partnership or not.

These Guidelines are applicable to the P3 program consistent with Section 255.065, Florida Statutes for Unsolicited Proposals. These Guidelines are an alternative process to, and do not amend, Seminole County Administrative Code Policy 3.55, Purchasing Policy, or the Procurement of Personal Property or Services pursuant to Chapter 287, Florida Statutes.

II. DEFINITIONS. Unless otherwise specified, whenever the following terms are used in these Guidelines, they have the meanings set forth below:

Board of County Commissioners: The Seminole County Board of County Commissioners.

Certify: To attest, under penalty of perjury, that the information being certified is true and correct.

County: Seminole County, Florida, which may act through its Board of County Commissioners and County Manager, as the context and applicable law permits.

Comprehensive Agreement: The agreement between the Contracting Person and the County that is required before the development or operation of a Proposed Project.

Contracting Person: An individual person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other business entity that enters into a Comprehensive or Interim Agreement with the County.

Detailed Proposal: A proposal for a Proposed Project after the Initial Stage review, that defines and establishes more specific proposed terms related to costs, payment schedules, financing, deliverables, design, plans for operations and maintenance, and project schedule, among other factors.

Detailed Stage: The phase of Proposed Project evaluation where the County has completed the Initial Stage, but has requested additional and/or more detailed information regarding proposals for a Proposed Project.

Develop or *Development:* To plan, design, develop, finance, lease, acquire, install, construct, operate, maintain, and/or expand a facility for public use or benefit.

Fee: A rate, fee, or other charge associated with the use of a Proposed Project, as defined by a Comprehensive Agreement.

Initial Proposal: An unsolicited proposal for a Proposed Project accepted for consideration and evaluation by the County.

Initial Stage: The initial phase of Proposed Project evaluation when the County assesses whether a Proposed Project serves a public purpose and appears to meet the minimum criteria for a Proposed Project or certain goals of the County and the County reviews and evaluates proposals received from the private sector for pursuing a Proposed Project as a P3.

Interim Agreement: An agreement, before or in connection with the negotiation of a Comprehensive Agreement, between the County and a Contracting Person whereby the Contracting Person may be authorized by the County to conduct due diligence or further studies or investigations related to the Proposed Project which may include, but not be limited to, project planning and development, design, engineering, environmental analysis and mitigation, surveying, financial and revenue analysis, ascertaining the availability of financing, or any other aspect of the Proposed Project. The rights of the Contracting Person and the County will be governed by the terms of the Interim Agreement, which must be in writing. No purported Interim Agreement or terms relating thereto shall be effective, binding or valid until approved by the County and signed in writing.

Lease Payment: Any form of payment, including a land lease, by a governmental or private entity to the Contracting Person and/or the County for the use of a Proposed Project.

Lifecycle Cost Analysis: An analysis calculating the cost of an asset over its entire life span, including the cost of planning, constructing, operating, maintaining, and replacing the asset, estimates of sufficient capital improvement reserves, and, when applicable, salvaging the asset. The analysis must compare the proposed life cycle cost of the Proposed Project to what the project would likely cost the County if a standard, non-P3 delivery method was used. The Comprehensive Agreement must identify if there is no cost to the County of an asset projected for the County.

Notice of Receipt: At a minimum, the notice that the County shall publish to advise the general public that the County has received an unsolicited proposal and to solicit Responses for the same type of project or concept that is reflected in the unsolicited proposal.

Operate: To operate a Proposed Project.

P3: A Public-Private Partnership.

P3 Project: A Public-Private Partnership project.

Public-Private Partnership Program or P3 *Program:* The County's public-private partnership program implemented in accordance with these Guidelines.

Private Entity: Any individual person, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, nonprofit entity, or other business entity. A private entity includes a "Proposer" that submits an unsolicited proposal or a "Respondent" that submits a proposal in response to a Solicitation.

Private Entity: Also means each individual entity participating in or comprising a Proposer's or Respondent's team.

Proposer: A Private Entity that submits or is considering submitting an unsolicited proposal and/or a response to a Notice of Receipt. "Proposer" is the Private Entity with whom the County is expected to contract for a Proposed Project. If the Private Entity has not yet been formed, then "Proposer" shall mean all entities collectively who are known and intend at that time to participate on the Proposer's team.

Proposed Project(s):

(1) A facility or project fulfilling a public purpose or goal, including, but not limited to, any mass transit facility, vehicle parking facility, rail facility or project, fuel supply facility, medical or nursing care facility, recreational facility, sporting or cultural facility, public library, waste treatment facility, educational facility, civic facility or other building or facility that is used or will be used by a public educational institution, or any other public facility or infrastructure that is used or will be used by the public at large or in support of an accepted public purpose or activity;

(2) An improvement, including equipment, of a building that will be principally used by a public entity or the public at large or that supports a service delivery system in the public sector;

(3) A water, wastewater, or surface water management facility or other related infrastructure; or

(4) Any other project that involves a facility to be owned or operated by the County that the County designates as a Proposed Project.

Notwithstanding anything herein to the contrary, a Proposed Project may also include, in addition to the public facility or project, ancillary components, such as but not limited to, residential, retail, commercial, hospitality or other private, revenue generating facilities and uses as appropriate and necessary to achieve the public purposes intended for the Proposed Project on a cost model acceptable to the County.

Respondent: A Private Entity that submits a proposal in response to a Solicitation.

Response: A response to a solicitation for proposals, for qualifications, for a response to a Notice of Receipt by the County of an unsolicited proposal, and for the purposes of these guidelines is also synonymous with the word “proposal.”

Revenue: All revenue, income, earnings, Fees, Lease Payments, and/or other payments supporting the development or operation of a Proposed Project, including money received as a grant or otherwise from the federal government, a governmental entity, or any agency or instrumentality of the federal government or governmental entity in aid of the Proposed Project.

Solicitation: A written request for services issued by the County through a Notice of Receipt soliciting responses for a P3 project, including, but not limited to, business plans, expressions of interest, ideas, offers, proposals, qualifications, or any combination thereof.

III. UNSOLICITED PROPOSALS.

A. General. The County may publicize its needs and encourage interested parties to submit unsolicited proposals subject to the terms and conditions of the P3 Program. If any proposals are received without issuance of a Solicitation, the proposals may be treated as an unsolicited proposal and may be evaluated through the County’s approved P3 Program. All unsolicited proposals shall be sent to the County Manager and, upon the County Manager’s receipt of an unsolicited proposal, the no contact rule as set forth in Section 287.057(23), Florida Statutes, shall commence.

The P3 Program is intended to create a process to guide the County’s evaluation of potentially competing proposals from the private sector that offer solutions, private financing, innovations and efficiencies in support of the Proposed Project, allocate risk amongst the County and the Private Entity, and benefit the public.

B. Content of Unsolicited Proposals.

(1) General. Proposer submitting an unsolicited proposal requesting approval of a Proposed Project as a P3 project shall specifically identify all facilities, buildings, infrastructure and improvements included in the proposal. Although the County may have identified development opportunities, they are not exclusive and Private Entities are encouraged to submit proposals they believe are consistent with the County's goals.

Private Entities are urged to include in their proposal innovative financing methods, including the imposition of Fees or other forms of payments in lieu of or in addition to payments from the County. The P3 Program is a flexible development tool allowing for the use of innovative financing techniques. Additionally, the Proposer can structure its role on the Proposed Project in a variety of ways, from designing the facility to undertaking its financing, construction, operation, maintenance, and management. Depending on the circumstances of the Proposed Project, the Proposer is encouraged to consider different types of public-private partnership structures to the extent appropriate for the project at issue and as allowed by law.

(2) Summary of Content Requirements. Unsolicited proposals should be prepared simply and economically. They shall provide a concise description of the Proposer's qualifications and capabilities to complete the Proposed Project and the benefits to be derived by the County from the Proposed Project. As described in more detail below, proposals must include:

(a) a description of the Proposed Project;

(b) a description of the method by which the Proposer plans to secure any necessary property interests required for the Proposed Project;

(c) provide a conceptual plan that details how the Respondent intends to ensure an adequate level of commitment from potential finance providers, where relevant, for a timely and successful financial closing. Include a list of anticipated timelines and milestones to obtain financial commitments and to close on the financing of the project and the following information:

If known, provide the names of the anticipated financiers (for example, banks, bonds, federal programs, life insurance companies, pension funds, private placements), their proposed involvement if available (in approximate percentage terms), how they were selected, and why they were preferred;

Provide an explanation of the Respondent's contingency plans should there be a gap in the financing or should any potential finance provider not be in a position to provide its share of the financing; and

Provide the names of the funding sources for previous projects of a similar size as applicable;

(d) the name and address of the Proposers and the name of the project leader who may be contacted for additional information concerning the proposal;

(e) the sources of proposed Fees, Lease Payments, or other payments, the Proposer is anticipating; and

(f) additional supplemental material or information that the County reasonably requests.

(3) Format.

(a) General. Unsolicited proposals shall be submitted in the following format:

1. Pages shall be numbered and organized by paginated table of contents corresponding to the tabbed sections identified below.

2. The submittal shall be divided into tabbed sections as follows:

TAB 1: Executive Summary

TAB 2: All Private Entities associated with the Proposal

TAB 3: Qualifications, Experience and Financial Capacity

TAB 4: Proposal

TAB 5: Project Analysis

TAB 6: Community Impact

TAB 7: Miscellaneous

TAB 8: Addenda

3. The contents shall be printed on 3-hole punched 8½" x 11" paper (except A/E drawings and renderings).

4. Drawings and renderings shall be printed no larger than 36" x 54".

5. Supplemental materials in alternate formats may be allowed to describe the proposal in more detail.

6. All submissions shall be addressed to: *County Manager, Seminole County, 1101 East First Street, Sanford, Florida 32771* in a sealed envelope marked as follows:

Property ID (common name, address and folio numbers)

Proposer's Name

Mailing Address

Proposal Date

All submittals shall be in the format requested by this Section unless a waiver of any particular requirement or requirements is agreed to by the County.

(b) TAB 1 – Executive Summary. Provide a cover letter, signed by an authorized representative of the Proposer, including the information detailed below:

1. Identify the nature of the Proposed Project and the public benefit to be gained thereby;

2. Identify all Private Entities who will be directly involved in the Proposed Project by name, scope of services they will be providing to the project, address, email address, and telephone number;

3. Identify the principal(s) of each Private Entity who will be directly involved in the Proposed Project, including their title, mailing address, phone number, and email address;

4. Identify the person(s) in charge of negotiations with the County and decision making on behalf of the Proposer; and

5. Identify any persons comprising the Proposer who may be disqualified from participation in any transaction arising from or in connection to the Proposed Project and the reasons therefor.

(c) TAB 2 – All Private Entities on the Proposer Team. Provide a list of all Private Entities the Proposer intends to use as consultants, including legal counsel, marketing and public relations firms, real estate brokers, property management firms, property utilization analysts, public finance analysts, and government relations consultants and, for each one, include their company name, name of primary contact, title, address, telephone, and email address.

(d) TAB 3 – Qualifications, Experience and Financial Capacity. The Proposer must provide, as to each Private Entity and consultant participating on the Proposer, a statement of qualifications; and experience in projects of similar complexity, scope and scale to the Proposed Project. The unsolicited proposal must also describe, as to each Private Entity participating on the Proposer team, relevant experience with respect to other public-private partnership projects of any type.

(e) TAB 4 - Proposal. The Proposer must provide:

1. An overview of the Proposed Project;

2. Design concept renderings and a concept site plan and elevations that collectively illustrate the location, size, and context of the Proposed Project;

3. A summary of the preliminary programming of facilities, including, if any, the mix of uses, square footage(s), total parking spaces, parking allocations (specify if they are shared or exclusive), and types of parking (e.g., structured or surface);

4. Identification of any known or suspected synergies and incompatibilities between the Proposed Project and any other existing, planned or contemplated public facility within the County or any neighboring city or affected jurisdiction and the manner in which the Proposer anticipates addressing same; and

5. Identification of any additional terms or conditions to be included as part of the negotiation process.

(f) TAB 5 – Project Analysis. This section of the unsolicited proposal should state the financial business aspects of the Proposed Project and should generally summarize why the unsolicited proposal offers the County value for money over the Proposed Project's life cycle as opposed to procuring the project using more traditional procurement methods, including the County funding the project itself.

(g) TAB 6 – Community Impact.

1. Identify all anticipated community benefits.

2. Identify all known stakeholders for the Proposed Project.

3. Discuss the Proposed Project's compatibility with existing and planned facilities.

(h) TAB 7 – Miscellaneous. Use this Section to present additional information supporting the proposal.

(i) TAB – Addenda. Use this Section to present details of any item cited or referenced in the proposal.

C. Flexibility in Structure. The County encourages creativity and flexibility in the structure of a Proposed Project where appropriate. By way of example, where appropriate and available, the County may contribute off-site parcels of real property to a Contracting Person in exchange for the Contracting Person to design, construct, finance, operate and maintain a Proposed Project. In such an event, the value of the Contracting Person's services to the Proposed Project are expected to be equal to or greater than the fair market value of the real property interest they seek to obtain. The County will exercise full and proper due diligence in the evaluation and selection of Proposed Projects, including those utilizing creative or flexible structures.

D. Request for Clarifications. The County may request in writing, clarifications to any submission, including unsolicited proposals, which shall be promptly provided by the Proposer.

E. Application Fee. Contemporaneously with the submission of an unsolicited proposal, the Proposer shall pay an application fee to the County in the amount of FIFTY THOUSAND AND NO/DOLLARS ($50,000.00) to cover the costs of processing, reviewing and evaluating the proposal, including the fees and costs for private consultants to assist in the evaluation. The application fee is non-refundable and shall be delivered to the County Manager's Office. However, portions of the application fee may be refundable if the Proposer chooses not to participate in the Detailed Stage

Evaluation, as more particularly set forth below. If extraordinary costs associated with the County's preliminary evaluation are encountered, the County may require additional fees from the Proposer.

F. Process for Submission and Evaluation. The County shall provide deadlines for submission of certain requested information related to proposal or project evaluation. Failure to meet such deadlines may result in the rejection of the proposal.

The County shall not be liable for any costs incurred by the Private Entities in preparing, submitting or presenting an unsolicited proposal.

All unsolicited proposals must be organized in the manner outlined in these Guidelines and submitted with the application fee defined herein. No page limitation is imposed, but brevity is appreciated. All proposals shall be submitted as one original, thirteen copies and one electronic copy (searchable PDF format on CD). The original copy containing original signatures shall be marked **ORIGINAL** on the cover letter.

In accordance with Section 255.065(15), Florida Statutes, the Initial Proposal and all Responses pertaining to the Proposed Project are exempt from public records disclosure under Section 119.07(1), Florida Statutes and Section 24(a), Article I of the State Constitution until such time as the County provides notice of its intended decision to either reject the Initial Proposal or enter into a Comprehensive Agreement with one of the Respondents. The County shall abide by the timelines for disclosure of the Initial Proposal, all Responses and related meetings, as contemplated in Section 255.065(15), Florida Statutes.

Only unsolicited proposals apparently complying with these Guidelines and containing information sufficient for meaningful evaluation will be considered. Within sixty (60) days of receiving an unsolicited proposal, the County staff will preliminarily review it to determine whether to accept and recommend it for Initial Stage evaluation. After the County staff's Initial Stage evaluation, the general concept of the unsolicited proposal shall be presented to the Board of County Commissioners, and, if the County wishes to continue considering the unsolicited proposal, it may, at its sole and exclusive option, either advertise its receipt of the unsolicited proposal ("Notice of Receipt") and solicit other proposals or conduct further evaluation of the unsolicited proposal before advertising for alternative and perhaps competitive proposals. If the County determines not to proceed, then the County shall send a letter to the Proposer and return THIRTY-FIVE THOUSAND AND NO/DOLLARS ($35,000.00) of the application fee.

Under either scenario, once the County decides to advertise for alternative and perhaps competitive proposals, the manner and timing for said advertisement and competitive proposal process shall be in accordance with Section IV of these Guidelines. At the conclusion of the competitive proposal submission period, the County will commence Initial Stage evaluation of any competing proposals timely submitted. Upon completion of Initial Stage evaluation of the proposal(s), the County will identify those Respondents that meet the minimum criteria for the Proposed Project to inform them that they may continue the process. That process may require submission of a Detailed Proposal from the Respondents and, if not already provided by the unsolicited Proposer, a Detailed

Proposal may be required from them as well. At that point, the County may commence a Detailed Stage evaluation in accordance with Section V of these Guidelines.

IV. COMPETITIVE PROPOSAL SUBMISSION. If the County determines it is interested in further considering any unsolicited proposal, it shall publish public a Notice of Receipt of same and invite competing bids during a competitive bidding period. Said period shall be not less than twenty-one days (21) and shall be of a duration the County shall specify in its sole and exclusive option, up to one-hundred twenty (120) days. The public Notice of Receipt shall minimally state the County has received an unsolicited proposal and will accept bids for the same type of project or concept. If more than one unsolicited proposal is received for the same or similar project or concept, only one public notice shall be required for the Proposed Project. At the County's sole and exclusive option, the public notice may provide more details to be required in responses thereto. The notice shall be posted on the County's website, published in the Florida Administrative Register and a newspaper of general circulation at least once a week for two weeks, and advertised in any other manner considered appropriate by the County to encourage competition and provide notice to Private Entities interested in submitting alternative and perhaps competing proposals. A copy of the notice will also be mailed to each local government reasonably identified as one that may be impacted by the Proposed Project. The no contact rule as set forth in Section 287.057(23), Florida Statutes, applies to each solicitation of competing proposal and all Respondents to the solicitation shall comply with Section 287.057(23), Florida Statutes.

Respondents submitting competitive proposals in response to the notice shall comply with any other requirements specified in the notice and pay an application fee of FIFTY THOUSAND AND NO/DOLLARS ($50,000.00). The initial Proposer(s) shall also submit a proposal in response to the notice providing such further details about the unsolicited proposal as may be required by the notice. The initial Proposer shall receive a credit for its initial unsolicited proposal application fee. The County may require additional fees from the Proposer(s) or Respondent(s), due to extraordinary costs associated with the County's evaluation.

After the public notification and proposal submission period has expired, the County may determine:

(1) Not to proceed further with any proposal/bids;

(2) To proceed to the Detailed Stage with the initial unsolicited proposal(s) and all of the sufficient competitive proposals. Only proposals apparently complying with these Guidelines and containing information sufficient for meaningful evaluation shall be considered. The County shall directly notify a Respondent in the event its proposal does not meet this threshold and return THIRTY-FIVE THOUSAND AND NO/DOLLARS ($35,000.00) of the application fee to the Respondent. Upon the receipt of the Detailed Proposals, the County shall rank the proposals received in order of preference. In ranking the proposals, the County may consider factors that include, but are not limited to, professional qualifications, general business terms, innovative design techniques or cost-reduction terms, finance plans, and any other factor determined by the County. Part of the ranking process, at the County's discretion, may require submission of a

Detailed Proposal for evaluation by the County from every Proposer and Respondent whose proposals the County may consider. The Detailed Proposals shall supplement the Initial Proposal. Detailed Proposals shall comply with the requirements of Section V of these Guidelines.

V. DETAILED STAGE EVALUATION AND INTERVIEWS WITH RESPONDENTS. Some Proposed Projects may require more details from Respondent or Proposers and more evaluation by the County. On those projects, the County may request a Detailed Stage Evaluation before awarding a contract. On projects for which County has enough information from proposers in the Initial Proposal, the County may waive, or modify the Detailed Stage evaluation.

Each Respondent and/or Proposer submitting a Detailed Proposal or modified Detailed Proposal shall waive any reimbursement of the application fee. The County may require additional fees from the Proposer or Respondent, if a supplemental payment is required due to extraordinary costs associated with the County's evaluation.

If the County requests a Detailed Stage evaluation, then the County may require the Proposer or Respondent to provide any or all of the following information as part of a Detailed Proposal depending upon the Proposed Project's requirements or the information received thus far by the County in Initial Proposals or Responses to Notice of Receipt or other information as requested by the County:

(1) A Lifecycle Cost Analysis specifying methodology and assumptions supporting same and the proposed start date of construction; anticipated roles of all parties; the source and amount of all equity, debt, and other financing mechanisms funding the design, construction, operations and maintenance of the Proposed Project; and a schedule of anticipated revenues and costs during project operations and the manner in which said costs would be funded and revenues distributed. The Lifecycle Cost Analysis shall include a detailed analysis of the projected rate and amount of return, expected useful life of the facility, and estimated annual operating and maintenance expenses.

(2) Detailed analysis of the financial feasibility of the Proposed Project, including its impact on similar facilities operated or planned by the County or neighboring jurisdictions and include a detailed description of any financing plan for the project, comparing that plan with financing alternatives available to the County, and all underlying data and assumptions supporting any conclusions reached in the analysis of the financing plan proposed for the Proposed Project. The analysis shall also include any feasibility studies that support assumptions about project usage, revenue and costs.

(3) For each Private Entity participating on the Proposer team, provide a statement listing all prior projects and clients' names and contact information for the past five years. If any Private Entity has worked on more than ten projects during this period, it may limit its prior project list to ten most relevant projects, but shall include first, all projects similar in scope and size to the Proposed Project; second, all other public/private partnerships and, finally, as many of its other most recent projects as possible. For each project identified, provide at least the following information:

(a) Client and Project Identification:

1. Client's name, project name and project location;

2. Primary contact name, address, telephone and fax numbers, and e-mail address of the client;

3. The role of the Private Entity in the project; and

4. Project description, including year completed, type, size, unit mix and major tenants and their percentage of space plan allocation;

(b) Identification of the cumulative dollar amount of the Private Entity's involvement and type of involvement, including changes, and a brief explanation of the financial structure used to finance the project; and

(c) A description of the extent of public involvement in each of the public private partnership projects.

The Detailed Proposal shall also identify the Respondent/Proposer's financial capacity to develop and operate the Proposed Project as proposed, by specifying the source and amount of equity and debt capital the Respondent/Proposer intends to access to deliver the Proposed Project in a compliant and timely manner. Each proposal must state the name of each identified investor and lender on the Proposed Project. The Respondent/Proposer must identify its bonding capacity, insurance limits and any factor impacting the ability to complete the Proposed Project in a timely and professional manner;

(4) Describe the plan for the design, construction, financing, operation, and maintenance of the Proposed Project, including the anticipated schedule of funds to be paid to the Respondent/Proposer during the project's life cycle and any anticipated performance-based conditions on said payments and the manner of measuring same.

(5) Describe the type and amount of Fees, Lease Payments, and other payments anticipated over the term of any applicable Interim or Comprehensive Agreement and the methodology and circumstances for changes to same over time.

(6) Identify all necessary permits and approvals to be obtained for the Proposed Project and how long the Respondent/Proposer anticipates it taking to secure same.

(7) Identify the anticipated duration of design and construction, listing major milestones for each phase and giving corresponding anticipated dates for same. Also identify the anticipated duration during which the Respondent/Proposer will operate and maintain the facility and the nature of project ownership at all stages of the project from inception to expiration of the Comprehensive Agreement.

(8) To the greatest extent possible, the Respondent/Proposer must describe the operational and management plan for the Proposed Project; other circumstances that will increase the viability of the Proposed Project; adjacent uses and emerging projects that could impact the value or influence the use of the Proposed Project; connections to public transportation; availability and existing capacity of public infrastructure and required extensions or improvements; any assumptions the Respondent/Proposer is

making to support any of the representations contained in the proposal and the source of information giving rise to each assumption; the means for adding capacity to the Proposed Project; and the means for ensuring additional costs or service disruptions will not be imposed on the public in the event of material default or cancellation of any Comprehensive Agreement.

(9) Identify the sources and amount of debt and equity to be used to capitalize the Proposed Project and the relationships of the funding sources to the project (e.g., outside lender, parent company, institutional lender, private placement funding, etc.).

(10) Identify the sources and anticipated amounts of working capital to cover design, construction and operating costs and to adequately maintain the facility or services from the start-up through completion of the project as defined by the Proposal.

(11) Identify any parcels of land that must be acquired for the Proposed Project, the anticipated means for acquiring same and all projected costs, both hard and soft, necessary to acquire same. Also specify the anticipated timing for acquisition.

(12) Identify all assumptions underlying the proposal.

(13) Indicate opportunities that exist for increasing cost savings beyond the initial proposed financial plan.

(14) Outline the financial penalties, if any, that would result should the Respondent/Proposer fail to meet certain identified performance standards and milestones.

(15) Identify any work required from or otherwise to be performed by the County.

(16) Identify any restrictions on the County's use of the Proposed Project.

(17) Identify any federal, state, or local resources or commitment the Respondent/Proposer contemplates requesting for the Proposed Project.

(18) Identify any special use of technology or innovations and efficiencies in project design, construction, operations and/or maintenance.

(19) Identify all impacts on the County's debt burden.

(20) State the estimated project cost to the County over the Proposed Project's life cycle.

(21) Identify the ratio of debt to equity in the Proposer's financing plan and discuss the stability and terms of loans and investments.

(22) Project the number and value of subcontracts generated for area subcontractors and/or small or minority business enterprises.

(23) Identify any anticipated adverse social, economic, environmental and transportation impacts of the Proposed Project measured against the County's Comprehensive Plan and any applicable ordinances. Specify the strategies or actions to

mitigate known adverse impacts of the Proposed Project. Indicate if necessary environmental assessments have been completed.

(24) Any information identified in the Initial Proposal that was deferred to the Detailed Proposal or which the County has identified as needing further development or assessment.

(25) Design criteria anticipated for the Proposed Project as may be requested by the County, including, but not limited to, finishes for the structure and materials and details of LEED compliance.

(26) Additional material and information as the County deems appropriate.

VI. RESPONSES TO COUNTY SOLICITATIONS. Responses to Solicitations shall comply with all requirements of the soliciting document (Notice of Receipt) and any applicable laws, statutes, rules, regulations, guidelines, and ordinances pertaining thereto.

VII. INTERIM AND COMPREHENSIVE AGREEMENTS.

A. General. Before entering into the negotiation of an Interim or Comprehensive Agreement, the County will designate specific County staff and consultants to review and negotiate appropriate terms. The terms to be negotiated shall include, but not be limited to, the scope, design, amenities, total cost, and duration of the Proposed Project. Terms will also include the County's review, approval, and control of project design and performance standards for construction, operations, and maintenance, for which compensation to the Contracting Person may be adjusted should the performance standards not be met. Terms will also include the County's right to inspect construction, operations and maintenance as well as the records relating to the cost of such operations; periodic financial reporting by the Contracting Person of project financial performance; events of default and the parties' rights and responsibilities in the event of same; fees, Lease Payments or service payments to be paid under the Agreement; and any other terms the County deems appropriate for the Proposed Project. Timelines for the negotiation with the Proposer or Respondent will be developed consistent with the scope and timing of the Proposed Project.

Any Interim or Comprehensive Agreement shall define the rights and obligations of the County and the Contracting Person with regard to the Proposed Project. Prior to entering into a Comprehensive Agreement, an Interim Agreement may be entered into that permits a Respondent/Proposer or other Private Entity to perform activities, which may be compensable, related to the Proposed Project, usually in the nature of continued due diligence activities to inform the ultimate decision maker about the project's feasibility. The Interim Agreement is a discretionary step, not necessary in all cases, but available should the County determine more investigation or due diligence is necessary about the Proposed Project before entering into a Comprehensive Agreement. The County shall not be bound to enter into a Comprehensive Agreement merely because it entered into an Interim Agreement. However, prior to developing or operating the Proposed Project, the Respondent/Proposer shall enter into a Comprehensive Agreement with the County.

Any changes in the terms of an Interim or Comprehensive Agreement, as may be agreed upon in writing by the parties from time to time, and in order to be enforceable shall be added to the Interim or Comprehensive Agreement only by written amendment. Verbal changes shall not be enforceable against the County. No act or omission or verbal representation or statement shall be treated as an expressed or implied waiver of this requirement and all waivers shall be in writing signed by the party who is alleged to have waived any of the terms and/or conditions of the Agreement. The requirements of this paragraph in particular, shall not be modified, amended or waived except in writing signed by both parties. A Comprehensive Agreement may provide for the development or operation of separate phases or segments of a Proposed Project. Parties submitting bids/proposals understand that representations, information and data supplied in support of, or in connection with, proposals play a critical role in the competitive evaluation process and the ultimate selection of a proposal by the County. Accordingly, as part of the Comprehensive Agreement, the Respondent/Proposer and its team members shall certify that all material representations, information and data provided in support of or in connection with a proposal are true and correct. Such certifications shall be made by the Respondent/Proposer's authorized representative who shall be an individual who has knowledge of the information provided in the proposal. If material changes occur with respect to any representations, information and data provided for the proposal, the Respondent/Proposer shall immediately notify the County of same in writing. Notwithstanding any language contained within the Interim or Comprehensive Agreement, any violation of this Section shall give the County the right to terminate the Agreement, withhold payment, if any is due, and seek any other remedy available under the law.

Before awarding a Comprehensive Agreement, the County shall hold a public hearing on the proposal to be awarded. The County may also make available to the public any proposed Comprehensive Agreement before approving same by posting the Agreement on the County's website or by any other manner considered appropriate by the County to provide notice to the public.

The County reserves the right at all times to reject any or all proposals at any time before signing a Comprehensive Agreement for any reason and may decline to pursue the Proposed Project. In the latter event, the County may accept new proposals for the Proposed Project should the County choose to restart the process at a later date. Discussions between the County and Private Entities about needed infrastructure, improvements, or services shall not limit the ability of the County to later decide to use standard procurement procedures to meet its infrastructure needs, whether the project will be a public/private partnership or not.

B. Interim Agreements. The scope of an Interim Agreement may include, but not be limited to:

(1) Project planning and development;

(2) Design and engineering;

(3) Environmental analysis and mitigation;

(4) Surveying;

(5) Ascertaining the availability of financing for the Proposed Project;

(6) Geotechnical investigation of subsurface conditions at the Proposed Project site;

(7) Setting the timing of the negotiation of the Comprehensive Agreement; and

(8) Any other provisions related to any aspect of the development or operation of a Proposed Project that the parties deem appropriate prior to executing a Comprehensive Agreement. The terms of compensation to the Respondent/Proposer, if any, under an Interim Agreement shall be negotiated and specifically referenced in the Interim Agreement.

C. Comprehensive Agreements. The Board of County Commissioners must approve any Comprehensive Agreement entered into pursuant to the P3 Program between the County and a Contracting Person before the Agreement becomes enforceable. The County shall accept no liability for development or operation of a Proposed Project before entering into a Comprehensive Agreement. Each Comprehensive Agreement shall define the rights and obligations of the County and the Contracting Person regarding the Proposed Project. The terms of the Comprehensive Agreement shall be tailored to address the specific Proposed Project and may include, but not be limited to:

(1) The delivery of security, including performance and payment bonds, letters of credit and other security in connection with, but not limited to, any acquisition, design, construction, improvement, renovation, expansion, maintenance, or operation of the Proposed Project;

(2) The County's review and approval of the design of the Proposed Project;

(3) The rights of the County to inspect the construction, operation, and maintenance of the Proposed Project to ensure compliance with specified performance standards and adjustments in the compensation to be paid to the Contracting Person and/or liquidated damages due from the Contracting Person should they fail to meet specified performance standards and/or deadlines;

(4) The maintenance of insurance policies reasonably sufficient to ensure coverage of all aspects of the Proposed Project, including design, construction, and operations;

(5) The services to be provided by the County and the terms of compensation due the County for same;

(6) The policy and procedures that will govern the rights and responsibilities of the parties if the Comprehensive Agreement is terminated or there is a material default by the Contracting Person, including the conditions governing assumption of the

duties and responsibilities of the Contracting Person by the County and the transfer or purchase of property or other interests of the Contracting Person by the County;

(7) The terms under which the Contracting Person will file, with the County, financial statements pertaining to the Qualified Project;

(8) A schedule of Fees or Lease Payments and circumstances for, and method of calculating, anticipated adjustments to same over the project life cycle;

(9) The mechanism by which Fees, Lease Payments, or other payments, if any, may be established from time to time upon agreement of the parties.

(11) Classifications according to reasonable categories for assessment of Fees;

(12) The terms and conditions under which the County will contribute financial resources, if required for the Proposed Project;

(13) The terms and conditions under which existing site conditions will be assessed and deficiencies therein addressed, including identification of the responsible party for conducting the assessment and taking necessary remedial action;

(14) The terms and conditions under which capacity for the Proposed Project may be increased or enlarged;

(15) A periodic reporting procedure incorporating a description of the impact of the Proposed Project, financially and socially, on the County; and

(16) Other requirements of the P3 Program or applicable law or that the County deems appropriate.

With respect to the construction component of the Proposed Project, the County generally anticipates addressing the following in the Comprehensive Agreement:

(a) The Contracting Person will be expected to assume singlepoint responsibility and liability for all planning, designing, financing, constructing, operating, and maintaining the Proposed Project.

(b) The risk of inadequate geotechnical investigation or improper interpretation of the results of the geotechnical investigation, as well as all other unforeseen site conditions, will be allocated to the Contracting Person in the Comprehensive Agreement.

(c) The County encourages the Contracting Person to propose a formula for the mutual sharing of cost savings realized during construction by virtue of value engineering initiatives and efficiencies. Mutually agreed upon terms for the sharing of such savings may be incorporated in the Comprehensive Agreement.

(d) The County may require that one or more of the Private Entities and/or their principal members provide performance guaranties of all obligations undertaken in the Comprehensive Agreement. This requirement would be in addition to the statutory

requirement for a performance and payment bonds and any other performance security required by the Comprehensive Agreement. Private Entities interested in entering into a public-private partnership with the County under the P3 Program must be willing to provide this security if deemed necessary by the County.

VIII. SOLICITED PROPOSALS. Reserved.

IX. GOVERNING PROVISIONS.

(1) In the event of any conflict between these Guidelines and the County Charter, or any federal, state, or County law or administrative authority, the terms of the respective Charter, laws or administrative rules and regulations shall control.

(2) The provisions and requirements of these Guidelines shall apply to Unsolicited Proposals and solicitations pursuant to a Notice of Receipt for P3 Projects by the County, unless otherwise provided in the solicitation.

X. AUTHORITY. Resolution 2017-R-186 adopted December 12, 2017

SECTION 3. COUNTY ADMINISTRATION

3.60 POLICY FOR NAMING SEMINOLE COUNTY ASSETS.

A. INTENT OF POLICY. To provide a policy and guidelines for naming assets owned and operated by the Seminole County Board of County Commissioners (BCC).

For the purpose of this policy, the term “asset” includes, but is not limited to, the following parks, buildings, roadways and streets, natural lands, trails, and/or specified areas within County-owned property such as athletic fields, trailheads, structures, meeting rooms, courtrooms, etc.

It is not necessary or intended that every asset have a name. The naming of new and existing County assets is reserved for exceptional circumstances. All names considered by the BCC should be significant, appropriate, considerate, and acceptable to current and future residents of Seminole County.

B. AUTHORIZATION. The County Manager or his/her designee shall present naming proposals for County assets to the BCC for consideration. The County Manager may advance proposals from outside entities or groups, or may recommend names for County assets at his/her own initiative.

The naming of an asset is within the sole discretion of the BCC. The BCC reserves the right to accept or reject applications for naming an asset as it deems appropriate.

C. GENERAL GUIDELINES.

(1) 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.

(2) The chosen name may not conflict with similar names in whole or in part.

(3) Every effort shall be made to avoid conflicts with neighboring county agencies and municipalities.

(4) 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.

(5) The Historic Commission shall be consulted with regard to historically designated properties.

(6) A County asset named after an individual shall retain the name approved by the BCC unless a new or other facility is acquired and will receive that name, or until such time that the BCC finds that the name no longer meets the criteria included in this policy.

D. QUALIFYING NAMES AND CRITERIA. Names considered should provide some form of individual identity in relation to the following:

(1) The geographic location of the asset, including descriptive names;

(2) An outstanding feature of the asset or the surrounding area;

(3) An adjoining subdivision street, school, or natural feature**;**

(4) A commonly recognized individual, group, or event; or

(5) An individual who contributed in a positive and significant way to the betterment of the asset.

E. CRITERIA/GUIDELINES FOR NAMES HONORING INDIVIDUALS, GROUPS, OR EVENTS. Names honoring individuals, groups, or events may be approved by the BCC under the circumstances noted below.

(1) Where there has been a significant contribution to the quality of life and/or well-being of the County;

(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 the County;

(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 has been a major contribution toward the environmental preservation conservation or enhancement of the County;

(5) Where there is a major contribution made to the acquisition, development or conveyance of asset in question and/or contribution toward acquisition and/or development of the asset;

(6) Where there is a direct relationship or association that exists between the place or former place of residence or work of an individual or group and the asset to be named/renamed; or

(7) Where there has been a significant contribution to the betterment of the asset.

Generally, an asset will not be named after an individual until at least twelve (12) months after his/her death. Naming an asset after a living person will required a unanimous vote of approval by the BCC accompanied with a finding that the individual was instrumental in the development and/or acquisition of the asset and that the individual has an impeccable record both personally and professionally.

When the name of an individual is so used, approval shall be obtained from the individual or the next of kin for such naming.

F. PROCEDURES TO PROPOSE THE NAMING OF A COUNTY ASSET.

(1) An individual or group requesting the naming of a County asset must provide a written proposal to the County Manager’s Office which contains the following minimum information:

(a) Name of the Proposer;

(b) Identification of the asset;

(c) Proposed name;

(d) A justification for the proposed name including all data relevant to the commemorative naming and, if applicable, a detailed biography of the individual or group, or account of the historical event; and

(e) A letter of approval from the individual or next of kin for using such naming, if applicable.

(2) If the proposal does not qualify for consideration pursuant to the criteria herein, the County Manager or his/her designee will notify the Proposer in writing within thirty (30) days after receipt of the application.

(3) If the proposal meets the criteria herein, the County Manager or his/her designee will present the proposal to the BCC for consideration.

(4) Prior to presentation to the BCC, Seminole County Addressing will be notified of the request. Addressing will research and provide any naming conflicts.

(5) If the naming proposal is for a park, trail, trailhead, library, natural lands facility/property, or historical site or other asset with an advisory committee, the appropriate advisory committee shall provide written input prior to scheduling the BCC meeting.

(6) The Proposer will be notified by the County Manger or his/her designee of the scheduled meeting date of the BCC and/or advisory committee.

(7) The proposal for naming shall be placed on the BCC Regular Agenda and staff will present the proposal and any additional information that has been provided from an advisory committee, County Addressing, and/or other entity.

(8) The Proposer should be prepared to make a presentation that justifies the recommended name at the BCC meeting.

(9) The BCC shall allow for public input and comment prior to the BCC action to approve or not approve the naming proposal.

(10) The BCC shall approve all names by a majority vote unless otherwise noted.

G. RENAMING. The intent of naming is for permanent recognition. The renaming of County assets is strongly discouraged. Efforts to change a name will be subject to the most critical examination so as not to diminish the original justification or the name or discount the value of the prior contributors. County assets that have been named by deed restriction shall not be considered for renaming.

H. SIGNAGE.

(1) The County will be responsible for coordinating the public presentation of signage to acknowledge the name designation.

(2) The County shall have final approval for the selection and location of any signage, including signage text.

(3) Signage shall comply with all signage regulations of Seminole County.

(4) An applicant who wishes to have another style sign must submit a rendering for approval by the County. The applicant will be financially responsible for the special signage.

F. AUTHORITY. Resolution 2021-R-3 adopted January 26, 2021

SECTION 3. COUNTY ADMINISTRATION

3.65 SINGLE-USE PRODUCTS POLICY ON COUNTY PROPERTY

A. PURPOSE. The effects of single-use products and plastic bags have become globally recognized as having lasting negative impacts on the environment. These products can pollute waterways and natural lands, are difficult to collect and contain, take significant time to degrade, and are potentially harmful to wildlife. The County wishes to establish a single-use products and plastic bags policy to reduce the use of these products and encourage the use of reusable, recyclable, biodegradable, or compostable materials.

B. POLICIES. It is the policy of the Board of County Commissioners that neither single-use products nor plastic bags may be sold or disbursed on County property by contracted vendors except as set forth in this Administrative Code.

C. DEFINITIONS. Unless otherwise specified, whenever the following terms are used, they have the meanings set forth below:

Biodegradable materials: Manufactured products made entirely of natural materials, such as paper or plant fibers, that will undergo a natural process of deterioration.

Compostable materials: Manufactured products made from uncoated paper, wood, or vegetable-derived plastics.

Contract: A written agreement between the County and a contracted vendor.

Contracted vendor: A product vendor, concessionaire, or lessee of the County.

County property: Includes land or facilities owned, operated, managed, or leased by the County.

Plastic: A human-made synthetic material commonly produced from petroleum and derived from carbon and other elements.

Plastic bags: Bags made of flexible plastic that are not biodegradable provided at the point of sale or distribution.

Plastic stirrers: Plastic tubes or sticks used for mixing a beverage in its container.

Plastic straws: Plastic tubes that are non-biodegradable and are intended for transferring a beverage from its container to the mouth of the drinker.

Polystyrene foam: A synthetic polymer made from the styrene monomer, commonly known by the name brand Styrofoam®.

Polystyrene foam products: Include containers, plates, bowls, cups, and trays.

Recyclable materials: Raw or processed materials that can be recovered or diverted from a non-hazardous waste stream to be reused or repurposed into another item, which may otherwise be produced using raw or virgin materials.

Reusable materials: Manufactured products that are durable and washable, can be used multiple times, and are not typically discarded.

Single-use products: Defined here as polystyrene foam products, plastic straws, and plastic stirrers.

D. PROGRAM MANAGEMENT.

(1) All County departments and divisions will work cooperatively to further the purpose of this policy and will comply with this Administrative Code as of the applicable effective date set forth below.

(2) Neither single-use products nor plastic bags may be sold or disbursed on County property by contracted vendors unless authorized by the County Manager, a Deputy County Manager, or a Department Director. The use of reusable, recyclable, biodegradable, or compostable materials is encouraged.

(3) County departments and divisions purchasing products intended for one-time use and then disposed of in waste streams must follow the product specifications.

(4) At the time of contract renewal or amendment, all contracts must incorporate this Administrative Code by reference and provide notice of this Administrative Code to the contracted vendor as applicable.

(5) Following contract renewal, if a contracted vendor fails to comply with this Administrative Code, the County may terminate the contract or pursue other appropriate contractual remedies set forth in the contract, or both. Additionally, the County may use past non-compliance by a contracted vendor as grounds for precluding the contracted vendor from future County contracts.

(6) Exemptions. The following are exempt from this Administrative Regulation:

(a) Single-use products disbursed in compliance with the Americans with Disabilities Act (ADA).

(b) State of Emergency. This Administrative Code will not apply during a declared state of local emergency.

(c) Pre-packaged food that was filled and sealed prior to receipt by a contracted vendor or permittee; and

(d) Packaging of unwrapped raw meat, poultry, and seafood.

E. AUTHORITY. Resolution 2021-R-165 adopted November 9, 2021

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 shall review all policies, procedures, ordinances, land development regulations, and the adopted local comprehensive plan and shall make specific recommendations to the Board of County Commissioners and to any entities providing statewide training and technical assistance for the Affordable Housing Catalyst Program to encourage or facilitate affordable housing. The Affordable Housing Advisory Committee process is required to repeat itself every year. The foregoing notwithstanding, the Affordable Housing Committee will not be required to perform its annual review if the County's annual appropriations of SHIP funds from the State of Florida do not exceed the statutory, guaranteed minimum amount provided for in Section 420.9073, Florida Statutes (2020), as this statute may be amended from time to time, for the year the immediately preceding the annual period.

C. MEMBERSHIP STRUCTURE.

(1) Requirements. The Affordable Housing Advisory Committee shall have at least eight (8), but not more than eleven (11) members. Effective October 1, 2020, the Committee must consist of one (1) locally elected official from Seminole County or municipality participating in the State Housing Initiatives Partnership Program and one (1) representative from at least six (6) of the categories 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 Section 163.3174, Florida Statutes (2020), as this statute may be amended from time to time.

(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.

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

(2) The locally elected official serving on an advisory committee, or a locally elected designee, must attend biannual regional workshops convened and administered under the Affordable Housing Catalyst Program, as provided in Section 420.531(2), Florida Statutes (2020), as this statute may be amended from time to time. If the locally elected official or a locally elected designee fails to attend three (3) consecutive regional workshops, the corporation may withhold funds pending the person's attendance at the next regularly scheduled biannual meeting.

(3) 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.

(4) Term of Office. Committee members will 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
Resolution 2021-R-16 adopted January 26, 2021

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 board with a minimum of ten (10) and a maximum of fourteen (14) members consisting of representatives of the groups listed below. Committee members shall be appointed by the Board of County Commissioners for a term of three (3) years commencing January 1 of each calendar year. No member may serve more than two (2) consecutive terms. If a member is appointed to complete a term due to a vacancy, that member shall be eligible to serve one (1) additional three (3) year term. Committee membership shall include:

Local Law Enforcement	One (1) member
Local Senior Initiatives (examples) • Seminole Volunteers • Visiting Nurses • Meals on Wheels • Mental Health Organization	Up to three (3) members
Faith Based Organizations	One (1) member
Elder Affairs Representative	One (1) member
Local Area Agency on Aging	One (1) member
Local Senior Residents	Up to three (3) members

Health Care Interest (examples)	One (1) member
• Local Hospitals	
• East Central Florida Health Planning Council	
• Health Department	
Veteran's Interest	One (1) member
Hospice/End of Life	One (1) member
Housing/Homeless Service Provider	One (1) member

(2) A quorum shall consist of a majority of the current appointed members.

(3) The Community Services Department, Community Health 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 Chairman of the Board of County Commissioners will make membership appointments for the Committee on Aging during the Chairman's Report at the Board of County Commissioners' meeting.

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.

E. AUTHORITY. Resolution 2008-R-110 adopted May 6, 2008
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2016-R-201 adopted December 13, 2016
Resolution 2022-R-27 adopted February 22, 2022
Resolution 2022-R-77 adopted June 28, 2022
Resolution 2025-R-37 adopted April 22, 2025

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 fourteen (14) members consisting of representatives of the groups listed below:

(a) One (1) employee of the Planning and Development Division of the Development Services Department, to be appointed by the Development Services Department Director.

(b) One (1) employee of the Building Division of the Development Services Department, to be appointed by the Development Services Department Director.

(c) Five (5) interested non-County employee citizens of Seminole County, to be appointed by the County Commissioners representing each district. 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 Office of Emergency Management, to be appointed by the Director of Emergency Management. These two (2) individuals shall serve as Chair and Vice-Chair of the Committee, with the Director to designate which employee shall serve in each position.

(e) Two (2) interested citizens from the Seminole County Long Term Recovery Committee and/or Seminole County Resiliency Working Group.

(f) One (1) employee of the Roads/Stormwater Division of the County Public Works Department, to be appointed by the Public Works Department Director.

(g) One (1) employee of the Engineering Division of the County Public Works Department, to be appointed by the Public Works Department Director.

(h) One (1) employee from the Development Review Engineering Division of the County Public Works Department, to be appointed by the Public Works Department Director.

(2) Committee meetings shall take place once monthly at the start of the rewrite period, every five (5) years beginning in October 2010.

(3) The Office of Emergency Management 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
Resolution 2020-R-03 adopted January 14, 2020
Resolution 2025-R-14 adopted February 25, 2025

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

4.30 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 MOBILITY FEE CITIZENS' ADVISORY COMMITTEE

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

B. DUTIES/RESPONSIBILITIES. The MFCAC shall set its own rules of procedure and meeting dates and shall meet additionally as requested by the County Manager. The MFCAC 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 MFCAC 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.

(a) MFCAC members shall be appointed by the BCC.

(b) Initial appointments to the MFCAC will not be required unless and until six (6) months prior to the BCC consideration of an increase to the Mobility Fees in any Mobility Fee District pursuant to Section 120.43(a) of the Land Development Code of Seminole County.

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

F. AUTHORITY. Resolution 95-R-153 adopted June 26, 1995
Resolution 2021-R-100 adopted June 22, 2021

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 operators 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 TDC will serve four-year terms and will be immediately eligible for reappointment.

(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)
Resolution 2025-R-4 adopted January 28, 2025

SECTION 4. BOARDS, COMMISSIONS, COUNCILS AND COMMITTEES

4.50 SEMINOLE COUNTY TOURISM IMPROVEMENT DISTRICT ADVISORY BOARD

A. PURPOSE. The Seminole County Tourism Improvement District Advisory Board ("Advisory Board ") shall administer the Seminole County Tourism Improvement District ("SCTID") and make recommendations to the Board on implementation of the Services and Improvements described in the Seminole County Tourism Improvement District Plan ("Plan") and shall undertake any other responsibilities delegated it by the Board.

B. DUTIES/RESPONSIBILITIES.

(1) Management of Funds for the SCTID. The Advisory Board shall manage the funds for the SCTID and shall establish an account for such funds and maintain proper accounting records identifying the receipts, expenditures, and cash balances of the SCTID, and all other records for the SCTID, the customary practices of the County and all applicable provisions of law. Nothing contained herein shall allow the expenditure of funds collected from within the SCTID or interest earned on an account maintained for the SCTID for purposes other than the payment of costs associated with the SCTID, including costs related to additional Services and Improvements provided pursuant to an amendment to the SCTID Ordinance for and specially benefiting parcels within the SCTID. If any revenue in excess of the funds reasonably needed to maintain Services and Improvements in the SCTID reasonable contingency or surplus funds for purposes related thereto should be available in the fund at any time, those funds may be rolled over for the provision of SCTID Services and Improvements. If the SCTID should be dissolved or abolished, such funds shall be spent in accordance with the provisions of the Plan, or returned to the Owner(s) on the date such returns or refunds are made.

(2) Annual Report. Each year, the Advisory Board shall submit a report of activities and expenditures to the County, including its annual budget and expenditures. The report and the budget shall be submitted no later than June 1 of each calendar year. The report shall include:

(a) A summary of the activities provided in the previous year;

(b) A summary of the expenditures from the previous year;

(c) Any requested increase to the Assessment Rate and the basis for such requested increase;

(d) The amount of any revenue to be carried over from any prior year(s);

(e) A list of the members of the Advisory Board; and

(f) A list of accomplishments attributable to the SCTID.

The budget shall include recommendations for expenditures and other essential financial information.

C. FINANCIAL DISCLOSURE. Required.

D. MEMBERSHIP STRUCTURE.

(1) Requirements/Appointment Process. The Advisory Board shall be composed of seven members, one member appointed by each County Commissioner, one member appointed by the County Manager, and one member appointed by the Central Florida Hotel & Lodging Association, Inc. All appointments shall be subject to the approval of a majority vote of the Board of County Commissioners. With the exception of the County Manager's appointee, all Advisory Board members shall be operators or owners of tourist accommodation. The majority of the Advisory Board shall be Owners subject to the Seminole County Tourism Improvement District Assessment. Members of the Advisory Board shall not be members of the Tourism Development Council. Members of the Advisory Board are not required to be Seminole County electors.

(2) Term of Office. Members of the Advisory Board shall serve for staggered terms of four years and may be immediately reappointed. During the Board's initial appointment of Advisory Board members, three Advisory Board members shall be appointed for four years, two Advisory Board members shall be appointed for three years, and two Advisory Board members shall be appointed for two years.

(3) Meetings and Attendance. The Advisory Board shall meet quarterly unless otherwise directed by the Board. All meetings of the Advisory Board shall be conducted in accordance with the Sunshine Law. Accordingly, all meetings of the Advisory Board noticed and open to the public as provided by Florida Law. The Advisory Board shall have minutes of each meeting taken, and such minutes shall be open to public inspection. The Advisory Board may adopt reasonable rules and regulations related to its duties and procedures.

(4) Legal and Staff Assistance. The Advisory Board shall be supported by County staff, as designated by the County Manager, to attend Advisory Board meetings, with participation by the County Manager and County Attorney or designees, as needed.

(5) Dissolution of Advisory Board. The Advisory Board shall be dissolved contemporaneously with either expiration of the SCTID term or upon the earlier dissolution of the SCTID.

E. ELECTION OF CHAIRMAN AND VICE CHAIRMAN.

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

F. AUTHORITY. Resolution 2025-R-21 adopted February 25, 2025

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 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, and Covered Entities.

C. NEGOTIATION AND SETTLEMENT PROCEDURES.

(1) Negotiation and Settlement Authority for Claims Assigned to Risk Management.

(a) The Risk Manager may negotiate settlement of non-litigated claims assigned to Risk Management, with settlement contingent on the settlement authority contained herein. Negotiation and mediation of litigated claims shall be in conjunction with assigned legal counsel.

(b) The Risk Manager may delegate negotiation authority to the County's Third-Party Administrator for non-litigated claims up to and including TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) per claimant, per occurrence, when the County accepts liability, or when settlement is in the best interest of the County.

(c) The Risk Manager may delegate negotiation authority to the County's Third-Party Administrator for automobile property damage claims up to and including FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(d) The Risk Manager may authorize settlement of claims up to and including TEN THOUSAND AND NO/100 DOLLARS ($10,000.00) per claimant, per occurrence.

(e) The Risk Manager may authorize settlement of automobile property damage claims up to and including TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(f) The Resource Management Department Director may authorize settlement of claims up to and including TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00) per claimant, per occurrence.

(g) The Resource Management Department Director may authorize settlement of automobile property damage claims up to and including FIFTY THOUSAND AND NO/100 DOLLARS ($50,000.00) per claimant, per occurrence, when the County accepts liability based on the County's investigation process.

(h) The County Manager may authorize settlement of claims up to and including ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00).

(i) The County Manager may authorize settlement of any claim for which settlement is recommended by the excess carrier if the funds to pay any amount that exceeds ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) are to be reimbursed by the excess carrier or others.

(j) The County Manager may recommend settlement of claims greater than ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) per claimant or 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 ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00) per claimant or per occurrence except as otherwise authorized above.

(k) Claim files shall document settlement authority approval.

(2) Negotiation and Settlement Authority for Claims Made by Seminole County.

(a) The Risk Manager may negotiate settlement of claims made by Seminole County that are assigned to Risk Management, with settlement contingent on the settlement authority contained herein. Negotiation and mediation of litigated claims shall be in conjunction with assigned legal counsel.

(b) The Risk Manager may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than TEN THOUSAND AND NO/100 DOLLARS ($10,000.00).

(c) The Resource Management Department Director may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than TWENTY-FIVE THOUSAND AND NO/100 DOLLARS ($25,000.00).

(d) The County Manager may authorize settlement of such claims when the estimated loss does not exceed the recovery by more than ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00).

(e) The County Manager may recommend settlement of such claims to the Board of County Commissioners when the estimated loss exceeds the recovery by more than ONE HUNDRED THOUSAND AND NO/100 DOLLARS ($100,000.00).

(f) Claim files shall document settlement authority approval.

(3) Reporting of Claims to Risk Management.

(a) Claims requiring reporting to insurance carriers shall be reported by the Seminole County Department, Division, Board, Commission, or Covered Entity to Risk Management promptly. Negotiation for settlement shall not occur prior to carrier notification and approval if the settlement would cause the claim to exceed the County's self-insured retention.

(4) Settlement of Other Claims.

(a) Authority to settle other claims, lawsuits, or other proceedings not addressed above when the County is a party is reserved by the Board of County Commissioners.

(5) Excluded Payments

(a) Payments from the County's Self-Insured Fund for judgments or 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.

D. 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
Resolution 2025-R-16 adopted February 25, 2025

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

12.1 COMMUNITY SERVICES APPROVAL AUTHORITY

A. PURPOSE. The purpose of this policy is to establish the approval authority of the Community Services Department Director, the County Manager, and their respective designees as it pertains to affordable housing initiatives of the County.

B. APPROVAL AUTHORITY. The Community Services Department Director, the County Manager, and their respective designees have the authority to execute all documents in furtherance of the Neighborhood Stabilization Program ("NSP"); State Housing Initiative Program ("SHIP"); Community Development Block Grant ("CDBG") Program; Emergency Solutions Grant ("ESG") Program; HOME Investment Partnership Program ("HOME"); Community Services Block Grant ("CSBG") Program; and Shelter Plus Care ("S+C") Program and any other Federal or State entitlement funds received for administration by the Department of Community Services.

(1) The Community Services Department Director or his or her designee is authorized to award and execute documents related to the above-referenced programs in an amount not-to-exceed ONE HUNDRED THOUSAND and NO/100 DOLLARS ($100,000.00).

(2) The County Manager or his or her designee is authorized to award and execute documents related to the above-referenced programs between ONE HUNDRED THOUSAND and 01/100 DOLLARS ($100,000.01) and TWO HUNDRED and FIFTY THOUSAND and NO/100 DOLLARS $250,000.00).

(3) The Board of County Commissioners may award and execute documents related to the above-referenced programs TWO HUNDRED FIFTY THOUSAND and 01/100 DOLLARS ($250,000.01) and over.

C. REPORTING REQUIREMENTS. The Community Services Department Director or the County Manager must submit a written report to the Board of the NSP and HOME transactions on an annual basis until the completion of each program.

D. AUTHORITY. Resolution 2024-R-92 adopted August 27, 2024

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 $600.00 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.

* 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. The Community Services Director or authorized representative can authorize cremation of unclaimed decedents on the County's behalf subject to the procedures and guidelines set forth in Section 406.50, Florida Statutes, as that statute may be amended from time to time.

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
Resolution 2021-R-93 adopted June 22, 2021

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 14. COUNTY ATTORNEY

14.10 COUNTY ATTORNEY'S AUTHORITY TO EXECUTE SATISFACTION AND RELEASES OF LIEN IN FAVOR OF SEMINOLE COUNTY IN CRIMINAL CASES

A. PURPOSE. From time to time, Seminole County is named as a judgment lien creditor in criminal cases. When the criminal defendant pays the judgment lien in full, Section 701.04(2), Florida Statutes, requires Seminole County to execute and record a satisfaction and release of the judgment lien. Therefore, the satisfaction and release upon full payment is essentially a ministerial act that is appropriate for the Board to delegate to the County Attorney.

B. DELEGATION OF AUTHORITY. Upon payment in full of a judgment lien in favor of Seminole County in a criminal case, including the original judgment lien amount and all accrued interest, the County Attorney is authorized to execute and have recorded the satisfaction and release of lien as required by law.

C. AUTHORITY. Resolution 2018-R-56 adopted April 24, 2018

SECTION 14. COUNTY ATTORNEY

14.15 COUNTY ATTORNEY'S AUTHORITY TO REQUEST AN ORDER TO SHOW CAUSE FOR CONTINUOUS VIOLATIONS OF THE ANIMAL CONTROL ORDINANCE

A. PURPOSE. As per Section 20.08 of the Seminole County Code, the Seminole County Animal Control Enforcement Officers are responsible for enforcement of the Animal Control Ordinance, and may issue citations for noncriminal infractions of the Animal Control Ordinance. When the person fails to appear in court as required by the Animal Control Ordinance, Section 828.27, Florida Statutes, authorizes the governing body of the County to petition the County Court to explain why action on the citation has not been taken. This is an administrative act that is appropriate for the Board to delegate to the County Attorney.

B. DELEGATION OF AUTHORITY. Upon receipt of an Affidavit from the Animal Services Administrator, including a copy of the citation(s) and any other evidence to prove the person has not complied with Section 20.137(a)(3) of the Seminole County Code, the County Attorney is authorized to file an Order to Show Cause with the County Court, as required by law.

C. AUTHORITY. Resolution 2019-R-55 adopted April 9, 2019

SECTION 18. ENVIRONMENTAL SERVICES DEPARTMENT

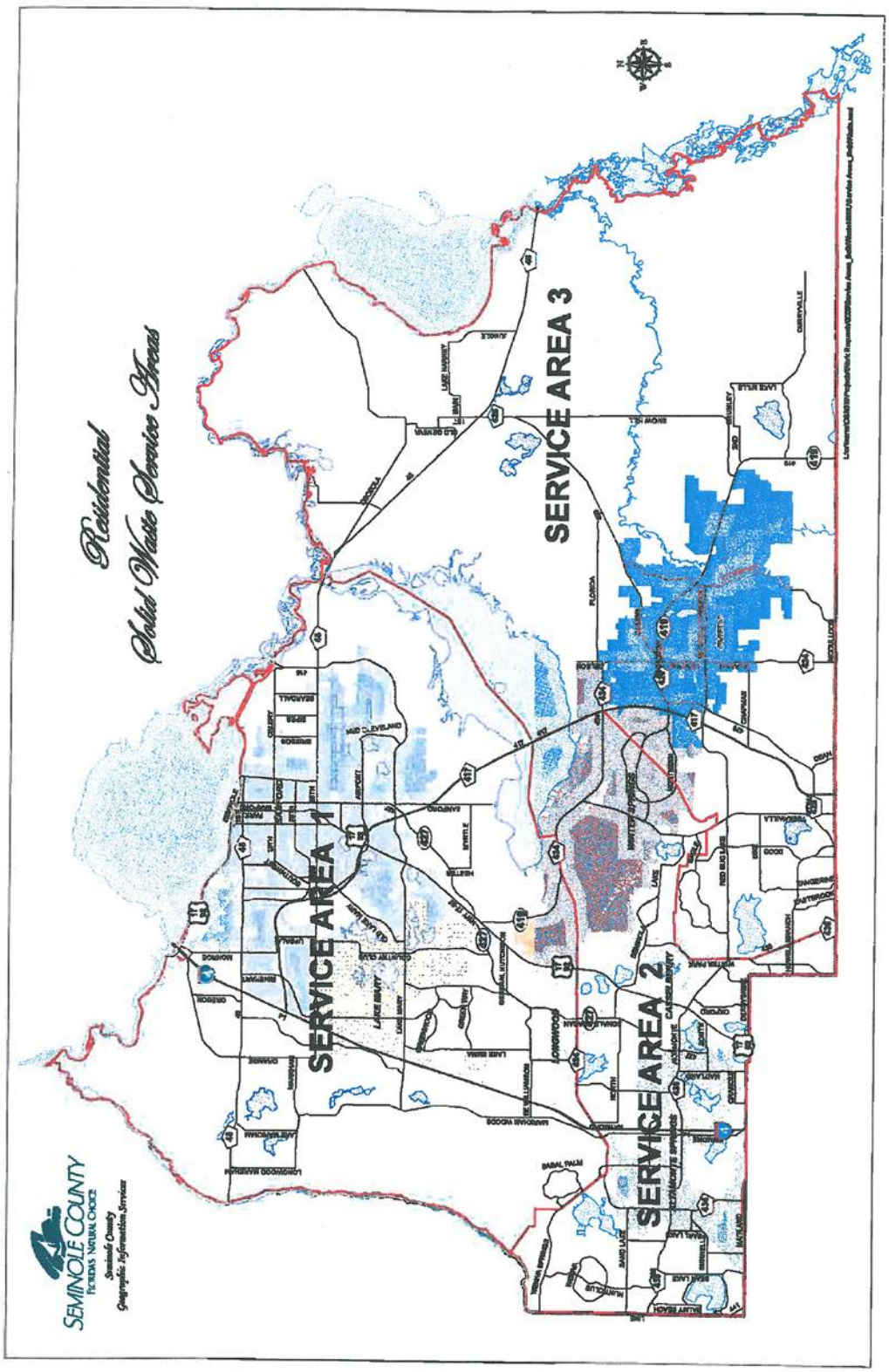
18.5 SOLID WASTE SERVICE AREAS.

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
FLORIDA'S NATURAL CHOICE
Seminole County
Geographic Information Services

SECTION 20. FEE RESOLUTIONS

20.1 ACCEPTANCE OF CREDIT CARDS, CHARGE CARDS, DEBIT CARDS OR ELECTRONIC FUNDS TRANSFERS

A. PURPOSE. To allow the County to accept payment by credit cards, charge cards, debit cards, and electronic funds transfers to Seminole County Government to the maximum extent practicable where the benefits to the County and the public justify the cost of accepting these types of payments.

B. FEES. County staff is granted the authority and discretion to impose a Convenience Fee on payments made by credit cards, debit cards, or third party electronic fund transfer service providers as allowed by Section 215.322, Florida Statutes (2019), as this statute may be amended from time to time.

As recommended by the County Manager and approved by the Board of County Commissioners, such fees may be imposed at a fixed rate of TWO AND 50/100 DOLLARS ($2.50) for transactions up to FIFTEEN HUNDRED AND NO/100 DOLLARS ($1,500.00). Transactions exceeding FIFTEEN HUNDRED AND NO/100 DOLLARS may be assessed a percentage rate of 2.80%. As such, transactions over FIFTEEEN HUNDRED AND NO/100 DOLLARS will be subject to a combination of both the fixed rate and percentage rate. These Convenience Fees are intended to ensure that interchange and other associated fees levied by merchant service providers and debit and credit card companies could be recovered in part or in full from those who are using the service. It is intended the amount of these Convenience Fees not exceed the amount of these third-party transaction fees. 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 Office, 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. All recommended changes to Convenience Fees must be submitted to the County Manager and the Seminole County Clerk of Circuit Court and Comptroller for formal approval, by both, prior to implementation.

If a County Department determines that the benefits of absorbing the Merchant transaction fees are a cost of doing business and are consistent with industry standards, such analysis should be presented to the County Manager and the Clerk of the Circuit Court and Comptroller's Office to evaluate the costs of accepting these types of payments. Such consent to absorb the fees requires the approval of the County Manager and must be documented in the County Manager's Policies. The County shall not absorb any such fees for any County service, the infrastructure for which is bond financed, including, but not limited to water and sewer service, unless the County verifies that such fee absorption would be in compliance with all County covenants and commitments for such bond financing.

C. DONATIONS TO SEMINOLE COUNTY GOVERNMENT. Customers may donate money to Seminole County Government by credit or debit card. Departments accepting donations by credit or debit card will follow all procedures within the

established County Manager Policies. Donations by 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
Resolution 2015-R-206 adopted December 13, 2016
Resolution 2019-R-15 adopted January 22, 2019
Resolution 2019-R-165 approved October 8, 2019

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 adoption, redemption, impoundment, and such other services as necessary to carry out the duties and responsibilities of the Animal Services program.

B. SERVICES.

(1) Provides a Domestic Animal Sterilization Program for all adopted cats and dogs via clinics, mobile services, or vouchers with contracted veterinarians or County veterinarian located within Seminole County. Program covers County-owned animals available for adoption.

(2) Provides use of nuisance animal traps for domestic cats and dogs to County residents at no charge. All confined cats or dogs should be turned over to the County's shelter. 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 pets with their owners should they become lost, thus reducing euthanasia rates.

(4) Provides adoption services to the general public and animal transfers to non-profit rescue groups under contract with Seminole County or law enforcement agencies for all animals owned by the County.

(5) The Animal Services Administrator or designee reserves the right to decline to provide shelter services, such as the adoption or transfer of any County-owned animals, to any individual or group who has either surrendered owned animals to the shelter more than twice within any given year, has failed to make payment for any services previously rendered by the County such as impound or board, has failed to pay or contest citations issued to them for possible violations of County Code, or has been convicted of any crime involving animals.

C. ADMINISTRATIVE FEES.

(1)	Rabies Vaccination fee	$ 10.00
(2)	Annual Standards of Care Certificate fee for commercial/business/for-profit	150.00
(3)	Annual Standards of Care Certificate fee for non-profit animal rescues and residential	15.00
(4)	Late fee for failure to renew annual Standards of Care Certificate 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
(5)		Duplicate Standards of Care Certificate for lost or damaged Certificate	5.00
(6)		Certificate of Registration for Dangerous Dog Annual Fee	300.00
(7)		Certificate of Registration for Aggressive Dog	
	(a)	First two (2) years	150.00
	(b)	Annual Renewal Fee, if applicable	75.00
(8)		Owner Surrender Fee, per dog	
	(a)	One (1) to three (3) dogs	15.00
	(b)	Four (4) dogs or more	50.00

D. WAIVER. The Animal Services Administrator 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 Animal Services Administrator 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)	Impoundment fee, each animal	75.00
	(b)	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 a pet of their choice as an individual owner (not on behalf of a business): $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.

The reduced fee includes the costs of adoption, 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 Animal Services Administrator 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
Resolution 2017-R-24 adopted February 28, 2017
Resolution 2018-R-127 adopted September 25, 2018
Resolution 2022-R-87 adopted June 28, 2022
Resolution 2023-R-58 adopted May 23, 2023

SECTION 20. FEE RESOLUTIONS

20.10 DEVELOPMENT, BUILDING, INSPECTION AND ADMINISTRATIVE CHARGES

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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) (a)	Copying or scanning of plans	$5.00 per page
(b)	Copying or scanning multi-page 8½ x 11 documents	$5.00 per document up to 100 pages
	Plus	$5.00 per each additional 100 pages or fraction thereof

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	$50.00
(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)	Pre-Application for rezone, land use amendments, subdivisions, site plans, or special exceptions	$50.00
	(Pre-application fee may be applied towards any rezone, land use amendment, subdivision, site plan, or special exception application fee.)	
(2)	Letter certifying property zoning/land use or zoning review of a Community Residential Home/ALF	$35.00
(3)	Letter certifying property zoning/land use and verification of a single permitted use	$50.00
(4)	Letter certifying property zoning/land use requiring extended research, site inspection and/or a code compliance review	$150.00
(5)	Alcoholic Beverage License review for Incidental Sales or Temporary Licenses	$50.00
(6)	Alcoholic Beverage License review for On-Premise Consumption or Package Stores	$150.00
(7)	Special notification by mail of pending zoning issues	$2.00 each notice
(8)	Variance	$300.00
	Plus	$75.00 for each additional Variance
(9)	"After the Fact" Variance	Double the variance fee*
	Plus	Double the fee for each additional variance

(After the Fact Variances include any variance applications made as a result of code enforcement, unpermitted construction, special magistrate action or other violations)

* "After the Fact" Variance Fee may be reduced or waived at the discretion of the Planning & Development Division Manager.

(10)	Administrative Variance		$150.00
	Plus		$50.00 for each additional Variance
(11)	Special Exception		$1,350.00
(12)	Special Exception to permit mobile home		$500.00
(13)	Limited Use mobile home or RV		$300.00
(14)	Appeals to BCC from decision of the BOA or PZC		$1,000.00
(15)	Appeal administrative decision to the BOA or BCC (including, but not limited to, decisions of the Manager, Director or DRC)		$1000.00
(16)	Rezoning applications (excluding PD):		
	Classifications other than PD		$2,500.00
	Plus		$75.00 for each acre
	Maximum fee		$6,500.00
(17)	Planned Development (PD):		
	(a)	Rezoning and Master Development Plan	$4,000.00
		Plus	$75.00 for each acre
		Maximum fee	$10,000.00
	(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	$2,500.00
		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.

(18)	Rezonings filed concurrently with Comprehensive Plan Amendment or Development of Regional Impact	50% of normal rezoning fee
(19)	Camouflage Cell Tower Determination	$500.00
(20)	Administrative Adjustment or Waiver requiring BCC approval	$1,000.00
(21)	Administrative Adjustment or Waiver not requiring BCC approval	$500.00
(22)	Outdoor Advertising Sign Agreement (Billboard)	$2,500.00
(22)	Motion Picture & Television Permit	$75.00**
(24)	Special Event Permit requiring BCC approval	$300.00
(25)	Special Event Permit not requiring BCC approval	$75.00**
(26)	Noise Exemption Permit, Doggie Dining Permit or Outdoor Sales of Merchandise Permit	$75.00**
(27)	Temporary POD Permit for Seasonal Deliveries	$100.00 per POD**
(28)	Backyard Chicken Program Permitting Fee	$75.00

** 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	$1,500.00
	(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)	$500.00
(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 Research Request		$110.00
(14)	Sidewalk Fund Fee Per Linear Foot of Sidewalk Not Constructed		
	(a)	For 5-foot wide sidewalk	$56.04/linear foot
	(b)	For 6-foot wide sidewalk	$66.79/linear foot

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)	$2,500.00
		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)	$500.00
(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
(10)	Sidewalk Fund Fee		See Section D(14)

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; SHORELINE ALTERATION.

(1)	Application for dredge and fill permit	$750.00
(2)	Application for Dredge/Fill in conjunction with a SFR Building Permit	$400.00
(3)	Shoreline Alteration Permit Fee	$125.00

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	$60.00
	Plus:	
	Fee per $1,000 value of construction	$5.00
(ii)	Residential Alterations	
	Base Permit Fee	$60.00
	Plus:	
	Fee per $1,000 value of construction	$5.00
(iii)	Commercial Construction	
	Base Permit Fee	$60.00
	Plus:	
	Fee per $1,000 value of construction	$6.00

(iv) Commercial Alterations

Base Permit Fee	$60.00
Plus:	
Fee per $1,000 value of construction	$6.00

(b) Building Permit Fees for Structures Other than Buildings:

Base Permit Fee	$30.00
Plus:	
Fee per $1,000 value of construction	$6.00

Examples of structures other than buildings:

Single Family Res. - Bring up to code	Aluminum & roof over mobile home
Model change	Canopy gas station
Temporary sales office	Solar panels
Aluminum or vinyl siding	Wood deck
Aluminum roof or cover	Slab
Misc. building	Satellite dish
Retaining wall	Awning/canopy
Seawall and/or repairs	Install soffit and fascia
Install & replace windows	Boat dock
Install underground gas tanks	Install oil tanks
Gas stationisland pump	Subdivision wall

(c)	Swimming pools	$400.00
(d)	Pool Enclosures	$30.00
	Plus:	
	Fee per $1,000 value of construction	$4.00
(e)	Re-roof	$30.00
	Plus:	
	Fee per $1,000 value of construction	$6.00

(f)	Fences		$40.00
	Plus:		
	Fee per $1,000 value of construction		$5.00
(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)		$50.00
(i)	Second reinspection (all trades)		$75.00
(j)	Third inspection (all trades)		$100.00
(k)	Fourth and each subsequent Reinspection (all trades)		$150.00
(l)	Revisions – approved altered plans		
	(i)	Residential plans	$40.00
	(ii)	Commercial plans (per page)	$7.00
		Minimum	$70.00
(m)	Restamping, recertification/approval of unaltered plans:		
	(i)	Residential plans	$65.00
	(ii)	Commercial plans	$6.00 per page
		Minimum	$70.00
(n)	Extra set of plans for builder		$5.00 per page
(o)	Duplicate copies of Certificate of Occupancy without record search:		
	(i)	Mailed	$15.00
	(ii)	Picked up/called for	$15.00
(p)	Roof permit with building permit (if by roofing contractor)		$60.00
(q)	Temporary commercial Certificate of Occupancy		$170.00

(r) Prepower agreements (non-refundable) extensions granted with Building Official approval $100.00

(2) Mechanical Permit Fees:

(a) For Single Family Residential (new construction):

Mechanical permit fee $105.00

(b) For all permits other than single family residential new construction:

(i) Base Mechanical permit fee (other) $45.00

(ii) Fee per $1,000 value of work $6.00

(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:

(i) Base Plumbing permit fee (other) $45.00

(ii) Fee per $1,000 value of work $6.00

(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:

(i) Base Electrical permit fee (other) $45.00

(ii) Fee per $1,000 value of work $6.00

(5) Gas Installation Permit Fees:

Base gas permit fee	$110.00
Fee per outlet per permit	$20.00
When scope of work includes installation of outlet or gas lines, charge fee under Gas category only.	

(6) Other Permit Fees:

(a)	All signs (both sides if used) includes political signs 32 square feet or greater	$2.50 per square foot
	Minimum fee	$60.00
(b)	Floodzone review fee (1st time review)	$265.00
(c)	Floodzone review fee (2nd & subsequent)	$60.00
(d)	Floodzone determination (not related to new construction)	$50.00
(e)	Christmas tree lot inspections	$60.00
(f)	Haunted house inspections	$110.00
(g)	Demolition permit	$115.00
(h)	House moving permit	$400.00
(i)	Out-of-County inspection	$350.00
(j)	Tent permit	$130.00 per tent
(k)	Temporary Permits for Stages, Platforms, Bleachers, Seating, Canopies, etc.	$60.00
(l)	Mobile home tie down permit	$350.00
(m)	Stocking permit (moving equipment/materials Into building before final inspection)	$130.00
(n)	Change of prime contractor	$40.00
(o)	Change of sub-contractor	$10.00
(p)	Letter of reciprocity	$20.00

(q)	Fine to contractor from the Licensing Board for material violations of the Building Code per violation	$500.00 min/$5,000.00 max
(r)	Early start review/approval	$50.00
(s)	Building Official Field Determination	$100.00
(t)	Building Official Determination for Equivalency (per determination)	$25.00
(u)	Building Official Private Provider Audit	$100.00
(v)	Residential/Commercial permit extension	$35.00
(w)	Change of ePlan Applicant/ePlan email (per permit)	$5.00
(x)	Master filing fee residential	$30.00
(y)	Permit application amendment other than contractor changes (Application only, not revision of plans)	$10.00
(z)	Annual escrow account administration fee – per request/payment	$1.00
(aa)	Cancel permit fee (no work commenced) – covers staff and inspector field confirmation	$25.00
(bb)	Application/Technology Submittals Fee – Residential/Commercial (all others – plan review required)	$25.00
(cc)	Application/Technology Submittals Fee – Commercial new construction	$100.00
(dd)	Application/Technology Submittals Fee – Residential Single-Family Residential new construction	$75.00
(ee)	Application/Technology Submittals Fee – Residential Same Day (no plan review)	$3.00
(ff)	Fire permits processing fee	$20.00
(gg)	Zoning permit review fee (e.g. sign and residential fence permits)	$20.00

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.

NO REFUNDS on application/technology submittal fee.

NO REFUNDS if specified as such in fee schedule line item.

(7) Construction Plan Review:

Plan review fee (non-refundable). Must be paid at time of application Covers initial application and two (2) resubmittals:

(a)	Value of Construction:	
	$0 - $100,000	$125.00
	$100,001 - $700,000	$200.00
	Over $700,000*	$5% of the estimated permit fee
(b)	Structures Other than Buildings	$25.00
(c)	Third and subsequent resubmittals	$20.00 per affected page

* Fee may be adjusted down pending proper itemized documentation of construction costs and Building Official and/or Division Manager approval.

(8) Requested After Hours Inspections/Zoning/ Plan Review & Updating:

(a)	Weekend and Holidays Must be paid prior to service	$320.00 ($80.00/hr above 4 hours)
(b)	Weekday Must be paid prior to service	$160.00 ($80.00/hr above 2 hours)

(9) Short-Term Vacation Rental Registration Fee $250.00

No permit shall be issued nor Certificate of Occupancy granted without all fees paid.

Building Official and/or Division Manager may adjust individual permit fee calculated amounts for affordable/attainable housing. Must be requested at the time of application.

(10) Private Provider Discount:

Per Section 553.791(2)(b), Florida Statutes, projects that elect to hire a private provider to conduct inspections and/or plan reviews are eligible for a discount on permit fees (see chart below).

Project Size	Inspections Only (Residential)	Plans Review & Inspections* (Residential)	Inspections Only (Commercial)	Plans Review & Inspections* (Commercial)
0-139,999 square feet	45%**	60%**	45%**	60%**
140,000 square feet or greater	N/A	N/A	65%**	75%**

* If the applicant chooses to use a private provider for plans review, the applicant must also use a private provider for inspections. If an applicant elects to use a private provider for plans review, the Plans Review Fee will not be assessed.

** This discount is only for the cost of the building permits for building purposes, specifically building, electrical, mechanical, and plumbing. It would not affect any other fees associated with a building permit such as impact fees, fire permit fees, technology fees, or development fees.

M. FIRE SAFETY.

(1) The authority having jurisdiction (AHJ) shall be authorized to establish and issue permits, certificates, and approvals pertaining to conditions, operations, or materials hazardous to life or property. As required by the AHJ for new construction, modification, or rehabilitation, construction documents and shop drawings shall be submitted prior to the start of such work.

(a) Commercial/Multi-family Construction Plans Review Permit, Original Submittal Review, and one (1) Site Inspection:

(i) Building Construction

Fee Per $1,000 value of construction $0.54

OR:

Minimum $141.00

(ii) Building Alterations

Base Permit Fee $54.00

PLUS:

Fee per $1,000 value of construction $6.00

(b) Fire Protection Systems Plans Review, Permit, Original Submittal Review and one (1) Site Inspection:

(i) Fire Protection System

Fee per $1,000 job value	$6.00
OR:	
Minimum	$141.00

(ii) Fire Protection System Alterations

Base Permit Fee	$54.00
PLUS:	
Fee per $1,000 job value	$6.00

(c) Commercial Construction Fees for Structures other than Buildings

Base Permit Fee	$54.00
PLUS	
Fee per $1,000 value of construction	$6.00

Examples of structures other than buildings:

Temporary sales trailer	Gas station canopy
Misc. building	Awning/Canopy
Retaining/subdivision walls	Dumpster Enclosures
Install & replace windows	Gas station island pumps
Dock/Pier	Install oil tanks
Solar Panels	Fences

Remove/Abandon flammable and combustible liquid tanks

(d) Change of Use Permit* $69.00

* Changes of Use which change the hazard class will require plan review submittal.

(e) Demolition Permit $59.00

(2) Fire Prevention Fees:

(a) Special Events Permit $156.00

(b) Fire Emergency Plan Review $78.00

(c)	Change of Occupancy Permit		$69.00
(d)	Open Flame Permit		$69.00
(e)	Flammable/Combustible Liquid Tank Permit		
	(i)	Single Above/Below Ground Tank	
		Fee per $1,000 job value	$6.00
		OR:	
		Minimum	$177.00
	(ii)	Multi-tank System Tank	
		Fee per $1,000 job value	$6.00
		OR:	
		Minimum	$288.00
(f)	Distributive Antenna System DAS Operational Permit (Annual)		$39.00
(g)	Mobile Food Service Permit and Inspection		$69.00
(h)	Consumer Sparkler – Temporary Retail Sales		$69.00
(i)	Consumer Sparkler - Fixed Retail Sales		$69.00
(j)	Temporary Tent Permit		
	(i)	In excess of 900 sq. ft. gross	$59.00
	(ii)	Per additional tent*	$19.00

* More than one (1) tent within 100 feet of each other

(k)	Flame Effect – before a proximate audience Permit (NFPA 160)	$137.00
(l)	Pyrotechnics – before a proximate audience Permit (NFPA 1126)	$137.00
(m)	Aerial Fireworks Display* Permit (NFPA 1123)	$137.00

* Application must be submitted thirty (30) days prior to the shoot, or an after-hours plan review fee will be charged.

(3) Other permit fees:

(a)	Reinspection:	
	1st reinspection	$38.00
	2nd reinspection	$69.00
	3rd reinspection and each subsequent Reinspection	$99.00
(b)	Temporary Certificate of Occupancy (TCO) Review and one (1) Site Inspection	$59.00
(c)	Early Start Permit (prior to approved plans and at Applicant's risk)	$39.00
(d)	Stocking Permit and one (1) Site Inspection	$59.00
(e)	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 fee	$150.00
(f)	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	$30.00 per affected page
	Maximum fee	$765.00
(g)	Alterations to commercial plans, review, approval, documentation	$8.00 per page
	Minimum fee	$54.00

(h)	Other inspections (Special inspections, Pre-power Agreements, etc.)	$39.00 per hour collected prior to inspection based on estimated time by inspector to perform the inspection (Two-hour minimum)
(i)	Requested After Hours Inspections:	
	Weekend and holidays	$240.00 ($60.00/hr. above 4 hours)
	Weekday	$120.00 ($60.00/hr. above 2 hours)
(j)	Commencement of Work without a permit*	

* If any work is commenced without a permit, the early start permit fee will be charged and the regular permit fee will be doubled.

(4) Construction Plan Review:

Plan review fee (non-refundable). Must be paid at the time of application. Covers initial application and one (1) resubmittal:

(a)	Value of Construction:	
	$0 - $100,000	$70.00
	$100,001 - $700,000	$189.00
	Over $700,000	$270.00
(b)	Structures Other than Buildings	$30.00

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)	$400.00 per acre, $10,000.00 max
	Small Scale (< 10 Acres)	$3,500.00
	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.

Q. ANNUAL FEE ESCALATOR. All of the fees in this Resolution may be adjusted annually on October 1, if necessary, based upon the percentage change in the United States Department of Commerce Consumer Price Index for the twelve (12) month period ending on June 30 of that year in an amount not to exceed three percent (3%) with final approval by the Board of County Commissioners.

R. AUTHORITY. Section 5.14, Land Development Code of Seminole County
Resolution 2014-R-40 adopted February 11, 2014
Resolution 2016-R-115 adopted June 28, 2016
Resolution 2018-R-77 adopted June 12, 2018
Resolution 2019-R-126 adopted July 23, 2019
Resolution 2019-R-186 adopted October 22, 2019
Resolution 2020-R-31 adopted February 25, 2020
Resolution 2020-R-59 adopted May 12, 2020
Resolution 2021-R- 79 adopted June 8, 2021
Resolution 2021-R-149 adopted October 26, 2021
Resolution 2023-R-119 adopted October 24, 2023
Resolution 2024-R-139 adopted December 12, 2023

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-26 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

20.21 EDUCATIONAL SYSTEM IMPACT FEES VESTING CERTIFICATE FEES

A. PURPOSE. To establish fees necessary to carry out the duties and responsibilities of the Educational System Impact Fees Vesting Certification Program.

B. FEE SCHEDULE.

(a)	Application Fee for Vesting Certificate	$500.00
(b)	Appeal of Denial of a Vesting Certificate	$500.00

C. AUTHORITY. Resolution 2018-R-15 adopted January 23, 2018
Resolution 2018-R-21 adopted February 13, 2018

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

20.23 VESTING CERTIFICATE FEES FOR MOBILITY SYSTEM MOBILITY FEES, FIRE AND RESCUE SYSTEM IMPACT FEES, AND LIBRARY SYSTEM IMPACT FEES

A. PURPOSE. To establish fees necessary to carry out the duties and responsibilities of the Vesting Certification Programs for Mobility System Mobility Fees, Fire and Rescue System Impact Fees, and Library System Impact Fees.

B. FEE SCHEDULE.

(a)	Application Fee for Vesting Certificate	$500.00
(b)	Appeal of Denial of a Vesting Certificate	$500.00
(c)	Note, if multiple Vesting Certificate applications for the different types of Impact Fees are being submitted together, then only one (1) Application Fee is required for the multiple application package.	

C. AUTHORITY. Resolution 2021-R-101 adopted June 22, 2021

SECTION 20. FEE RESOLUTIONS

20.24 VESTING CERTIFICATE FEES FOR NET BUILDABLE ACRES APPLICATIONS

A. PURPOSE. To establish fees necessary to carry out the duties and responsibilities of the Vesting Certification Programs for Comprehensive Plan Net Buildable Acres Definition Amendment.

B. FEE SCHEDULE.

(a)	Application Fee for Vesting Certificate	$500.00
(b)	Appeal of Denial of a Vesting Certificate	$500.00

C. AUTHORITY. Resolution 2022-R-61 adopted April 26, 2022

SECTION 20. FEE RESOLUTIONS

20.25 EMERGENCY MANAGEMENT FEES

A. PURPOSE. Pursuant to Chapter 252, Florida Statutes (2016), 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). The Office of Emergency Management 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.

B. HEALTHCARE COMPREHENSIVE EMERGENCY MANAGEMENT PLAN REVIEW SERVICE. The Office of Emergency Management shall seek reimbursement of costs incurred in reviewing emergency management plans, electrical generator/air control systems plans, emergency management plan submission portal management, training/exercise programs, and providing technical assistance. The fee structure shall be as noted on the chart below and will be assessed at the time of plan review completion.

Fee Structure	Frequency	Cost
New Facility Start Up Fee	Once	$50.00
Plan Review Fee (At or Under 16 Bed Capacity)	Annually	$150.00
Plan Review Fee (Above 16 Bed Capacity)	Annually	$250.00
Late Submission Fee (7 Days Past Due Date)	Various	$50.00
Plan Technical Assistance (if requested)	Per Hour	$25.00

C. TRAINING AND EXERCISE SEVICES. The Office of Emergency Management may collect fees when conducting or hosting training courses, classes, and programs as well as for the use of County training facilities or equipment. These course costs will vary depending on the length of course, instructor pay/contracted rates, and production costs. Charges will include, but are not limited to: instructors, materials, equipment and facility usage, program development, and administration costs.

D. AUTHORITY. Resolution 2023-R-118 adopted October 24, 2023

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) All Primary Care services will be charged on a fee-for-service rate based on local-cost-comparison of similar services and will not be less than current Medicaid rate nor more than Medicare rate if the service is covered by either payer. The fee will be derived by considering the type of visit, the client sliding fee scale, if applicable, based on Federal OMB guidelines and the current State Medicaid Rate. Proof of active Medicaid coverage will be accepted as full payment in lieu of charges for any service that is covered under the Medicaid program.

(2) School Physicals - $30.00 per child (includes completion of School Health Entry Form). Replacement Forms - $10.00 each.

(3) Sports Physicals - $60 (includes EKG and completion of client sports physical form).

(4) Dental Clinic - Dental services are offered for children ages five (5) through twenty (20) years. Limited dental services are available for adults twenty-one (21) years and over. Children and adults who do not have valid Medicaid will be charged 160% of the Medicaid fee for dental services, with an option of applying for eligibility for sliding scale fees.

	Procedure	160%-of the Child Medicaid Fee for Service
(a)	Comprehensive Exam	$38.00
(b)	Limited Exam	$19.00
(c)	PA x-ray	$10.00
(d)	2 Bitewing x-rays	$21.00
(e)	4 Bitewing x-rays	$26.00
(f)	Panoramic x-ray	$71.00
(g)	Full Mouth Debridement (basic cleaning)	$124.00
(h)	Prophylaxis (polishing)	$43.00
(i)	Fluoride Varnish	$26.00

	(j)	Resin, Anterior (1 surface) filling	$81.00
	(k)	Resin, Anterior (2 surface) filling	$93.00
	(l)	Resin, Anterior (3 surface) filling	$105.00
	(m)	Resin, Posterior (1 surface) filling	$74.00
	(n)	Resin, Posterior (2 surface) filling	$98.00
	(o)	Resin, Posterior (3 surface) filling	$121.00
	(p)	Oral Hygiene Instruction	$14.00
	(q)	Pulp Cap Direct	$31.00
	(r)	Pulp Cap Indirect	$26.00
	(s)	Sedative Filling	$43.00
	(t)	Extraction (Simple) / includes supply costs	$100.00
	(u)	Sealants (per tooth)	$31.00
	(v)	Pulpotomy	$119.00
(5)		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. Pregnancy Statement Replacement	$50.00 $15.00
(6)		Pregnancy Test – under Age 19	No Charge
(7)		Thin-Prep PAP laboratory test	$35.00
(8)		Family Planning Initial or Annual Exam	$100.00
(9)		Family Planning Counseling and Supply Visit	$50.00
(10)		Adult Physical – College/Employment (Exclusions Apply)	$50.00

C. COMMUNITY PUBLIC HEALTH SERVICES

(1)	Tuberculin (TB) Skin Test, with reading and nurse assessment.	$40.00
(2)	Tuberculosis (TB) Symptom Assessment for previous positive reactors	$25.00

(3)	Chest x-ray	$50.00
(4)	Quantiferon Gold TB Test	$60.00
(5)	TB Patient FMLA or Disability Forms Completion	$25.00
(6)	Hepatitis Panel Testing (If not funded by Hepatitis Program)	$25.00
(7)	Sexually Transmitted Diseases	
	(a) Exam and Testing - 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.	$110.00
	(b) STD screening tests including: Syphilis, HIV, Chlamydia and Gonorrhea for asymptomatic clients.	$55.00
	(c) STD exam only	$55.00
	(d) Cryo Wart Removal (No Eligibility)	
	One (1) Wart	$55.00
	Two (2) to Five (5) Warts	$90.00
	Six (6) to Ten (10) Warts	$125.00
	Eleven (11) or more Warts	$180.00
	(e) Testing for HIV I Antibodies Routine Serum or Rapid	$20.00
	(f) Herpes (HSV 1 or 2) Serum – No Eligibility	$35.00
	(g) Herpes Culture and Typing – No Eligibility	$26.00
	(h) Anal Pap	$47.00
	(i) Herpes (HSV-1 and HSV-2) (No Eligibility)	$53.00
	(j) Aptima Trich (No Eligibility)	$38.00
	(k) Treatment Only Visit	$23.00

* Services provided regardless of ability to pay.

(8) HIV Post Exposure Prophylaxis/Non-Occupational Post Exposure Prophylaxis

Exam and Testing – 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.

(a) Provider exam and consult; STD screening test and lab processing fee for the following: syphilis, HIV, hepatitis panel, CMP, chlamydia and gonorrhea (site of exposure) $110.00

(b) Pregnancy Test $10.00

(9) Immunization services for children and adults including international travel consults and vaccinations, recommended adult immunizations, form completions and replacements:

Adults

(a) Prevailing vaccine cost rounded up to the nearest dollar

(b) Vaccine administrative fee: $25.00

(c) College Entry Immunization Forms Administrative Form Processing Fee $24.00

Children

(a) (i) Vaccine at no cost Vaccine and Form processing administrative fee (except Medicaid) $25.00

(ii) Replacement Form (except Medicaid) $10.00

(iii) Recommended vaccines for children 2 months through 18 years eligible for Vaccines for Children Program (VFC) No Charge

(iv) Required vaccines for school/daycare entry through 18 years No Charge

Travel

(a) Travel vaccines at 125% cost to CHD

(b) Travel Consult Fee (a minimum of thirty (30) minutes of consult time and printed travel information regarding disease prevention) (fee waived per additional family member) $60.00

(c) Administrative form replacement for Yellow Fever Certificate $10.00

(d) Malaria prevention prescription fee $25.00

(e) Vaccine administrative fee $24.00

Special Events

(a) 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

(10) Laboratory Services: Prevailing lab cost and specimen collection fee.

Specimen Collection Fee: $20.00

(11) 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

(12) HIV Class/Seminar registration (per person)

HIV 501 Update	$15.00
HIV 500	$25.00
HIV 501	$75.00

(13)	American Heart Association – CPR/AED Basic Life Support Courses for Healthcare Professionals: a 4-hour course that covers Adult, Child, and Infant one-rescuer CPR AED, as well as focused emphasis on team work with the Adult, Child, and Infant two-person rescue. Topics also include Rescue Breathing and Foreign Body Airway Obstruction.	$30.00
(14)	Adult Health Screenings – includes: registration, lab, and blood pressure check, return appointment for consultation of lab results and referrals (PCP/ Clinics/Smoking Cessation/AA/Mental Health/IMMS/ Dental and Medicaid and other financial assistance) (Does not include physical exam by licensed provider)	$38.00

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)	$ 3.50
State Surcharge, Child Welfare Training Trust Fund	$ 1.50
Total Fee for Birth Certificates	$15.00

(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
(7)	Notary Services	$10.00

E. MEDICAL RECORDS:

Copying of Medical Record (per page) — No charge

F. PUBLIC RECORDS:

Copying of Public Record (per page) — No charge

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	$50.00
	County Fee	$20.00
	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
(f)	Private potable well and private irrigation well permit	
	State Fee	$200.00
	County Fee	$ 50.00
	Total Fee	$250.00
(g)	Private potable well and private irrigation well abandonment permit	
	State Fee	$ 0.00
	County Fee	$150.00
	Total Fee	$150.00

(h)	Private potable well and private irrigation well variances	
	State Fee	$100.00
	County Fee	$ 50.00
	Total Fee	$150.00

(2) Swimming Pools and Bathing Places

(a)	Annual operating permit - up to and Including 25,000 gallons	$125.00
	State Fee	$ 0.00
	County Fee	$ 50.00
	Total	$175.00
(b)	Annual operating permit - more than 25,000 gallons	$250.00
	State Fee	$ 0.00
	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	$50.00
(e)	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 62-6, 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 62-6, 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 62-6, 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	
	State Fee pursuant to Chapter 62-6, F.A.C.	$ 50.00
	County Fee	$ 50.00
	Total	$100.00
(e)	Septic System Abandonment Permit	
	State Fee	$ 50.00
	County Fee	$ 75.00
	Total	$125.00
(f)	Variance Application for a Single Family Residence per each lot or building site	
	State Fee	$200.00
	County Fee	$100.00
	Total	$300.00
(g)	Variance Application for a Multi-family or Commercial building per each building site	
	State Fee	$300.00
	County Fee	$100.00
	Total	$400.00
(h)	Onsite Sewage Consultation Fees and Field Work Requests Not Related to Formal Permitting	
	(i) Plan Review	
	State Fee	$ 0.00
	County Fee	$90.00
	(ii) Soil Profile Fee	
	State Fee	$ 0.00
	County Fee	$125.00
(i)	Late Fees for Delinquent Onsite Sewage Operating Permits	
	County Fee	$75.00
(j)	Permit amendment	
	State Fee	$ 90.00
	County Fee	$ 45.00
	Total	$135.00
(k)	Voluntary timed inspection	
	State Fee	$ 0.00
	County Fee	$100.00
	Total	$100.00

(l) Site Re-Evaluation Fee

State Fee	$ 75.00
County Fee	$ 25.00
Total	$100.00

(m) Aerobic Treatment Unit Maintenance Annual Permit

State Fee	$25.00
County Fee	$50.00
Total	$75.00

(n) Aerobic Treatment Unit Operation Permit (every 2 years)

State Fee	$100.00
County Fee	$ 50.00
Total	$150.00

(o) Annual Operating Performance Permits for Performance Based Systems

State Fee	$100.00
County Fee	$100.00
Total	$200.00

(p) Annual Operating Permit Industrial/Manufacturing or Commercial Sewage Waste

State Fee	$150.00
County Fee	$ 75.00
Total	$225.00

(q) Existing System Evaluations

(i) Inspected within last three (3) years

State Fee	$ 50.00
County Fee	$ 50.00
Total	$100.00

(ii) Not inspected within last three (3) years

State Fee	$ 85.00
County Fee	$ 50.00
Total	$135.00

(r) Springs Protection Act Priority Focus Area Additional review, permitting, and inspections required for nitrogen reducing systems.

State Fee	$ 0.00
County Fee	$50.00
Total	$50.00

(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	$190.00
	County Fee	$ 20.00
	Total	$210.00
(c)	Reinspection Fee (1st)	
	State Fee	$75.00
	County Fee	$ 0.00
	Total	$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	$50.00
	Total/hour (1 hour minimum)	$90.00
(i)	Limited Food Service Operation	
	State Fee	$110.00
	County Fee	$ 50.00
	Total	$160.00

(j) Vending Machine

State Fee	$ 85.00
County Fee	$ 25.00
Total	$110.00

(k) Temporary Food Service Event Sponsor

State Fee	$100.00
County Fee	$ 50.00
Total	$150.00

(l) Temporary Food Service Event – Vendor/Booth

State Fee	$ 50.00
County Fee	$ 50.00
Total	$100.00

(5) Other Services

(a) Tanning Facilities

Annual Permit State Fee	$150.00
County Fee	$ 0.00
Total	$150.00

Fee for each additional device

State Fee	$55.00
County Fee	$ 0.00
Total	$55.00

Re-inspection fee per each re-inspection

State Fee	$ 0.00
County Fee	$75.00
Total	$75.00

Plan Review (new permits only)

State Fee	$ 0.00
County Fee	$65.00
Total	$65.00

(b) Body Piercing

Annual Permit

State Fee	$150.00
County Fee	$ 0.00
Total	$150.00

Temporary Establishment

State Fee	$75.00
County Fee	$ 0.00
Total	$75.00

Re-Inspection fee per required re-inspection	
State Fee	$ 0.00
County Fee	$75.00
Total	$75.00
Plan Review (new permits only)	
State Fee	$ 0.00
County Fee	$65.00
Total	$65.00

(c) Tattoo Establishments and Tattoo Artists

(i) Tattoo Establishment License

State Fee	$200.00
County Fee	$ 50.00
Total	$250.00

(ii) Tattoo Artist License

State Fee	$ 60.00
County Fee	$ 50.00
Total	$110.00

(iii) Reactivation Fee

State Fee	$ 0.00
County Fee	$75.00
Total	$75.00

(iv) Guest Tattoo Artist Registration (Appearing at fairs, festivals or other limited time events):

State Fee	$35.00
County Fee	$50.00
Total	$85.00

(v) Reinspection Fee

State Fee	$ 0.00
County Fee	$75.00
Total	$75.00

(d) Group Care Homes and Facilities

(i) Residential Group Home(s) Voluntary request for inspection -

State Fee	$ 0.00
County Fee	$100.00
Total	$100.00

(ii) Adult Living Facilities
General sanitation inspection as required by Agency for Health Care Administration -

State Fee	$ 0.00
County Fee	$100.00
Total	$100.00

(iii) Day Care Centers
Annual general sanitation inspections -

State Fee	$ 0.00
County Fee	$100.00
Total	$100.00

(iv) Reinspection Fee

State Fee	$ 0.00
County Fee	$75.00
Total	$75.00

(e) Schools: Semi-annual environmental health inspection of school facilities (Annual Fee)

State Fee	$ 0.00
County Fee	$100.00
Total	$100.00

(f) Housing and Public Buildings
Adult Entertainment Light meter reading

State Fee	$ 0.00
County Fee	$50.00
Total	$50.00

(g) Indoor Air Inspection

State Fee	$ 0.00
County Fee	$60.00
Total	$60.00

(i) Any inspection mandated by State not set forth in paragraph (5)

State Fee	$ 0.00
County Fee	$50.00
Total	$50.00

(j) Biomedical Waste Permits

State Fee	$ 85.00
County Fee	$ 50.00
Total	$135.00

	Plan Review (new permits only)	
	State Fee	$ 0.00
	County Fee	$65.00
	Total	$65.00

(k) Mobile Home Parks

(i)	State Fee (up to 25 spaces)	$100.00
	County Fee (up to 25 spaces)	$ 50.00
	Total	$150.00
(ii)	State Fee (26-149 spaces)	$ 4.00 per space
	County Fee (26-149 spaces)	$100.00 per park
(iii)	State Fee (150 spaces and over)	$600.00
	County Fee (150 spaces and over)	$100.00
	Total	$700.00
(iv)	Reinspection Fee	
	State Fee	$ 0.00
	County Fee	$75.00
	Total	$75.00
(v)	Plan Review (new permits only)	
	State Fee	$ 0.00
	County Fee	$65.00
	Total	$65.00

(l) Migrant Labor Camp Inspection

State Fee	$150.00
County Fee	$ 0.00
Total	$150.00

H. ACADEMIC INTERNSHIP.

Fee for fingerprinting and Level 2 Background Screening, per person (Required in accordance with Section 435.04, Florida Statutes)	$37.25

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
Resolution 2016-R-136 adopted September 13, 2016
Resolution 2017-R-153 adopted September 26, 2017
Resolution 2018-R-123 adopted September 25, 2018
Resolution 2020-R-04 adopted January 14, 2020
Resolution 2020-R-143 adopted December 8, 2020
Resolution 2022-R-13 adopted January 25, 2022
Resolution 2023-R-2 adopted January 10, 2023
Resolution 2023-R-20 adopted February 28, 2023
Resolution 2023-R-124 adopted November 14, 2023

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
Programs/workshops/classes/camps/ staff-directed activities	10% above direct cost
(2) Facility Rentals	
Athletic Field Rental & Outside Tournaments	$30/hour/field before 5pm $40/hour/field after 5pm
Batting Cages with Balls & Portable Pitching Machines	$11/hour
Campsites	
Up to 4 campers	$15/site/day
Group – 5 or more	$30/site/day
Ed Yarborough Nature Center Meeting Room[2]	$32/hour
Lillie H. Green Community Center Rental	$50/half day (5 hours) $100/full day (10 hours) $25/cleaning fee
Meeting Room Space	
Softball Complex	$32/hour
Sports Complex	$32/hour
Soldiers Creek	$32/hour
Midway Community Center Rental	$50/half day (5 hours) $100/full day (10 hours) $50/cleaning fee
Museum Annex Building	$32/hour
Museum Grounds	$32/hour
Park Pavilion Rental	
Large	$60/half day $100/day
Small	$40/half day $60/day
Racquetball Court Rental	$6/hour/court
Roller Hockey Rink Rental	$16/hour before 5pm $32/hour after 5pm

[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.

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
Vendor Booth Rental (10' x 10')	$100/per event/per booth

(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

Not for Profit Agency Discount	25% discount on all facility rental 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/per field maintenance staff

(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 and Cancellations

Deposits are non-refundable and the amount of required deposit will vary depending on type of rental, length of rental, overall expected facility cost and organization or event past success. Deposits cannot be paid with TDC grant funds. Deposits may be credited towards the balance of rental or rolled over towards a future rental. Leisure Services Department Administrative Policy 12.6 Tournaments, Special Event and League Permit Rental and Cancellation Procedures shall govern deposit and cancellation processes with final approval of Leisure Services Department Director.

(10) Wekiva Golf Club

All greens fees, events, tournaments, rentals, goods and services, and programming rates are set by contracted golf management company and based on current market pricing.

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
Resolution 2016-R-204 adopted December 13, 2016
Resolution 2019-R-185 adopted October 22, 2019
Resolution 2022-R-89 adopted July 26, 2022

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 FIRE DEPARTMENT FEES

A. PURPOSE. To establish fees for services, training, and the use of equipment and facilities provided by the Fire Department.

B. EMS FIRE RESCUE SERVICES – Wildland Fire Fees.

The Fire Department may seek reimbursement of costs incurred in response to a Wildland Fire from the responsible party, as authorized by Section 590.14, Florida Statutes (2016), 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 Fire Department shall establish and maintain a response fee schedule for these costs which is consistent with current industry rates and market analysis. The current fee schedule can be found under Section G – EMS Fire Rescue Services – Special Events.

C. EMS FIRE RESCUE SERVICES – Training Center Fees.

The Fire 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**
Pump Operator	80	$500
Truck Company Operations	40	$640
Aerial Operations	40	$550
Rapid Intervention/Mayday	40	$500
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	$150
Hazardous Materials (Hazmat) Tech S160	160	$1,350
Confined Space – 40 hours	40	$550
Trench Rescue	40	$550
Rope Rescue Operations	40	$550

Rope Rescue Technician	40	$550
Structural Tower Rescue	40	$650
AHDA Rigging	24	$400
USAR Medial Team Specialist	40	$2895
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
Pre-Hospital Trauma Life Support (PHTLS)	16	$175
Pre-Hospital Trauma Life Support Refresher	8	$120
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
Specialty Training Course	$100 per 8 hours	$100 per 8 hours

D. EMS TRANSPORT RATES.

The Fire Department shall collect the following fees per transport for each of the following types of EMS transports:

(1) Basic Life Support (BLS) $750.00
(2) Advanced Life Support Tier 1 (ALS1) $800.00
(3) Advanced Life Support Tier 2 (ALS2) $800.00

In addition, the Fire Department is authorized to collect mileage of ($13.00) per mile for each of these transports.

E. ANNUAL FEE ESCALATOR. All EMS transport rates may be adjusted annually on October 1, if necessary, based on the percentage change in the United States Department of Commerce Consumer Price Index for the twelve (12) month period ending on June 30 of that year in an amount not to exceed three percent (3%) with final approval by the Board of County Commissioners.

F. EMS FIRE RESCUE SERVICES – Special Events.

The Fire 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 Fire 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	$30.20	$52.00	$82.00	$82.00
Engine – 1 Lieutenant, 1 Engineer, 1 Firefighter	$173.47	$104.00	$277.00	$329.00
Tower – 1 Lieutenant, 1 Engineer, 1 Firefighter	$220.00	$104.00	$324.00	$375.00
Squad – 1 Lieutenant, 1 Engineer, 1 Firefighter	$220.00	$104.00	$324.00	$375.00
Rescue – 2 Firefighters	$48.32	$58.00	$106.00	$135.00
Woods – 1 Lieutenant, 1 Firefighter	$119.39	$71.00	$190.00	$225.00
Bike Team – 2 Firefighters	$ 0.00	$58.00	$58.00	$86.00
EMS Cart – 2 Firefighters	$0.00	$58.00	$58.00	$86.00
Fire Watch Engine – 1 Lieutenant, 1 Engineer, 1 Firefighter	$173.47	$104.00	$277.00	$329.00
Mobile Command Unit – 1 Lieutenant, 1 Firefighter	$68.61	$71.00	$139.00	$174.00
Boat – 1 Lieutenant, 2 Firefighters	$32.53	$99.00	$132.00	$181.00
Water Tender – 1 Firefighter	$128.24	$29.00	$157.00	$171.00
EMS Standby (Tent) – 2 Firefighters	$0.00	$58.00	$58.00	$86.00

G. EMS FIRE RESCUE SERVICES – Hazardous Materials Response and Mitigation.

The Fire Department may 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 Fire 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 ten percent-(10%) restocking fee.

Seminole County Fire Department Hazardous Materials Response Cost Recovery	Fee Schedule	
ANALYTICAL EQUIPMENT & SERVICES	**Fee**	**Usage**
Basic Air / Substance Monitoring & Characterization		
LEL/ CO/ O2/ H2S/ PID /PH Screening	$50.00	per Incident
Alpha, Beta, Gamma Radiological Screening - Ludlum/Dosimeter	$25.00	per Incident
Protein Screening	$42.00	per test
Advanced Chemical Monitoring/Identification		
M-8 Chemical Agent Test	$22.00	per Incident
M-9 Chemical Agent Test	$48.50	per Incident

M256 Chemical Agent Detection, Colormetric Strips, Colormetric Single Tubes, Colormetric Chip	$18.50	per test
Colormetric Multi-Tube Hazmat / WMD	$302.50	per test
Spectroscopy - Raman, Flame, Ion Mobility	$100.00	per Incident
MX908 - Fentanyl	$100.00	per Incident
Mercury Vapor Detection	$100.00	per Incident
Gas Chromatography/Mass Spectroscopy	$100.00	per Incident
Biological Monitoring / Identification		
Handheld Biological Immunoassay 8-Pathogen Test	$1,815.00	per test
Microscopy	$80.00	per test
Polymerase Chain Reaction PCR - Specific RAZOR	$200.00	per test
PERSONAL PROTECTIVE EQUIPMENT		
Respiratory Protective Equipment		
Powered Air Supplied Respirator (Cartridges/Batteries)	$307.00	per unit
Level A Fully Encapsulated Vapor Chemical Protective Ensemble	$3,850.00	per suit
Leve B Non-Encapsulated Chemical Protective Ensemble	$154.00	per suit
MT94 Suits	$425.00	per unit
Thermal Protective Gear		
Structural Thermal Protective Clothing - Decontamination	$80.00	per set
Structural Thermal Protective Clothing - Replacement	$3,344.00	per set
DECONTAMINATION / DISPOSAL EQUIPMENT & SERVICES		
Mass / Victim Decontamination		
Mass Victim Decontamination System	$750.00	per Incident
Technical Decontamination - Wet Decon, Dry Decon, Cold Weather Decon Accessories	$200.00	per Incident
LEAK / SPILL CONTROL EQUIPMENT & SERVICES		
Hazardous Materials Transfer and Flare-Off Operations		
Fuel & Chemical Tank Transfer Operations - Small to Medium Tank up to 200 gallons	$100.00	per Incident
Fuel & Chemical Tank Transfer Operations - Large Tank 200 gallons to 1,000 gallons	$500.00	per Incident
Fuel & Chemical Tank Transfer Operations - Bulk Storage or Cargo Tank - Greater than 1,000 gallons	$1,000.00	per Incident
LPG Flare Off (Burn-Off)	$145.00	per Incident
Hazardous Materials Spill Control Operations		
Oleophilic Boom - (10' section)	$50.00	per section
Oleophilic Pads - (18"x18" section)	$3.00	per pad
Fuel and Chemical Absorbent	$15.00	per bag
Neutralizing Agent (Soda Ash, Sodium Bicarb, Citric Acid, etc.)	$100.00	per bag
Vapor Suppressing Foam (Class B Foam)	$278.00	per pail

Hazardous Materials Leak Control Operations		
5 Gallon Salvage Bucket	$10.00	per bucket
55 Gallon Salvage Drum (Overpack)	$469.00	per drum
Small Natural Gas Leak (Pipelines less than 2" diameter)	$50.00	per leak
Large Natural Gas Leak (Pipelines 2" or greater in diameter)	$250.00	per leak
Leak Control - Small to Medium Cylinder (Less than 500 lb.)	$100.00	per cylinder
Leak Control - Large Cylinder (Less than 500 to 5000)	$250.00	per cylinder
RESPONSE UNITS - (1st Hour of Operation is No Charge)		
Special Operations Units		
Special Operations Heavy Rescue Squad (Squad 2 or similar)	$324.00	per hour
Special Operations Fire Engine	$277.00	per hour
Mobile Analytical Platform (Map Unit)	$150.00	per hour
Decontamination Trailer	$50.00	per hour
Hazmat Trailer (Petroleum Response Trailer)	$50.00	per hour
Fire / EMS / Command Units		
Tower Apparatus	$324.00	per hour
Standard Fire Engine	$277.00	per hour
Rescue Unit	$106.00	per hour
Field Command Unit	$82.00	per hour
Mobile Command Unit	$139.00	per hour

H. FIRE PREVENTION FEES. Inspection fees are calculated based on the square footage of each individual building and/or structure. If all cited fire code violations are found to be corrected at the initial re-inspection, no additional fees will be charged. If subsequent re-inspections will be required to gain compliance with the Fire Code, the respective fee will be charged on an escalated basis. All fees below are cumulative.

If the owner and/or tenant is taken to the Code Enforcement Board, in addition to any fees, fines or penalties charged or imposed by Code Enforcement and/or the Special Magistrate, the Fire Prevention Division will charge an administrative fee of $240. Each additional inspection required will be charged at a rate equal to the relevant re-inspection frequency.

Includes, State Required Inspections, Licensure Inspections, Requested Inspections, all required inspections, specifically,

Fire Safety Inspection Fees

Building Square Footage	Inspection Fee
0 to 2,000 sf	$78.00
2,001 to 3,000 sf	$86.00
3,001 to 4,000 sf	$94.00
4,001 to 5,000 sf	$101.00

5,001 to 7,500 sf	$117.00
7,501 to 10,000 sf	$137.00
10,001 to 15,000 sf	$168.00
15,001 to 20,000 sf	$203.00
20,001 to 30,000 sf	$242.00
30,001 to 50,000 sf	$273.00
50,001 to 100,000 sf	$293.00
100,001 to 200,000 sf	$312.00
200,001 to 300,000 sf	$351.00
Greater than 300,000 sf	$390.00

Fire Safety Re-Inspection Fees

Fire Safety Reinspection	Inspection Fee
1st re-inspection	$60.00
2nd re-inspection	$100.00
3rd re-inspection	$150.00
4th & subsequent re-inspection	$200.00

Fire Prevention Detail Fees

The Fire Department shall seek reimbursement of costs incurred in the performance of Fire Prevention standbys from the responsible party. These costs include, but are not limited to: personnel, equipment, and materials. The Fire Department shall establish and maintain a response fee schedule for these costs which is consistent with current rates associated with personnel, equipment, and materials.

Standby Type	Fee
Special Inspections, Special Code Enforcement Actions, Special Events, Fire Watch Details, and Related Activities (charges are per person) ***Per 4-hour minimum**	$240.00
Each additional hour or one-half hour fraction	$60.00

Standby and Fire Watch requirements include but are not limited to: when a feature of fire protection (e.g. sprinkler system is nonfunctional) is out of service and the threat of fire poses a life safety concern or when a facility or entity is using their property for other than its usual purpose with the fire marshal's approval to ensure the public's/facilities' safety.

I. 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
Resolution 2016-R-186 adopted November 15, 2016
Resolution 2017-R-58 adopted April 11, 2017
Resolution 2020-R-57 adopted May 12, 2020
Resolution 2023-R-118 adopted October 24, 2023
Resolution 2023-R-119 adopted October 24, 2023

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 and businesses; to maintain a system compliant with applicable federal, state and local regulations; to operate within its revenue to the greatest extent possible; and to 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) Weighed Rates. Loads of garbage, trash, yard waste, and other wastes will be weighed and the following disposal fees charged, but all fees will be a minimim of $5.00 per transaction:

	Covered	Uncovered
Per ton	$41.63	$83.25
Cubic yard rates (apply if scale inoperable)		
Compacted waste per cubic yard	$15.84	$31.68
Non-compacted waste per cubic yard	$12.19	$24.38

(2) Program Recyclables. $0 per ton

Residential recyclables delivered to the transfer station in non-commercial vehicles. These recyclables may include newspaper; magazines; telephone books; paste board; cardboard; catalogs; plastic containers numbered 1-7; clear, green and brown glass bottles and jars; and aluminum and steel cans.

Recyclables may also include clean, segregated cardboard from commercial sources.

Any other Recyclables will only be received in accordance with an Interlocal Agreement that authorizes the receipt of recyclables materials at the transfer station.

(3) Asbestos. (Landfill only)

	Covered	Uncovered
Per ton	$211.00	$421.00
Per cubic yard (if scales inoperable)	$ 69.47	$138.92

(4) Asbestos handling fee.

Per load	$121.84

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.

(5) 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	$41.63	$83.25
Per cubic yard (if scales inoperable)	$15.84	$31.68

(6) Special Approval Waste handling fee.

Per load	$121.84

Loads of Special Waste must be pre-approved by Solid Waste Division ahead of scheduled delivery. Approval process may include inspection of material in situ or require additional testing or support documentation before approval.

(7) 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.

(8) 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	$18.28	$36.55
Per cubic yard (if scales inoperable)	$12.19	$24.38

(9) 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.

(10) Tires. (Landfill only)

	Covered	Uncovered
Per ton	$211.00	$421.00

(11) Passenger and Light Truck Tires. $3.16

(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, and similar items).

(b) Construction and demolition debris (example: roofing material, concrete, lumber, and similar items).

(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 is 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 will 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 will 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 will constitute a good payment history. Charge account customers with two (2) or more delinquent payments in a twelve (12) month period will 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 (25^{th}) calendar day after billing date will be declared delinquent and the customer will be assessed an interest charge. The interest charge will 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.

(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 will 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 or disposal of solid waste will 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 will 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 franchises 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 will 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 will 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 provide monthly, 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 ensure 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, will 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 will 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
Resolution 2020-R-100 adopted August 25, 2020
Resolution 2021-R-116 adopted August 10, 2021
Resolution 2022-R-111 adopted September 13, 2022
Resolution 2023-R-96 adopted September 12, 2023
Resolution 2023-R-133 adopted December 12, 2023
Resolution 2024-R-100 adopted September 24, 2024

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 CAPACITY 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 by the Systems, 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 in these Resolutions.

B. DEFINITIONS. In addition to the definitions set forth below, the definitions as set forth in Section 270.182, Seminole County Code, apply to this Section 20.45.

Accessory Dwelling Unit: A dwelling unit, subordinate in size to the principal dwelling unit, which is attached to a principal unit, or located on the same lot, and having an independent means of entry. Except as provided in Section 5.19(b), an accessory dwelling unit must not exceed thirty-five percent (35%) of the gross floor area of the principal dwelling unit, or one thousand (1,000) square feet, whichever is less.

C. CAPACITY FEES AND GENERAL CONDITIONS. Capacity fees, formerly known as connection fees, for water and wastewater service are hereby established and based upon the Water and Wastewater Capacity Fee Review prepared by GovRates, Inc. and dated June 22, 2021, which is incorporated by this reference and provides the estimated amount of water usage and wastewater flow generated by a building or a development on an average daily basis as set forth in Exhibit A, attached to and incorporated by reference in this Section 20.45 ("Exhibit A"). Capacity fees for water and wastewater service must not be waived for any reason or condition, except that no capacity fees will be assessed for the construction, alteration, or expansion of a private or public school.

D. WATER SERVICE CAPACITY FEES. The water capacity fee is a one time charge for water predicated on the costs of pumping, treatment, transmission, plant capacity, and associated capital costs. Water service capacity fees are outlined in Exhibit A. The minimum amount of purchase is one (1) equivalent residential connection (ERC) at the rate set forth in Exhibit A attached to and incorporated by reference in this Section 20.45. 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 capacity fees to recoup the actual cost of the service provided by the other entity. The water capacity fee will be formally reviewed at least once every three (3) years until building of the water system. The water capacity fee may be formally reviewed at any time if the County's capital plans and anticipated funding change significantly.

E. WASTEWATER SERVICE CAPACITY FEES. The wastewater service capacity fee is a one time charge for wastewater predicated on the costs of collection, treatment, effluent disposal, plant capacity, and associated capital costs. Wastewater capacity fees are outlined in Exhibit A. The minimum amount of purchase is one (1) ERC at the rate set

forth in Exhibit A. 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 capacity fees to recoup the actual cost of the service provided by the other entity. The wastewater capacity fee will be formally reviewed at least once every four (4) years until buildout of the wastewater system. The wastewater capacity fee may be formally reviewed at any time if the County's capital plans and anticipated funding change significantly.

F. PAYMENT OF CAPACITY 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 this capacity for the Applicant pursuant to a utility service agreement. Fees as set forth in Exhibit A will be due and payable before the Building Division may authorize a pre-power electrical inspection or approval final electrical power (whichever comes first). Additional capacity 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 capacity fee to be paid over time on a form and pursuant to terms approved by the Director.

G. REVIEW AND INDEXING REQUIREMENTS. This Section and the Water and Wastewater Capacity Fee Review study will be reviewed by the Board initially in connection with its approval of the capital improvements element of its comprehensive plan as required by Section 163.3177, Florida Statutes. Thereafter, this Section and the capacity fee study will be reviewed every four (4) years unless otherwise directed by the Board. The initial and each subsequent review will consider new estimates of population per household, costs related to the acquisition of collection items necessitated by growth, the amount of any municipal contribution credits to be given and adjustments to the assumptions, conclusions of findings set forth in the study adopted by this Section. The purpose of this review is to ensure that the water and wastewater system capacity fees do not exceed the reasonably anticipated costs associated with the improvements necessary to offset the demand generated by the water and wastewater system capacity construction on the County water and wastewater system. In the event the review of this Section required by this Section alters or changes the assumptions, conclusions and findings of the study adopted by reference in this Section, revises or changes the county water and wastewater system or alters or changes the amount of capacity fees, the study adopted by reference in this Section will be amended and updated to reflect the assumptions, conclusions and findings of such reviews and this Section will be amended to adopt by reference such updated studies. If, upon the conclusion of the review of this Section required by this Section, the Board determines in its legislative discretion that a rebate of capacity fees previously collected is appropriate because of an alteration or change in the amount of capacity fees previously collected, the Resolution amending this Section will establish the procedures and determinations for any such rebate.

H. 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.

I. WATER SERVICE INSTALLATION CHARGES.

(1) Potable and Non-Potable Service Connections for Residential~~,~~ Single Family Service.

(a) There is a charge collected in advance from each Applicant requiring potable or non-potable service connections from the County. The charges are 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 are in addition to the Water Capacity 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 will 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 will 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 is 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 are 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 will 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"), but such meter must be approved by the Department prior to installation. The Applicant is responsible for separately purchasing an approved backflow prevention device for pipe diameters larger than one inch (1").

(f) An Applicant for irrigation meter(s) is 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 is 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 must be performed by properly licensed and qualified individuals or contractors as determined by the County.

(b) A site plan, including details, must 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 must 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 must conform to applicable Seminole County Water and Wastewater standards.

(c) Irrigation meters, including reclaimed water irrigation meters, must be installed by the Applicant at the Applicant's expense using the criteria set forth in the Seminole County Land Development Code by a plumber or certified underground utilities inspector.

J. METER TESTING. Meter testing will 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 will apply a charge to defray the cost of testing in accordance with Exhibit B.

(2) The charge will 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 will 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 will charge for the test based upon actual costs incurred as determined by the Department.

K. 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) Applicants with good payment history accounts for the previous twelve (12) month period will be entitled to a refund of deposits. For purposes of this Section, a "good payment history" is defined as an account with the following:

(a) no disconnections for non-payment; and

(b) no dishonored payments charged to the account; and

(c) no delinquent payment notices.

(3) Applicants using fire hydrants as a water supply shall complete an application on a form approved by the Department and pay a deposit for the use of the temporary hydrant meter prior to initiation of services as outlined in Exhibit B.

(4) 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.

L. INITIATION AND SERVICE CHARGES FOR WATER SERVICE, RECLAIMED WATER SERVICE, AND WASTEWATER SERVICE.

(1) An Applicant will be charged a fee to initiate utility service at a new location or to reestablish utility service at an existing location. These charges will appear on the first bill for utility service. The initiation of service charge will 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 will charge an account reconnection fee to reconnect the discontinued service as set forth in Exhibit B. The Applicant must pay the charges for the reestablishment of service prior to reestablishment of service.

(3) At the request of the Applicant, a turn-on or turn-off service charge applicable to active accounts will be charged prior to the initiation or discontinuation of service on a temporary basis. The fees for these services will be in accordance with Exhibit B.

M. 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 will 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. County will provide a meter and backflow preventer assembly device upon application for hydrant service and payment of the temporary hydrant meter deposit. Deposits will be refunded if the meter and backflow assembly device are returned undamaged and in good condition.

(3) Any unauthorized, unmetered connection to fire hydrants is 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 will be assessed for each remaining unit or ERC that 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 will 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 will 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 will be charged a surcharge by the County pursuant to Exhibit B for consumption over ten thousand (10,000) gallons per month or any fraction thereof.

N. 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 will be charged. Volumetric service charges will 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 will pay a monthly basic service charge per ERC for maintenance of infrastructure within the development for which capacity is reserved. Such charges will be assessed for each remaining unit or ERC that 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 will be based on metered wastewater flow and the wholesale wastewater rate in accordance with Exhibit B.

(4) Surcharge for High Strength Wastewater. A surcharge will 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.

O. 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.

P. 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 will be disconnected by the Department and the Applicant whose bill is past due will 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 will consider the payment void, the previous balance reinstated, and charge a fee in accordance with Exhibit B in addition to reconnection charges.

Q. INDUSTRIAL PRETREATMENT FINES AND PENALTIES. Industrial users in violation of the Industrial Pretreatment Ordinance are subject to fines or penalties as set forth in Exhibit B.

R. 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 will 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.

S. UNAUTHORIZED CONNECTION CHARGE. Applicants who connect into the County's water mains, wastewater collection mains, or reclaimed water mains without Department authorization shall pay an unauthorized connection charge in accordance with Exhibit B. Service will be disconnected until the service tap, water mains, wastewater collections mains, or reclaimed water mains are deemed acceptable by the Department.

T. OTHER REIMBURSABLE EXPENSES. In cases where Applicants request County utility personnel to perform specific utility services that are not the obligation of the County to perform, a fee based on actual time and materials will be charged to recover the costs incurred by the County in performing such services. Fees for specific services are reflected in Exhibit B.

U. 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.

V. 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
Resolution 2017-R-124 adopted August 8, 2017
Resolution 2021-R-99 adopted June 22, 2021
Resolution 2021-R-153 adopted October 26, 2021
Resolution 2022-R-44 adopted March 22, 2022
Resolution 2022-R-110 adopted September 13, 2022
Resolution 2023-R-95 adopted September 12, 2023
Resolution 2023-R-134 adopted December 12, 2023
Resolution 2024-R-103 adopted September 24, 2024

EXHIBIT A

SEMINOLE COUNTY WATER AND WASTEWATER SERVICE CAPACITY GUIDELINES AND CAPACITY FEE SCHEDULE

Table A.1. Capacity Guidelines/Level of Service

Line No.	Service	Equivalent Residential Connections/ERC [1] (Gallons per Day – gpd)
1	Water	250
2	Wastewater	215

[1] Equivalent Residential Connection (ERC) means a system capacity equivalency unit that corresponds to a single family residential connection.

Table A.2. Capacity Fee Schedule

Line No.	Description	Application	Water	Wastewater	Combined
	Residential:				
1	Single-Family	Per Dwelling Unit	$2,574	$3,175	$5,749
2	Dwelling Unity Other than Single-Family [1]	Per Square Foot of Living Space [1]	$1.22	$1.50	$2.72
3		Minimum Capacity Fee Per Dwelling Unit	$1,802	$2,223	$4,025
4		Maximum Capacity Fee Per Dwelling Unit	$2,574	$3,175	$5,749
	Nonresidential [2]				
5	All Nonresidential	Per Equivalent Residential Connection [2]	$2,574	$3,175	$5,749

[1] Includes multi-family, mobile home, and separately-metered accessory dwelling units. For dwelling units other than single-family dwelling units, the cost per square foot of living area is based on the single-family capacity fee divided by the average living area of single-family dwelling units in Seminole County.

[2] The following table shows meter equivalent factors implied by the size of the meter serving the premises based on information published by the American Water Works Association (AWWA) regarding meter capacities:

Meter Size (Inches)	Meter Equivalent Factor
0.75	1.00
1.0	1.67
1.5	3.33
2.0	5.33
3.0	10.00
4.0	16.67
6.0	33.33
8.0	53.33
10.0	76.67
12.0	143.33

Each nonresidential customer's estimated average daily flow requirements for a service will be divided by the County's applicable level of service standard to derive the number of equivalent residential connections (ERC's). If the calculated ERC's are higher than the meter equivalents based on the meter size serving the premises, the calculated ERC's will be applied to the capacity fee for a 0.75" (3/4-inch) meter to determine the capacity fee to be paid for the service. The Director of the County's Environmental Services Department or his or her designee has the authority to determine the appropriate number of ERC's based on this methodology.

Alternative Fee Calculations.

The water or wastewater capacity fee may be determined by an alternative fee calculation if:

(1) Any person commencing a development which increases demand on the water or wastewater facilities chooses to have the capacity fee for those public facilities determined by the alternative fee calculation and pays to the County in full the capacity fee calculated pursuant to the applicable capacity fee rate schedule and a non-refundable alternative fee calculation review fee of TWO HUNDRED FIFTY AND NO/100 DOLLARS ($250.00); and

(2) The applicant believes that the nature, timing or location of the proposed development makes it likely to generate impacts costing less than the amount of the capacity fee generated by application of the capacity fee rate schedule; and

(3) No later than thirty (30) days prior to the development's connection to the County's system, the applicant commences the alternative fee calculation process by notifying in writing to the County Environmental Services Director or his/her designee (the "Director") of the applicant's intent to perform an alternative capacity fee calculation; and

(4) The applicant submits to the Director a completed alternative fee calculation study as described in this Section within one hundred twenty (120) days of the issuance of the building permit for the development.

Any right to submit an alternative water and wastewater capacity fee calculation shall be deemed to have been waived and to be expired, and such calculation shall not be considered by the County if, no later than thirty (30) days prior to the development's connection to the County's system, the owner does not notify the Director in writing of the intention to submit an alternative water and wastewater capacity fee calculation. Any owner who, under such circumstances, properly notifies the Director of the intention to submit an alternative capacity fee calculation but fails to submit the completed fee calculation within one hundred twenty (120) days of the development's connection to the County's system shall be deemed to have waived the right to submit an alternative water and wastewater capacity fee calculation, and such right shall be considered expired.

The alternative fee calculation shall be submitted by the applicant for the proposed development and shall be prepared and certified as accurate by persons accepted by the County as qualified professionals in the utility industry, and shall be submitted to the Director.

Within thirty (30) County working days of receipt of an alternative fee calculation, the Director shall determine if it is complete. If the Director determines the alternative fee calculation is not complete, the Director shall send a written statement to the applicant specifying the deficiencies. The Director will not be required to take any further action on the alternative fee calculation until all specified deficiencies have been corrected.

After the Director determines that the alternative fee calculation is complete, the Director shall notify the applicant of its completion within ten (10) days, and the Director shall, within thirty (30) County working days, complete a review of the information, data, assumptions, methodologies, analysis, and conclusions asserted in the alternative fee calculation. IF this review is not completed within these timeframes, and if requested by the applicant, the item will be submitted to the County Manager for review.

If the Director determines that in the alternative fee calculation the County's cost to accommodate the proposed development is significantly different than the adopted capacity fee, the County shall issue a credit to the applicant for the difference between the capacity fee calculated pursuant to the applicable capacity fee rate schedule and the alternative fee calculation. The County shall review the actual consumption of the establishment for twenty-four (24) months after initiation of service. If the 24-month usage history indicates that the demand on the water and wastewater facilities is consistent with or lower than what was represented in the alternative fee calculation, the County shall refund to the applicant the amount of the credit.

In the event the applicant disagrees with a decision of the Director that effectively results in a denial of the alternative fee calculation, the applicant may file a written appeal petition with the County Manager not later than thirty (30) days after receipt of notice of such a decision by the Director. In reviewing the decision, the County Manager shall use the standards established herein. The appeal petition must advise the County Manager of all issues and shall explain the precise basis the applicant asserts that the decision(s) of the Director is/are alleged to be incorrect.

In the even the applicant disagrees with the decision of the County Manager, based on appeal of a decision by the Director, that effectively results in a denial of the alternative

fee calculation, the applicant may file a written appeal petition with the Board of County Commissioners (the “Board”) not later than thirty (30) days after receipt of notice of such a decision by the County Manager. In reviewing the decision, the Board shall use the standards established herein. The appeal petition must advise the Board of all issues and shall explain the precise basis the applicant asserts that the decision(s) of the Director and County Manager is/are alleged to be incorrect. The final decision of the Board will be issued within thirty (30) days after the presentation of the appeal by the applicant. The Board’s decision will be considered as being final with respect to the alternative fee calculation process.

EXHIBIT B

SEMINOLE COUNTY WATER AND WASTEWATER SERVICE CHARGES

I. Schedule of Potable Water Service Charges

(A) (1) Basic Service Charges

Single Family	$17.12 per unit or ERC
Commercial	$17.12 per unit or ERC
Irrigation	$17.12 per unit or ERC
Multi-Family (Master Metered)	$13.44 per unit or ERC

(2) Volumetric-Single Family, Commercial (to be applied on a per ERC basis), Multi-Family (gallons)

0 – 10,000	$1.44 per 1,000 gallons
10,001 – 15,000	$2.40 per 1,000 gallons
15,001 – 20,000	$4.34 per 1,000 gallons
20,001 – 30,000	$7.00 per 1,000 gallons
30,001 – 50,000	$10.05 per 1,000 gallons
50,000 – over	$13.62 per 1,000 gallons

(3) Volumetric – Irrigation (gallons)

0 – 10,000	$2.40 per 1,000 gallons
10,001 – 20,000	$4.34 per 1,000 gallons
20,001 – 30,000	$7.00 per 1,000 gallons
30,001 – 50,000	$10.05 per 1,000 gallons
50,000 – over	$13.62 per 1,000 gallons

(B) Fire Hydrants

Basic Service Charge	$106.26 per month
Volumetric (gallons)	$2.32 per 1,000 gallons

(C) Reserved Water Capacity

Monthly Basic Service Charge	$18.85/ERC per month

(D) Wholesale Water $2.32/1,000 gallons

(F) Water Shortage Surcharge

Consumption (gallons)	Surcharge
10,001 – 15,000	$2.40 per 1,000 gallons
15,001 – 20,000	$4.34 per 1,000 gallons
20,001 – 30,000	$7.00 per 1,000 gallons
30,001 – 50,000	$10.05 per 1,000 gallons
50,000 – over	$13.62 per 1,000 gallons

II. Schedule of Wastewater Service Charges

(A) (1) Basic Service Charge

Single Family	$27.20 per unit or ERC
Commercial	$27.20 per unit or ERC
Multi-Family (master metered)	$23.10 per unit or ERC
Multi-Family (not master metered)	$27.20 per unit or ERC

(2) Volumetric $6.18 per 1,000 gallons

(B) Reserved Wastewater Capacity

Monthly Basic Service Charge $21.22/ERC per month

(C) Wholesale Wastewater $5.66 per 1,000 gallons

(D) Out of County Industrial Wastewater $27.35 per 1,000 gallons

(E) Surcharge for High Strength Wastewater

Group A	$1.29 per 1,000 gallons
Group B	$0.98 per 1,000 gallons

III. Schedule of Reclaimed Water Charges

(A) Basic Reclaimed Water Service/Availability Charge

Single Family/Commercial/Other $7.13 per month

(B) Volumetric – Single Family

0 – 10,000	$0.94 per 1,000 gallons
10,001 – 20,000	$1.59 per 1,000 gallons
20,001 – 30,000	$2.62 per 1,000 gallons
30,001 – 50,000	$4.30 per 1,000 gallons
50,000 – over	$5.84 per 1,000 gallons

(C) Volumetric – Commercial/Other $0.94 per 1,000 gallons

IV. Miscellaneous Service Charges

(A) Initiate Service

Connection to Service	$30.00

(B) Delinquent Account Fee requiring premise visit

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 Premise Visit Fee $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 will 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 will 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 $90.00

(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 are 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

(S)	Broken Zip Tie Lock	$ 60.00
(T)	Broken Curb Stop	$350.00
(U)	Pull/Cap Meter Charge for Non-payment	$150.00

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) Traffic Calming Devices;

(iv) Lake Restoration;

(v) Retention pond renovation;

(vi) Sidewalk Construction and/or Repair;

(vii) Sewer Lines;

(viii) Water Transmission Lines;

(ix) 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.

(a) Traffic Calming Devices: Properties shall have direct frontage on the roadway receiving Traffic Calming Device. Consideration of other properties impacted by devices may be considered by the Board on a case by case basis.

(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.

(e) Traffic Calming Devices. In addition to the basic eligibility standards noted in Section F, the project specific criterion for Traffic Calming Devices that must be met at the time of application is as follows:

(i) Documentation establishing support by sixty-five percent (65%) of impacted home owners; and

(ii) Documentation establishing compliance with the Traffic Calming criteria as set forth in Section 34.35B, Seminole County Administrative Code, including but not limited to, a documented issue with excessive speeds (85th percentile speed is at least 8 mph over posted speed limit), meets minimum/maximum roadway volume, roadway must have driveways directly accessing the roadway, must have access to through traffic, functional spacing of devices; and

(iii) The design and use of Traffic Calming Devices on all County roadways are subject to approval by the Seminole County Fire Marshal (via written report or recommendation) per the Florida Fire Prevention Code, as adopted by the State Fire Marshall pursuant to Florida Statutes, Chapter 633 and amended from time to time, as these devices may impact emergency response times. Failure to obtain documented approval from the Seminole County Fire Marshal for use of Traffic Calming Devices will prohibit the MSBU Program from seeking Board of County Commissioners (BCC) approval for formal adoption.

(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. DELEGATION OF AUTHORITY TO ADMINISTRATIVELY APPROVE SATISFACTIONS OF MSBU LIENS.

(1) Purpose. The Seminole County Board of County Commissioners (“BCC”) hereby authorizes the County Manager to delegate to the appropriate staff persons the authority to approve and execute Satisfactions of MSBU Liens on behalf of the County without action by the BCC when such MSBU Liens are paid in full.

(2) Rationale. The BCC considers it appropriate to delegate this approval and execution authority because these MSBU Liens have been paid in full. Additionally,

these matters are not controversial, but they can be time sensitive for property owners. These matters are so ministerial in nature that they do not require the attention of the BCC. However, this delegation of authority applies only to non-controversial matters. If staff is aware that approval or execution of an instrument or document is controversial, such as when a Satisfaction of MSBU Lien is requested for less than the full amount of the lien and the lien has not been paid in full, then the instrument or document must be submitted to the BCC for consideration.

(3) Procedure for Staff Approval and Execution of Satisfactions of MSBU Liens. In order for County staff to approve or execute a Satisfaction of MSBU Lien, staff shall review the request for the Satisfaction, review the surrounding circumstances to ensure County approval and execution of the Satisfaction is consistent with County policy, and prepare the Satisfaction of MSBU Lien document. Additionally, the County Attorney's Office shall review the document for legal sufficiency and compliance with this Section.

P. 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
Resolution 2024-R-54 adopted April 23, 2024

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, and Commissions.

C. PROCEDURES.

(1) Proper Invoices Required. All original invoices for payment must be emailed to AP@SeminoleClerk.org or submitted to the Comptroller's Office, P. O. Box 8080, Sanford, Florida 32772-0869 in the form of a Proper Invoice. A Proper Invoice is any invoice acceptable by the Clerk of the Circuit Court and Comptroller (Comptroller's Office), provided that the following information, at a minimum, is contained on such invoice:

(a) Date of invoice

(b) Name and address of vendor

(c) Vendor remit address if different from (b)

(d) Purchase Order Number, Work Order Number or Contract Number, as applicable

(e) Description and quantity or items purchased or services rendered

(f) Dates services are performed

(g) County authorized purchase price of items and cost of services, as applicable, and

(h) All other information required by the applicable contract, work order, purchase order, or similar instrument.

(2) Improper Invoice. Any invoice failing to meet the requirements of Section C(1) is an Improper Invoice and may be rejected.

(3) Receipt of All Invoices.

(a) The Comptroller's Office shall mark the receipt date, either electronically or manually, on all invoices received by Seminole County on the first day of business the invoice is received by the Comptroller's Office.

(b) To facilitate the efficient review of invoices by County Departments, the Comptroller's Office shall forward to the respective County Department, all invoices received, no later than the following business day the invoice is received by the Comptroller's Office.

(c) All invoices received by a County Department directly from a vendor must be forwarded to the Comptroller's Office no later than two (2) business days of receiving the invoice from the vendor, in order to mark the receipt date and to begin the approval and payment process.

(4) County Department Review of Invoices and Authorization for Payment.

(a) All invoices received from the Comptroller's Office must be reviewed by the County Department to determine if the invoice meets all of the requirements of a Proper Invoice.

(b) The invoice information must agree with the ordering document before the County Department authorizes payment and receives it in the accounting software. Once payment is authorized and no later than seven (7) business days from the receipt date on the invoice, the County Department shall submit the invoice and supporting documentation, which may include a: packing slip, bill of lading, and any other documentation substantiating the receipt of goods or services, to the Comptroller's Office for payment.

(c) If the invoice is determined by the County Department to be an Improper Invoice, the County Department shall notify the vendor and the Comptroller's Office within seven (7) business days of the receipt date on the invoice. The vendor should be informed as to what corrective action is required to submit a Proper Invoice to the Comptroller's Office for payment. The revised invoice should indicate it is a revised invoice.

(5) Comptroller's Office Payment Processing.

(a) No later than forty-five (45) days from the receipt date on the invoice, the Comptroller's Office shall audit and process all Proper Invoices for non-construction services authorized for payment by the County Department. No later than twenty (20) business days from the receipt date on the invoice, the Comptroller's Office shall audit and process all Proper Invoices for construction services authorized for payment by the County Department. Audits must include, but not be limited to, verification of a Proper Invoice and verification that the Proper Invoice agrees with the ordering document.

(b) Upon audit by the Comptroller's Office, if an invoice is deemed an Improper Invoice, the Comptroller's Office must return the Improper Invoice to the County Department for corrective action, and if needed, the County Department will contact the vendor to submit a Proper Invoice. Any revised invoice will be considered a new invoice and the Florida Prompt Payment Act timeframe and internal approval process will begin again.

(c) If the Comptroller's Office has not received authorization for payment from the County Department within seven (7) business days of receipt date on the invoice and there are no notes indicating reasons for the delay in the AP Solution Application, the Comptroller's Office may contact the respective County Department to request status of the payment authorization. Upon request, the County Department shall immediately

respond in writing the status of the payment authorization including reasons for the delay and estimated date of authorization.

(6) Dispute Resolution Procedure.

(a) In the event of a payment dispute over a submitted invoice, within seven (7) business days of the receipt date on the invoice, the County Department must submit a detailed explanation outlining the reasons for disapproval of payment to the Purchasing and Contracts Division Manager and the Comptroller's Office.

(b) Within seven (7) business days of receipt of a County Department's documentation for a payment disapproval, the Purchasing and Contracts Division Manager must determine whether or not payment should be made based upon a review of all of the information and documents related to the transaction. The Purchasing and Contracts Division Manager shall notify the vendor, the County Department and the Comptroller's Office of the decision.

(c) Upon receipt of the Purchasing and Contracts Division Manager's decision, the vendor has seven (7) business days to file a written appeal with the Deputy County Manager. If an appeal is not filed within this timeframe, the Purchasing and Contract Division Manager's decision is final. Within five (5) business days of receipt of an appeal, the Deputy County Manager must determine whether or not payment should be made. The decision by the Deputy County Manager is final.

(7) Invoice for Interest Payment.

(a) In the event a Proper Invoice is not processed for payment within the timeframes specified herein and as required by Chapter 218, Florida Statutes, the vendor may resubmit the Proper Invoice, which includes interest on the amount of the previously submitted Proper Invoice, or may submit a separate invoice seeking the payment of interest on the amount of the delinquent invoice. If the vendor submits a separate invoice for interest, the vendor's separate invoice must include a reference to the delinquent invoice, including, but not limited to: date of invoice, date of payment, invoice number, and all information required in Section C(1) above, for a Proper Invoice.

(b) The Comptroller's Office shall review and investigate all invoices seeking payment of interest within ten (10) business days of receipt to determine whether the interest payment should be authorized.

(c) If the Comptroller's Office determines that payment of interest is warranted, the Comptroller's Office must authorize and process payment from an account established within each fund for the payment of such interest and notify the respective County Department and Resource Management of such payment. In the event more than two (2) interest payments are made pertaining to a County Department, Resource Management must meet with the County Department in an effort to resolve any issues of delinquency in processing invoices for payment.

(d) If the Comptroller's Office determines that the payment of interest is not warranted, the Comptroller's Office must report its findings in writing to the Purchasing

and Contracts Division Manager. Within seven (7) business days of receiving the findings from the Comptroller's Office, the Purchasing and Contracts Division Manager must make a final decision regarding payment of interest and notify the Comptroller's Office of the decision. Based on the Purchasing and Contracts Division Manager's decision, the Comptroller's Office must make payment or notify the vendor that payment is not authorized and the reasons for nonpayment of the interest. The vendor may submit a written appeal of the decision, in accordance with Section C(6)(c) above.

(e) The Comptroller's Office shall publish a final interest payment report no later than December 31st following the close of the Fiscal Year and submit the report to the Resource Management Department with a copy to the County Manager.

D. AUTHORITY. Approved by the BCC September 19, 1989, Agenda Item D6
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2020-R-97 adopted August 25, 2020

SECTION 22. BUDGET AND FISCAL MANAGEMENT

22.20 GRANT MANAGEMENT

I. PURPOSE. Seminole County (the County) actively seeks grants from the federal government, the State of Florida, and from other available sources to increase the revenue available to support Seminole County programs and services and to invest in Seminole County capital projects. Such grants may come with specialized requirements which include, but may not be limited to, specific compliance rules, reporting requirements and the monitoring of other parties that may receive resources. The purpose of this administrative provision is to establish a Grants Administration Program to facilitate the application, acquisition and implementation of grant-funded projects.

II. POLICY. It is the policy of the Seminole County Board of County Commissioners (BOCC) that the County will seek grant funding for activities and assets that support County functions and benefit the County and its residents. All organizations that receive grant funds by BOCC must follow the policies and procedures set forth herein unless specifically exempted by the Board of County Commissioners. The Grant Management Program's policies set forth herein shall ensure grants receive a thorough evaluation by the County before the grant application is submitted and, in addition, adhere to the highest standards and guidelines set forth by the grantor, all regulatory agencies, and the County.

The policies set forth herein pertaining to the Seminole County Grant Management Program will require all parties to adhere to guidelines from the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles and Audit Requirement for Federal Awards commonly called "Uniform Guidance", all pertinent Florida Statutes, Seminole County Ordinances and Administrative Codes, and the rules/procedures promulgated by the Committee of Sponsoring Organizational Framework (COSO).

A. GRANT MANAGEMENT PROGRAM APPLICATION CRITERIA. The County shall not apply for any grant award from any source unless the subject grant meets all the following requirements:

(1) Grants should support core County functions and be in the County's best interest.

(2) Grants must align with the County's mission, strategic priorities, and business plans.

(3) Grants should be feasible for staff to implement without imposing excessive demands on County resources.

(4) Grant applications should propose achievable and practical outcomes to accurately evaluate the impact and success of proposed activities.

(5) Grants aligning with County priorities will be analyzed for total costs and potential need for General Fund support.

B. GRANT APPLICATION REQUIREMENTS.

(1) BOCC approval is required to submit grant applications for all grants greater than $250,000 or require cash match or fund new additional positions. Upon approval by the BOCC, the County Manager or designee is authorized to submit the grant application.

(2) All grant applications must be approved by the County Manager or designee prior to submittal.

(3) County staff members designated by the County Manager or designee shall coordinate all grant submissions to review their impact and secure necessary approvals.

(4) BOCC approval is required to submit grant applications for all grants requiring a grant-funded employee and/or cost-match requirements greater than $250,000. Upon approval by the BOCC, the County Manager or designee is authorized to execute the grant application.

(5) The County Manager or designee is authorized to sign all grant applications approved by the BOCC or within the County Manager's authority to apply and all necessary grant-related forms including but not limited to MOUs, MOAs and Letters of Support.

C. AWARD AGREEMENT APPROVAL.

(1) Grant Agreements. The County Manager or designee is authorized to execute all grant award agreements, whether or not the grant application required BOCC approval, unless the awarding entity requires the Chairman's signature.

(2) Amendments to Grant Agreements. Amendments impacting County resources with a Budget Amendment Request require BOCC approval. All other amendments to any grant agreement, MOU or other document required during the term of the agreement which does not impact County resources with a Budget Amendment Request may be signed by the County Manager or designee.

D. GRANT MANAGEMENT PROCEDURES. The County's Resource Management Department shall develop procedures pertaining to the County's Grant Management Program, as directed by the County Manager, to ensure a thorough grasp of the regulatory and financial obligation of grant awards. These procedures will be outlined in the County's Grant Management Procedure Manual and will address processes to:

(1) Identify and vet projects that are appropriate candidates for grant funding.

(2) Research and identify grant funding opportunities for select projects and services.

(3) Track grant awards/projects and expenditures, program income, accomplishment of tasks, and submission of deliverables within compliance requirements.

(4) Establish subaward processes to include risk and fraud assessments and monitoring.

(5) Outline how the County will specify the process for external entities to obtain letters of support.

(6) Define the performance metrics to analyze the grant's effectiveness; and

(7) Document program processes and procedures that include, but are not limited to the grant application process, the grant execution process, the process to manage and to close the grant.

(8) The Grant Management Procedure Manual shall establish procedures outlining the grant application process, execution, management, and closure of the County's grants.

(9) The Grant Management Procedure Manual will be reviewed annually to ensure effectiveness and compatibility with future policy updates and county operations. The County Manager or designee is authorized to revise any/all sections of the Grant management Procedure Manual without Board approval.

E. POLICY ENFORCEMENT. All Seminole County employees, subrecipients, contractors, and all others engaged in Seminole County grants, must adhere to this policy and the procedures included in the County's Grant Management Procedure Manual. Seminole County employees carry additional compliance responsibilities related to grants. The Resource Management Department, under the direction of the County Manager, is tasked with enforcing this policy.

F. 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
Resolution 2025-R-15 adopted February 25, 2025

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
Resolution 2016-R-135 adopted September 13, 2016

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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 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. Approved by the BCC on August 23, 2005
Resolution 05-R-151 adopted August 23, 2005
Resolution 2012-R-107 adopted June 12, 2012

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	TO	INCUMBENT
(list)		

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:

503.0SECTION 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
Resolution 2016-R-135 adopted September 13, 2016
Resolution 2017-R-32 adopted March 14, 2017
Resolution 2018-R-60 adopted May 8, 2018
Resolution 2019-R-85 adopted June 11, 2019
Resolution 2019-R-217 adopted December 10, 2019
Resolution 2021-R-5 adopted January 26, 2021
Resolution 2022-R-102 adopted August 23, 2022
Resolution 2024-R-25 adopted March 12, 2024

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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

100.0 – 110.0 REPEALED BY RESOLUTION 2014-R-44

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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 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.

119.0 USE OF COUNTY PROPERTY

(1) An employee who is provided with County equipment, such as tools, vehicles, materials, uniforms, etc., is expected to exercise reasonable care in the safekeeping, use, and preservation of such equipment, and shall return the property upon request of the immediate supervisor.

(2) Employees shall promptly report, in writing, to their immediate supervisor, the loss, damage or unserviceable condition of any County property assigned to them or under their control. The immediate supervisor shall forward the report to the Department Director for appropriate action.

(3) Negligence in the use and care of County property, including abuse, misuse, willful or negligent loss or destruction will result in disciplinary action and may also require restitution. More serious cases may result in the filing of a civil and/or criminal action in the courts.

(4) Personal use of County-owned equipment, materials, tools, supplies, etc., is not permitted without the written permission of the issuing Department Director.

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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 checks, including, but not limited to, drug tests, reference checks, driving history and criminal background checks. Background checks include level I and level II, which may require fingerprinting for positions designated by the County Manager. Offers made prior to these employment checks must be made contingent upon satisfactory completion of the employment checks.

(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) 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.

304.1 TUITION REIMBURSEMENT PROGRAM

POLICY:

Seminole County recognizes that a well-rounded education can enhance an employee's skill base, making him or her more valuable to the organization. The County, at management's discretion, and pending approval of funds by the Board of County Commissioners, may reimburse employees for expenses related to educational opportunities outside of the County's established training program. The purpose of this policy is to outline the criteria and procedures for the receipt of financial assistance for educational opportunities.

COMMENTS/ PROCEDURES:

(1) Funding available within the Tuition Reimbursement Program is determined by, and subject to, appropriation of funds by the Board of County Commissioners during approval of the budget each fiscal year.

(2) Full-time employees who have completed six (6) months of employment are eligible to apply for tuition reimbursement. Employees must be in an active pay status to apply for tuition reimbursement.

(3) Reimbursement may be granted for college-level courses that are affiliated with attainment of a college-level degree directly related to an employee's existing position or job or career path within Seminole County Government. In order to be eligible for reimbursement, courses must also involve an evaluation component (i.e. a course grade), and be offered by a regionally accredited institution.

(4) Employees may request tuition reimbursement for up to five (5) undergraduate courses, or up to three (3) graduate-level courses, per fiscal year at the cost per applicable in-state credit hour at the University of Central Florida at the time the employee registers and pays for the class(es).

(5) Employees may be reimbursed for up to ninety percent (90%) of the actual cost of tuition, lab fees, required course books, required course supplies, and other incidental expenses directly related and required to complete the approved course curriculum. Employees will not be reimbursed for mileage, lodging, meals, parking, application and/or registration fees, incidental supplies, or other associated institutional fees.

(6) The level of funding approved for any given request will be determined on a case-by-case basis, and will take into account the nature and duration of the educational program. Funding for approved tuition reimbursement applications is encumbered on a first come, first served basis during each fiscal year for as long as funds are available.

(7) Applications for reimbursement must be submitted to the Office of Human Resources, and should be proffered no later than one week prior to the first day of classes. Human Resources will review applications for employee eligibility, course relevancy, and availability of funds. Approvals will be granted in consultation with members of the appropriate management team.

(8) If the application for tuition reimbursement is approved, the requested funding will be temporarily encumbered for the employee. The employee must provide proof of registration before reimbursement funds will be permanently encumbered for the reimbursement request. It shall be the responsibility of the employee to provide proof of registration to the Office of Human Resources; failure to do so within two (2) weeks of the course commencement may void encumbrance of the funds, opening them up for availability for other employees. Employees may seek approval for reimbursement after coursework has begun, but in the case of limited funding, priority will be given to employees who have received approval prior to the commencement of coursework.

(9) Tuition reimbursement payment shall be based upon tuition actually paid by the employee. When tuition is reduced by the school, the reimbursement is based upon the reduced rate. This includes, but is not limited to, discounts based upon prepaid college saving plans, military education benefits, grants and/or scholarships that reduce the tuition paid shall reduce the tuition reimbursement payment.

(10) All courses must be taken during non-working hours. No wages will be paid for attendance in these courses. Assignments are to be completed outside of working hours, and should not interfere with the employee's work. Employees shall not use any space, personnel, equipment, or supplies of the County in the process of fulfilling any of the requirements of coursework.

(11) If an application for tuition reimbursement is approved, the employee must initially pay for the course, and will be reimbursed the approved eligible costs upon successful completion, consistent with the criteria and requirements of this policy. In order to receive reimbursement, the employee must submit proof of payment to Human Resources, along with a copy of the grade(s) for each course to receive reimbursement. Reimbursement will be made after successful completion of approved course(s) with a grade of "C" or better for undergraduate level courses; a "B" or better for graduate level courses; or upon successful passage in a Pass/Fail evaluation scenario.

(12) Reimbursement will not be made to an employee who terminates employment with the County before completion of the course or who withdraws from a course before completion.

(13) In order to receive reimbursement, employees must sign an agreement committing to continue working for the Seminole County Board of County Commissioners for a minimum of two (2) consecutive years after completion of the course(s) for which reimbursement was granted. If the employee elects not to fulfill the commitment, the cost of the tuition reimbursed to the employee will be deducted from the employee's final paycheck or any other amounts payable to the employees, as allowed by applicable law.

(14) No reimbursement will be made for coursework required as a minimum qualification of the employee's current position.

(15) Participation in the tuition reimbursement program is voluntary and does not in any way guarantee promotions or transfers within the County. Seminole County reserves the right to suspend or amend the Tuition Reimbursement Program at any time.

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) It is the responsibility of supervisors, Division Managers and Department Directors to limit overtime scheduling to essential operational activities. Managers are responsible for ensuring overtime budgeting is considered when approving overtime, even in the form of compensatory time.

(7) Compensatory time must be authorized by the supervisor, Division Manager, or Department Director in writing, prior to the work being performed.

(8) Compensatory time may not be used before it has been earned and its use has been approved.

(9) Non-exempt employees may accumulate up to eighty (80) hours of compensatory time.

(10) 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.

(11) Accrued compensatory time must be taken prior to using any accrued Paid Time Off (PTO).

(12) Compensatory time balances will be paid out on the twenty-sixth (26th) pay period each year, when an employee changes departments, when an employee moves from a non-exempt to exempt position, or when an employee separates from employment.

(13) 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.

(14) 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) 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 accrued compensatory time that is unused will be paid to the member on the twenty-sixth (26^{th}) pay period of each calendar year.

(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:

This policy establishes the framework under which employees may be assigned and fairly compensated for work in preparation for and/or response to a natural, technological, or human-caused emergency or disaster. The policy shall be activated when the County Chairman, or acting Chairman, signs a Local State of Emergency declaration for a forecasted emergency/disaster or when the Emergency Operations Center is activated in preparation for a Local State of Emergency declaration. Return to normal payroll policy occurs when the Emergency Operations Center closes and the County officially moves from response to recovery as directed by the Chief Administrator of the Office of Emergency Management.

This policy is also activated when work is being performed in another County/State during a disaster or emergency event pursuant to a Statewide Mutual Aid Response or Emergency Management Assistance Compact. Employees are to be paid from mobilization to demobilization of the mission.

The policy allows the County to perform vital activities to protect lives, prevent injuries, and sustain community-wide emergency response activities when the need to provide emergency services supersedes other County operations. During an emergency or disaster, employees may be temporarily reassigned to duties not normally in the scope of their position and/or to work at different job sites.

All employees in Seminole County are considered essential, and are expected to carry out public servant activities during times of disaster. Exemptions may be made for medical and other hardship issues on a case-by-case basis. Employees that fail to report to their work assignments during an emergency or disaster may be subject to disciplinary action up to and including termination.

To receive compensation during an emergency or disaster, an employee must be engaged in a disaster/emergency related task or assignment. Individuals who are absent due to scheduled PTO will be paid in accordance with the normal pay policy and will not be compensated under this policy.

COMMENTS/PROCEDURES:

(1) Emergency Roles (E-roles): Employees should expect to be reassigned to E-roles during times of emergency or disaster to perform critical duties.

(2) Employees are required to contact Human Resources at the beginning of each shift if unable to fulfill the E-role activity due to injury or other hardship in accordance with Human Resource Policy 601.0, Attendance and Punctuality.

(3) Compensation (Emergency Payroll Rate): Employees who assume supervisory emergency or disaster role responsibilities, as designated in the Incident Action Plan for the emergency or disaster, shall receive TEN AND NO/100 DOLLARS ($10.00) per hour over their normal pay (examples: EOC section chiefs, shelter managers, citizens information hotline managers, sandbag operations managers). All other employees who work in an emergency or disaster related activity will be compensated at FIVE AND NO/100 DOLLARS ($5.00) per hour over their normal pay for the extent of their

deployment. The Emergency Payroll Rate would be the employee's normal straight time rate, plus the above-noted compensation amount.

(4) Non-exempt (hourly) employees shall receive their Emergency Payroll Rate, plus overtime (time and one-half) for all hours worked in excess of forty (40) hours per week, in accordance with Human Resource Policy 309.0, Hours of Work/Overtime, when serving in functions subject to this policy.

(5) Exempt (salaried) employees who work in excess of forty (40) hours per week will receive their Emergency Payroll Rate for all hours worked in excess of forty (40) hours per week, when serving in functions subject to this policy.

(6) In reaction to an emergency or disaster, the County Manager may suspend normal County operations and direct employees not to report to work. Under this circumstance, employees normally scheduled to work who are instructed not to report to work due to the closure will receive full pay for the workday.

(7) When County operations have been closed down due to an emergency or disaster and a Local State of Emergency has been declared in accordance with the provisions of the Seminole County Code, County personnel will receive Emergency Payroll Rate for hours worked during the emergency or disaster, in addition to their normal pay for the workday(s).

(8) Employees on any type of approved leave prior to or during a declared emergency or disaster will not receive additional paid time off and will be paid according to the original approved leave request. Employees whose leave is canceled as a result of the declared emergency will be compensated in accordance with this policy.

(9) Departments will track any straight-time and overtime payroll expenses that are directly related to emergency/disaster work associated with the Local State of Emergency declaration. This report will be required for reimbursement purposes if a Federal Disaster Declaration is confirmed.

(10) Departments are responsible for reconciling any emergency/disaster hours worked with the associated Incident Action Plan, Unit Activity Log, Work Order, or Mission Report.

(11) Members of the collective bargaining units will receive wages and benefits in accordance with the collective bargaining agreement.

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.

500 MEMBER BENEFITS

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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 Legal Guardian, Brother-in-Law, Sister-in-Law. (Note: Such sick leave hours are NOT eligible for payment upon separation and shall be forfeited.)

(9) Eligible members may participate in the Paid Time Off Buyback Program each fiscal year. Full-time members must maintain a minimum balance of 240 hours of accrued leave after payout; part-time members must maintain a minimum balance of 120 hours of accrued leave after payout. Fifty-six (56) hour non-bargaining members must maintain a minimum balance of 336 hours of accrued leave after payout. Members may request "buyback" hours from November 1 – November 30. Payment of hours will be processed as an off-cycle payroll in December. Individuals may only submit one (1) request during the request enrollment period.

(10) The County Manager will authorize the maximum amount of Paid Time Off Hours members may sell back as part of the annual budget process. For Program details, refer to the County Manager Policies.

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 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 Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Day after Thanksgiving	Friday
Christmas Eve	December 24
Christmas Day	December 25
Martin Luther King's Birthday	Third Monday in January
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.

If Christmas Eve, December 24th falls on Sunday, the County will observe Monday, December 25th and Tuesday, December 26th.

(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.

504.0 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.

505.0 BEREAVEMENT/JURY DUTY/WITNESS DUTY/OTHER PAID LEAVE

POLICY:

It is the policy to provide time off to members for bereavement, jury duty, and witness duty.

COMMENTS/PROCEDURES:

(1) Bereavement

Members may, upon request, be granted up to one (1) workweek of bereavement leave with pay within a calendar 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) 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.

506.0 WORKERS' COMPENSATION

POLICY:

It is the policy to pay Workers' Compensation benefits to all employees who are disabled because of any injury arising out of and in the course of performance of their duties with the County. All benefits shall be paid according to Chapter 440, Florida Statutes (as amended).

COMMENTS/PROCEDURES:

(1) All employees 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 employee to file this report may result in their ineligibility for Workers' Compensation benefits.

(2) Risk Management must be advised by the Department as soon as possible with the appropriate paperwork completed within twenty-four (24) hours of the date of injury. Any time lost from work by the employee must be authorized by an authorized physician treating the employee, the Risk Manager, or a Risk Management Coordinator.

(3) Beginning with the date the employee cannot work a full work shift due to a compensable injury, the employee will be eligible to receive the following:

- The first thirty (30) calendar days are paid in full by the County.
- Beginning on the 31st calendar day, the employee will receive 66 2/3% of their wages or the workers' compensation Maximum Compensation Rate, whichever is less, from County funds directly from the County's Third-Party Administrator. The employee my elect to use accrued paid leaves, if any, for the remaining wages not compensated through workers' compensation.

NOTE: The total of payments from the Third-Party Administrator and the County shall not exceed the employee's net income prior to the injury.

- If the employee exhausts all paid leaves or elects not to use paid leave to supplement the payments from the Third-Party Administrator, they will be placed on Leave Without Pay (refer to Personnel Policies Section on Leaves Without Pay).

(4) All time lost from work due to service-connected disability must be noted on official payroll.

(5) An employee shall not perform outside employment while receiving workers' compensation benefits from the County. The Human Resources Manager may approve exceptions when an employee is on medical restriction and the County is unable to provide restricted duty and such outside employment does not impair the employee's medical recovery to return to work.

(6) It is the practice to offer restricted duty to employees receiving workers' compensation benefits when work restrictions can be accommodated. Employees who refuse restricted duty assignments may be ineligible for workers' compensation disability

benefits as provided by Chapter 440, Florida Statutes (as amended). Requests to use paid leave in lieu of restricted duty must be approved by the employee's Department Director. Requests to use unpaid leave in lieu of restricted duty must be approved by Human Resources.

(7) Employees must notify their supervisor immediately after receiving a release to return to work, whether restricted duty or full duty, and report for their next regularly scheduled workday or shift unless directed otherwise by their supervisor, manager, or Risk Management.

507.0 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 must 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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702.0 SOLICITATION/DISTRIBUTION ____ **69**

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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 _____ **76**

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 _____ 80

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 24. HUMAN RESOURCES

24.25 SEMINOLE COUNTY CIVIL RIGHTS PROGRAM

A. PURPOSE. Seminole County is committed to protecting the rights of all people to ensure their ability to live, work, and enjoy equal access to facilities open to the public in an environment free of unlawful discrimination, harassment, intimidation, and retaliation. The County values diversity and welcomes input from all interested parties regardless of cultural identity, background, or income level. The County does not tolerate discrimination in any of its program services or activities. As such, Seminole County shall not exclude participation in, deny benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, sexual orientation, age, disability, religion, or familial status.

Seminole County's Chief Administrator of Human Resources will serve as the Civil Rights Program Coordinator. The Civil Rights Program Coordinator is charged with the responsibility for implementing, monitoring and ensuring the County's compliance with federal and state laws regarding discrimination.

B. TITLE VI/NONDISCRIMINATION PROGRAM ADMINISTRATION. Seminole County assures that no person will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination under any program, policy, or activity on the basis of race, color, sex, age, disability, or national origin. (Title VI of the Civil Rights Act of 1964, as amended; the Civil Rights Restoration Act of 1987; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; Age Discrimination in Employment Act of 1967; Americans with Disabilities Act of 1990 (ADA); and other applicable state and federal nondiscrimination authorities) Every effort will be made to ensure nondiscrimination in all of the County's program activities, whether those programs and activities are federally funded or not. In the event the County distributes federal aid funds to another entity, the County shall include Title VI language in all written agreements and will monitor the sub-recipient for compliance.

(1) A Title VI/Nondiscrimination Coordinator is charged with the responsibility for implementing, monitoring, and ensuring compliance with Title VI and other nondiscrimination regulations in coordination with the Civil Rights Program Coordinator. The Title VI/Nondiscrimination Coordinator's responsibilities are as follows:

(a) Initiate and monitor Title VI activities, preparing required reports, and other County responsibilities as required by 23 C.F.R. § 200, and 49 C.F.R. § 21.

(b) Process the disposition of Title VI complaints received by the County.

(c) Collect statistical data (race, color, sex, age, disability or national origin) of participants in and beneficiaries of state highway programs (i.e., relocates, affected citizens, and impacted communities).

(d) Conduct annual Title VI reviews of special emphasis program areas (right of way planning, design, etc.) to determine the effectiveness of program activities at all levels.

(e) Conduct Title VI reviews of construction contractors, consultant contractors, suppliers, and other recipients of federal-aid highway fund contracts administered through the County.

(f) Review County program directives in coordination with Title VI liaisons for special emphasis.

(g) Coordinate training programs on Title VI and other related statutes for County employees and recipients of federal funds.

(h) Prepare a yearly report of Title VI accomplishments and goals, as required.

(i) Develop Title VI information for dissemination to the general public and where appropriate, in languages other than English.

(j) Conduct post-grant approval reviews of County programs and applicants (i.e., highway location, design and relocation, and persons seeking contracts with the County), for compliance with Title VI requirements.

(k) Identify and eliminate discrimination.

(l) Establish procedures for promptly resolving deficiency status and reducing to writing the remedial action agreed to be necessary, all within a period not to exceed ninety (90) days.

(2) Complaints. If any individual believes that he, she, or any other program beneficiaries have been subjected to unequal treatment or discrimination in the receipt of benefits or services, or on the grounds of race, color, national origin, sex disability, or age, such individuals may exercise their right to file a complaint with the County. Every effort will be made to resolve complaints informally at the County and contractor level.

(3) Data Collection. Statistical data on race, color, national origin, and sex of participants in, and beneficiaries of, federally funded programs (i.e., relocates, impacted citizens, and affected communities), will be gathered by the Title VI/Nondiscrimination Coordinator and maintained by the Civil Rights Program Coordinator. Each of the Title VI special emphasis program areas will maintain data to be incorporated in the Title VI Annual Update. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI/Nondiscrimination program administration.

(4) Title VI Program Reviews. The Civil Rights Coordinator and the Title VI/Nondiscrimination Coordinator shall oversee the County's Title VI Program reviews to assess the administrative procedures, staffing and resources available for Title VI compliance. Program representatives shall coordinate efforts to ensure that the requirements of Title VI are met throughout the entire contracting process. The Title VI Coordinator shall conduct reviews of contractors, subcontractors, consultants, suppliers and all other sub-recipients of the Florida Department of Transportation's federal funds to ensure compliance with Title VI and other nondiscrimination provisions.

(5) Operational Guidelines/Program Directives. All operational guidelines to regions, contractors, sub-recipients, and special emphasis program areas will be reviewed annually to include Title VI/Nondiscrimination language and provisions and related requirements, where applicable.

(6) Training Program. Title VI/Nondiscrimination training will be made available at least annually to employees, contractors, sub-recipients, and special emphasis program area liaisons. The training will provide comprehensive information on Title VI and other nondiscrimination provisions, application to program operations, and identification of possible discrimination issues and resolution of complaints. A summary of the training conducted will be reported in the annual update.

(7) Annual Reports. An annual executive summary will be submitted to the County Manager reviewing Title VI/Nondiscrimination accomplishments achieved during the year. Annual reports will be required for each of the special emphasis program areas. The Title VI/Nondiscrimination Coordinator will be responsible for coordination and preparation of the report.

(8) Title VI/Nondiscrimination Plan Update. A Title VI/Nondiscrimination Plan Update will be submitted to the County Manager or his or her designee for review by October 1 triennially. The update will report on accomplishments and changes to the program occurring during the preceding year, and will also include goals and objectives for the upcoming year.

(9) Post-Grant Reviews. Review post-grant approval procedures (e.g., highway location design, relocation, and individuals seeking contracts, etc.) to ensure compliance with Title VI requirements.

(10) Elimination of Discrimination. Implement procedures to identity and eliminate discrimination when found to exist, related to Minority/Women/Veteran Disadvantaged Business Enterprises (DBE) contractors, public involvement, property acquisition, and any other County program, service or activity.

(11) Remedial Action. The County shall actively pursue the prevention of Title VI deficiencies and violations and take the necessary steps to ensure compliance with all program administrative requirements. When irregularities occur in the administration of the program's operation, corrective action will be taken to resolve Title VI issues and reduce to writing a remedial action agreed to be necessary, all within a period not to exceed ninety (90) days.

(a) Sub-recipients placed in a deficiency status will be given a reasonable time, not to exceed ninety (90) days after receipt of the deficiency letter, to voluntarily correct deficiencies.

(b) The County shall seek the cooperation of the sub-recipient in correcting deficiencies found during the review. The County shall also provide technical assistance and guidance needed to aid the sub-recipient to comply voluntarily.

(c) A follow-up review will be conducted within one hundred eighty (180) days of the initial review to ensure that the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified.

(d) When a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the County shall submit to FDOT's External Civil Rights Office or the Federal Highway Administration (FHWA) two (2) copies of the case file and a recommendation that the sub-recipient be found in noncompliance.

(12) Procedures Manual. Administration of the Title VI/Nondiscrimination Program will be incorporated in a Procedures Manual that will be updated regularly by the Civil Rights Program Coordinator. Changes in the procedures or designation of responsibilities will not take effect until the Procedures Manual has been updated and the changes have been communicated and disseminated throughout the County organization and to the public.

C. TITLE II OF THE AMERICANS WITH DISABILITY ACT. Title II of the Americans with Disability Act (ADA) of 1990, (42 U.S.C. § 12131 et seq.) prohibits discrimination on the basis of disability in the admission, access, or operations of its programs, services, activities, or facilities. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), as amended, provides that no qualitied handicapped person, solely by reason of his or her disability, will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives federal financial assistance administered by the Department of Transportation.

In compliance with federal law, Seminole County government shall not exclude or discriminate against a qualified individual with a disability, from participation in or be denied the benefits of the services, programs or activities of Seminole County simply because that person has a disability.

(1) In furtherance of ensuring that County programs, services, facilities and activities are open and accessible to individuals with disabilities, the County has established the following three (3) goals:

(a) Accessibility: Programs will be operated so that they, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities. The County shall not use unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy services, programs, or activities.

(b) Effective Communication: Upon request, appropriate aids and services leading to effective communication for qualified individuals with disabilities will be provided so individuals may participate equally in the County's programs, services, and activities.

(c) Modifications to Policies and Procedures: Reasonable modifications to policies, practices, and programs will be made to ensure that individuals with disabilities have access equal opportunity to enjoy all the County has to offer.

(2) The County shall cover the reasonable costs of providing auxiliary aids and services or reasonable modification of policy. However, the ADA does not require the

County to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

(3) To protect the substantive rights of interested persons and to ensure that the County meets the spirit and guidelines of the Americans with Disabilities Act (ADA), the County shall provide for the prompt and equitable resolution of complaints alleging discrimination on the basis of disability in the provision of programs, services, activities or benefits. Any individual who believes that he or she is a victim of discrimination prohibited by Title II of the ADA may file a complaint. Complaints on behalf of classes or individuals are also permitted.

D. LIMITED ENGLISH PROFICIENCY (LEP). It is recognized that one form of discrimination occurs through an inability to communicate due to limited proficiency in the English language. The limitation is often the result of an individual's national origin. Title VI of the Civil Rights Act of 1964, Executive Order 13166, entitled "Improving Access to Services by Persons with Limited English Proficiency" and various directives from the United States Department of Justice (DOH), the United States Department of Transportation (DOT), and the United States Department of Housing and Urban Development (HUD) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English well. Seminole County welcomes diversity and recognizes that, due to its proximity to famous tourist attractions, visitors from all over the work often visit the County. The County has taken steps to ensure that those who come to the County may participate in and enjoy to the fullest everything the County as to offer.

In compliance with federal regulations, Seminole County shall make reasonable efforts to ensure its programs, services, and activities are meaningfully accessible to those who do not speak English proficiently. The County shall utilize its bilingual employees, state and local transportation partners, faith-based organizations, colleges and universities, community groups, and other language services to provide oral interpretation and translation of program documents, as required.

Persons requiring special language services should contact the Chief Administrator of Human Resources/Civil Rights Program Coordinator at 407-665-7940, at 1101 E. First Street, Sanford, Florida 32771.

(1) Seminole County Factor Analysis. To determine if or when alternate language usage is required for meaningful access, federal law requires assessment of the program, service, or activity using the following four (4) factors:

(a) The number or proportion of LEP persons eligible to be served or likely to be encountered by the County's programs, services or activities.

(b) The frequency with which LEP individuals come in contact with these programs, services, or activities.

(c) The nature and importance of the program, service, or activity to people's lives.

(d) The resources available to the County and costs of implementation.

U.S. Department of Transportation (USDOT) policy guidance document titled "Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient (LEP) Persons" reprinted at 70 Fed. Reg. 74087, explains that the identification of "reasonable steps" to provide oral and written services in languages other than English is determined on a case-by-case basis through a balancing of the four (4) enumerated factors. The following sections address each of these factors with respect to Seminole County.

Factor 1: Reviewing LEP Populations. In an effort to determine the potential LEP needs in Seminole County, data available through the U.S. Census Bureau American Fact Finder was reviewed. The data revealed that 19% of the population five (5) years and over speak another language other than English at home. Of those households, 70% speak Spanish, 19.3% speak Indo-European languages, 8.5% speak Asian and Pacific Islander languages, and 2.5% speak other languages. Of the Seminole County households that speak a language other than English, 32.6% indicated they speak English "less than very well"; of these households, 32.6% were Spanish speaking. Other languages spoken in households that speak English "less than very well" include Indo-European languages (24%), Asian and Pacific Islander languages (41.6%), and other (35%).

Factor 2: Assessing Frequency of Contact with LEP Persons. The results of the census data indicate that Spanish is the most prevalent language spoken by the LEP population in Seminole County.

Factor 3: Assessing the Importance of County Programs. Those programs related to safety, public transit, right of way, the environment, nondiscrimination, and public involvement are among the most important. The County must ensure that all segments of the population, including LEP individuals, have been involved or have had the opportunity to be involved in the program or project planning process.

Factor 4: Determining Available Resources. When planning an activity, it is imperative that the County assess the resources available to conduct the activity in a way that is meaningful and balances those efforts with the overall cost to the organization.

(2) Language Access and Implementation Plan and Procedures.

(a) Verbal Translation Services. LEP individuals will be informed of the availability of interpretation and translation services when it appears that the individual is not able to communicate effectively in English.

(i) Each Department shall ensure that "I Speak" language cards are available for use where the public receives services to assist employees to identity language needs in order to match them with the available services.

(ii) Each County Department shall provide the Civil Rights Coordinator a list of all employees within their Department that are bilingual and willing to be used for translation services when needed. Due to the continuously changing workforce composition, this list will be updated frequently. This list must be made available on the County intranet for access by all employees. Depending upon the

immediate availability of bilingual employees, interpretation may be provided via telephone, instant messaging or in person.

(iii) Additionally, the County may use the services of institutions of higher education and faith-based and community organizations to assist in providing competent language services.

(b) Written Translation Services.

(i) The County shall provide meeting notifications in English and Spanish, where appropriate.

(ii) Outreach documents must state that language services are available free of charge in a language LEP persons can understand.

E. COMPLAINT PROCEDURE. Seminole County has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discriminatory action. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, or family status in violation of the County's Civil Rights Program, or any state or federal law may file a complain to the Civil Rights Program Coordinator. Any complaints receive by employees will be provided to the Civil Rights Program Coordinator for action.

(1) All Complaints should include the following:

(a) The name, address and telephone number of the person making the complaint.

(b) The names, addresses and telephone numbers of witnesses.

(c) A narrative or statement describing the alleged violation, including date and time of the alleged violation and County program where the alleged violation occurred.

(d) A narrative or statement identifying the recommended corrective actions to solve the alleged violation(s).

(e) Other supporting documentation to more fully explain or identify the alleged violation.

(2) Complaint review process.

(a) A complaint should be filed as soon as an individual becomes aware of the alleged violation and no later than ninety (90) days after the complainant becomes aware of an alleged violation. Filing a complaint after ninety (90) days will not bar a complaint, but the passage of time may hinder the ability of the County to conduct a full and thorough investigation.

(b) Within fifteen (15) calendar days after receipt of the complaint, the Civil Rights Program Coordinator shall make contact with and, if necessary, meet with the

Complainant to give them the opportunity to explain the details of the alleged discriminatory action/incident, and the possible resolutions.

(c) Within thirty (30) calendar days of the meeting or conversation, the Civil Rights Program Coordinator shall respond in writing and, where appropriate, in a format accessible to the Complainant, such as large print, Braille or audio tape. The response will explain the position of the County and offer options for substantive resolution of the complaint.

(d) If the Complainant believes that the response does not satisfactorily resolve the issue, the Complainant or his or her designee may appeal the decision within seven (7) calendar days after receipt of the response to the Civil Rights Coordinator, who will direct the matter to the County Manager's Office. The request should be submitted in writing where appropriate. The County Manager or designee shall review the findings of the Civil Rights Program Coordinator and make a final determination within fifteen (15) calendar days of receipt of the appeal.

(e) Once the County Manager or designee has issued a determination, the investigation and appeal will be considered concluded and the Complainant shall have no further right of appeal under the Civil Rights Program.

(f) If the County is unable to satisfactorily resolve the complaint, the Civil Rights Program Coordinator shall, in conjunction with the Engineering Department, forward the complaint and the record of its disposition, to the Florida Department of Transportation ("FDOT"), Equal Opportunity Office, Statewide Title VI/Nondiscrimination Coordinator. FDOT will assume jurisdiction over the complaint for continuing processing.

(g) The Seminole County Title VI/Nondiscrimination Coordinator has easy access to the County Manager and is not required to obtain Board of County Commissioners or other approval to discuss discrimination issues with the County Manager. However, should the complainant be unable or unwilling to file a complaint directly with Seminole County, the written complaint may be submitted directly to Florida Department of Transportation (FDOT). Under such circumstances, a complaint should be mailed to:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

FDOT serves as a statewide clearinghouse for Title VI purposes and will either assume jurisdiction over the complaint or forward it to the appropriate federal or state authority for continued processing. If it is determined that the complaint originated from an FDOT Local Agency Program project, the complaint shall be provided to FDOT and/or Federal Highway Administration (FHWA). Seminole County will attempt to resolve all issues; however, only FHWA can accept, investigate, and issue findings under Title VI, which is specific to the classes of race, color, and national origin.

F. DISSEMINATION OF SEMINOLE COUNTY'S CIVIL RIGHTS PROGRAM. In order to implement its policy of nondiscrimination, the County's Plan will be disseminated and communicated to employees, as well as to the community at large. Dissemination of this information will be accomplished through the following actions:

(a) Internal Dissemination.

(1) Meetings will be held with managers and supervisors in order to explain the Civil Rights Program policies, procedures and philosophy, and to communicate responsibilities and expectations of the attendees under those policies.

(2) Title VI and Title II training opportunities will be offered for County employees, contractors and sub-recipients, as appropriate, at least annually, to discuss the County's policies and philosophy, and to explain the various employee responsibilities under them.

(3) The policies will be publicized, as appropriate, in official publications for Seminole County Government employees.

(4) The Policies will be prominently discussed and explained in the appropriate in-service training activities for County employees, and will be accessible to all County employees via Seminole County's Intranet website.

(b) External Communication.

(1) Public dissemination will include the posting of public statements, inclusion of language in contracts, and may be published in newspapers having a general circulation in the vicinity of proposed projects and announcements of hearings and meetings in minority publications, as deemed appropriate by staff.

(2) The policies will be accessible to the general public via the County's Internet website, www.SeminoleCountyFl.gov.

G. AUTHORITY. Resolution 2022-R-51 adopted April 12, 2022
Resolution 2022-R-95 adopted July 26, 2022

SECTION 26. INFORMATION SERVICES DEPARTMENT

26.5 INFORMATION SECURITY/DATA ACCESS POLICY

A. PURPOSE.

(1) The purpose of the Information Security/Data Access Policy is to provide direction for effectively and efficiently managing the risks to Seminole County Government's information assets against accidental or malicious disclosure, modification or destruction whether internal or external, deliberate, or accidental.

(2) Security is critical to the organization's survival. This policy also defines the access controls that must be put into place to protect information by controlling who has the right to access the information assets, whether it is actual data, the hardware on which the data resides, or the application software used to manipulate data on systems installed throughout the County.

B. SCOPE. This policy applies to all members of the Board of County Commissioners, its departments, employees, volunteers, interns, contractual third parties, appointed committee members and Seminole County Constitutional Officers and their employees with any form of access to the information and information systems which impact the daily operations of Seminole County Government.

C. TRAINING.

(1) Effective security is a team effort involving the participation and support of every employee and affiliate who deals with information, information systems or both.

(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 will be provided at regular intervals to ensure that all necessary employees maintain the desired level of proficiency.

D. ROLES. The roles of specific County staff in implementing this policy are set forth below:

(1) Data Custodian: A member or members who have ultimate responsibility for ensuring the protection and use of the organization’s data. Responsibilities include:

(a) Identifying what data belongs to the Board and identifying the system of record.

(b) Identifying and documenting what roles are allowed access to the data and the level of access required.

(c) Determining and documenting the process for authorizing individuals to access the data.

(d) Implementing processes that maintain the integrity and accuracy of the data.

(e) Ensuring that the data is protected and the applicable laws are followed concerning handling of the data.

(2) Security Administrator: This role is responsible for the security of the data and systems that store the data. The responsibilities of this role include:

(a) Providing access to the users that are approved by the data custodian.

(b) Protecting data from unauthorized users.

(c) Ensuring that appropriate disaster recovery procedures are in place.

(3) Data User: The role is designated by the data custodian and has permission to access and use the data. Responsibilities include:

(a) Being accountable for all data made with his or her account.

(b) Ensuring that all use and distribution of data is only for approved purposes.

(c) Not disclosing data to unauthorized people.

(d) Keeping his or her password secret.

(4) Information Security Officer: This role is designated by the Chief Information Officer and responsibilities include:

(a) Assuming overall responsibility for the security of the County's information systems and data integrity.

(b) Establishing the policies and procedures necessary to ensure the security and integrity of the County's data and information systems.

(c) Working with Data Custodians to ensure the reliability and enforcement of any related policies and procedures.

(d) Organizing incident response to security breaches in order to minimize data loss or integrity concerns.

(5) Information Services Department: This role is responsible for supporting the electronic data systems infrastructure. Responsibilities include:

(a) Documenting and supporting the structure of the organization's data.

(b) Supporting the use of standard data definitions throughout the organization.

(c) Facilitating the appropriate sharing of data and integration of data between the organization's systems.

(6) Chief Information Officer: This role is responsible for providing oversight to the Information Services Department and providing guidance to the county on information systems issues. Responsibilities include:

(a) Appointing and revoking Data Custodian roles to all electronic information systems.

(b) Assuming the role of Information Security Officer in absence of other designees.

E. DIRECTIVES.

(1) All data, including software, produced by County employees, volunteers, interns, Commissioners and their aides, and third-party vendors while employed by the Board, is solely owned by the Seminole County Board of County Commissioners.

(2) All computer hardware, computing devices, including tablets and smart phones, operating systems, and third-party software applications purchased using funding provided by the Board are solely owned by the Seminole County Board of County Commissioners.

(3) Access to any information system that has security risks requires authentication by userid or password, biometric system, multi-factor authentication or other mechanism which minimizes unauthorized access to or alteration of the County's data. The Information Security Officer shall approve the appropriate authentication method.

(4) The Information Security Officer shall document and maintain appropriate standards for the creation, size, style and expiration period of passwords. All data users shall follow the standards.

(5) The Board delegates the responsibility for ensuring that the appropriate level of user access management is implemented and maintained in a secure manner to the Chief Information Officer or his or her designees. The Chief Information Officer shall assign an appropriate Data Custodian for each of the computer systems owned by the Board of County Commissioners.

(6) Formal user access control procedures must be documented, implemented and kept up to date by the Data Custodian for each application and information system to ensure authorized user access only. These procedures must cover all stages of the lifecycle of user access, from the initial registration of new users to the final de-registration of users who no longer require access. Security Administrators shall allocate access rights and permissions for each user to computer systems and data that are commensurate with the task they are expected to perform.

Users will not be granted access to information that is unnecessary for the performance of their tasks. The system's Data Custodian is responsible for determining the appropriate authorization levels for each data user.

(7) Where Board owned data systems cross the boundaries of the Board and other Constitutional Officers, the Chief Information Officer shall create a committee composed of members of both organizations to ensure that the data integrity and operational needs of both organizations are met. The Board of County Commissioners shall resolve any disputes. Under any circumstance, the Board delegates to the County Manager the ability to request access rights to any Board owned system for any data user. Any request made by the County Manager must be fulfilled as soon as possible.

(8) Employees outside the Information Services Department do not have administrative rights to any of the Board's information systems unless that access is granted in writing by the County Manager, Chief Information Officer, or designee(s).

(9) No information created by an employee of the Board of County Commissioners that is produced using County equipment will be considered private to the employee.

(10) Employees shall not install software on their computers or any computing device without the approval of the Information Security Officer or his or her designee.

(11) All employees of the Board of County Commissioners must retain data as required by Chapter 119, Florida Statutes (2016), as this statute may be amended from time to time ("Public Records"), and all other applicable law. Under no circumstance may an employee release data to the general public that is exempt from Chapter 119, Florida Statutes (2016), as this statute may be amended from time to time, and all other applicable law.

F. 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 the 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.

G. RESPONSIBILITY. The Board of County Commissioners bears the 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/Data Access Policy as follows:

(1) The County Manager shall approve and enforce all information security guidelines that have county-wide scope.

(2) The County Manager shall appoint the Chief Information Officer or his or her designee 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, Supervisors and other Seminole County Constitutional Officers (where their staff access the County's data systems) are directly responsible for implementing the Information Security/Data Access Policy and any subsequent policies, procedures and guidelines developed by the Information Security Officer and approved by the County Manager within their areas of responsibility, and for adherence by their staff.

H. 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
Resolution 2016-R-187 adopted November 15, 2016

SECTION 28. PARKS AND RECREATION 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 Parks and Recreation 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 Parks and Recreation 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 Parks and Recreation 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
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

SECTION 28. PARKS AND RECREATION 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 328.72(15), 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 Parks and Recreation 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) The Boating Improvement Program Funds are generated through registration fees associated directly to motorized vessels and therefore the eligible funds must be used for public access and improvements directly associated to waterbodies for public use of motorized vessels.

(3) 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.

(4) 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.

(5) 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.

(6) 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 328.72(15), 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.

(7) 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.

(8) 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.

(9) 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.

(10) 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.

(11) 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. No more than two simultaneous open projects will be permitted or considered for funding for any single municipality. 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 328.72(15), 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
Resolution 2017-R-110 adopted July 25, 2017
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

SECTION 28. PARKS AND RECREATION 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. Deer Run
7. Greenwood Lakes
8. Jamestown
9. Kewannee
10. Lake Dot
11. Lake Jesup
12. Lake Mills
13. Lake Monroe Wayside
14. Midway
15 Mullet Lake
16. Red Bug Lake
17. Rolling Hills
18. Roseland
19. Sanlando
20. Seminole County Softball Complex
21. Soldier's Creek
22. Sports Complex
23. Spring Hammock Preserve
24. Sunland
25. Sylvan Lake
26. Wekiva Golf Club
27. 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 Parks and Recreation Department Director. Any sale of items at such events also require the prior approval of the Parks and Recreation 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
Resolution 2022-R-20 adopted February 8, 2022
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

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.

DEER RUN TRACT A & B

(Entry Drive & Adjacent Parcel)

Tract "A" and Tract "B", Villas at Deer Run, according to the plat thereof as recorded in Plat Book 68, Pages 21 through 24, of the Public Records of Seminole County, Florida.

DEER RUN

(300 Daneswood)

Begin at the Southeast corner of Lot 10, Deer Run Unit 6, recorded in Plat Book 25, Page 94, Public Records of Seminole County, Florida; thence North 08 degrees 52 minutes 36 seconds East, 167.00 feet along the East line of said Deer Run Unit 6 to the Northeast corner of Lot 9 of said Deer Run Unit 6, said corner lying on the Southerly boundary of Sterling Park Unit Two recorded in Plat Book 17, Pages 87 and 88, Public Records of Seminole County, Florida; thence South 86 degrees 37 minutes 09 seconds East, 740.94 feet along the Southerly boundary of said Sterling Park Unit Two; thence North 04 degrees 10 minutes 54 seconds East, 198.57 feet along the East line of said Sterling Park Unit Two to the Southerly line of Sterling Park Unit Three recorded in Plat Book 18, Pages 52, 53 and 54, Public Records of Seminole County, Florida; thence along the Southerly boundary of said Sterling Park Unit Three run South 86 degrees 21 minutes 46 seconds East, 206.502 feet; thence North 56 degrees 32 minutes 05 seconds East, 212.174 feet; thence North 81 degrees 41 minutes 40 seconds East, 306.904 feet; thence North 46 degrees 43 minutes 23 seconds East, 250.416 feet; thence North 35 degrees 50 minutes 16 seconds East, 732.719 feet; thence North 05 degrees 15 minutes 28 seconds East, 163.689 feet; thence North 45 degrees 28 minutes 29 seconds East, 511.963 feet to the Westerly line of Sterling Park Unit Four recorded in Plat Book 21, Pages 6 and 7, Public Records of Seminole County, Florida; thence leaving the Southerly boundary of said Sterling Park Unit Three run along the Westerly boundary of said Sterling Park Unit Four, South 08 degrees 32 minutes 10 seconds West 85.34 feet to the Southerly boundary of said Sterling Park Unit Four, thence long said South boundary run South 68 degrees 50 minutes 53 seconds East, 507.25 feet; thence North 78 degrees 24 minutes 32 seconds East, 539.45 feet; thence North 62 degrees 05 minutes 27 seconds East, 283.48 feet; thence South 42 degrees

35 minutes 23 seconds, 219.43 feet; thence South 52 degrees 49 minutes 27 seconds West 468.48 feet; thence South 11 degrees 25 minutes 00 seconds East 710.00 feet; thence South 87 degrees 07 minutes 42 seconds East, 370.36 feet; thence leaving the boundary of said Sterling Park Unit Four run North 86 degrees 28 minutes 25 seconds East, 480.00 feet; thence South 33 degrees 27 minutes 06 seconds East, 405.00 feet; thence South 73 degrees 24 minutes 00 seconds West, 911.60 feet; thence North 80 degrees 00 minutes 00 seconds West, 1,247.50 feet; thence South 37 degrees 00 minutes 00 seconds West, 205.00 feet; thence South 06 degrees 59 minutes 13 seconds West, 150.30 feet; thence South 19 degrees 39 minutes 01 seconds East, 410.00 feet; thence South 70 degrees 20 minutes 59 seconds West, 420.48 feet to the point of curvature of a curve concave Southeasterly, having a radius of 840.00 feet and a central angle of 20 degrees 33 minutes 02 seconds; thence Southwesterly 301.28 feet along the arc of said curve to the right of way of Eagle Circle South as platted in Deer Run Unit 8 "A", recorded in Plat Book 26, Pages 89 and 90, Public Records of Seminole County, Florida; thence continue 177.92 feet along the arc of said curve and along said right of way to the most Easterly corner of Lot 15 of said Deer Run Unit 8 "A"; thence leaving said curve from a tangent bearing of South 37 degrees 39 minutes 49 seconds West, run along Northerly boundary of said Deer Run Unit 8 "A" North 34 degrees 21 minutes 49 seconds West, 229.50 feet; thence North 88 degrees 57 minutes 46 seconds West, 150.00 feet; thence South 46 degrees 36 minutes 49 seconds West, 100 feet; thence South 18 degrees 49 minutes 55 seconds West, 352.98 feet; thence North 55 degrees 45 minutes 25 seconds West, 75.00 feet; thence North 78 degrees 42 minutes 13 seconds West, 110.00 feet; thence South 75 degrees 50 minutes 01 seconds West, 70.17 feet; thence South 58 degrees 17 minutes 06 seconds West, 170.00 feet to the Easterly line of Deer Run Unit 8 "B", recorded in Plat Book 27, Page 16, Public Records of Seminole County, Florida; thence along the boundary of said Deer Run Unit 8 "B"; run North 89 degrees 39 minutes 01 seconds West, 295.00 feet; thence North 00 degrees 20 minutes 59 seconds East, 50.00 feet; thence North 37 degrees 37 minutes 23 seconds West, 130.00 feet; thence North 84 degrees 36 minutes 03 seconds West, 225.00 feet; thence South 11 degrees 53 minutes 57 seconds West, 820.00 feet to a point on the Northerly right of way of Eagle Circle South, said point lying on a curve concave Southeasterly, having a radius of 520.00 feet; thence from a tangent bearing of South 73 degrees 57 minutes 59 seconds West, run Southwesterly 117.90 feet along the arc of said curve and also along Northerly right of way of said Eagle Circle South to the point of reverse curvature of a curve concave Northerly having a radius of 160.00 feet and a central angle of 50 degrees 48 minutes 13 seconds, said curve lying on the Northerly boundary of Sterling Park Unit 24, recorded in Plat Book 20, Pages 82, 83 and 84, Public Records of Seminole County, Florida; thence run Westerly 141.87 feet along the arc of said curve to the Easterly boundary of Deer Run Unit 22, recorded in Plat Book 24, Pages 3 and 4, Public Records of Seminole County, Florida; thence leaving said curve and the Northerly right of way of said Eagle Circle South from a tangent bearing of North 68 degrees 13 minutes 16 seconds West, run along the boundary of said Deer Run Unit 22, North 08 degrees 05 minutes 11 seconds West 59.09 feet; thence North 36 degrees 36 minutes 07 seconds West, 346.42 feet; thence North 34 degrees 51 minutes 24 seconds East, 201.39 feet; thence North 18 degrees 06 minutes 56 seconds West, 400.28 feet; thence

North 25 degrees 12 minutes 10 seconds West, 250.47 feet to the North boundary of said Deer Run Unit 22; thence South 89 degrees 25 minutes 50 seconds West, 659.79 feet along said North boundary to a point of the Easterly right of way of Eagle Circle as platted in Deer Run Unit 5, recorded in Plat Book 26, Pages 33 and 34, Public Records of Seminole County, Florida, said point lying on a curve concave Westerly having a radius of 755.47 feet and a central angle of 04 degrees 24 minutes 40 seconds; thence leaving the boundary of said Deer Run Unit 22 from a tangent bearing of North 14 degrees 14 minutes 23 seconds East, run Northerly 58.16 feet along the arc of said curve and also along the Easterly right of way of said Eagle Circle to the point of reverse curvature of a curve concave Southeasterly having a radius of 25.00 feet and a central angle of 82 degrees 58 minutes 33 seconds, said point lying on the Southerly right of way of Fairway Oaks Drive as platted in Fairway Oaks at Deer Run, recorded in Plat Book 23, Pages 41, 42 and 43, Public Records of Seminole County, Florida; thence along the Southerly right of way of said Fairway Oaks Drive run Northeasterly 36.21 feet along the arc of said curve to the point of reverse curvature of a curve concave Northerly having a radius of 370.00 feet and a central angle of 11 degrees 27 minutes 06 seconds; thence Easterly 73.95 feet along the arc of said curve to the point of tangency; thence North 81 degrees 21 minutes 10 seconds East, 90.00 feet to the point of curvature of a curve concave Northwesterly having a radius of 1300.00 feet and a central angle of 11 degrees 51 minutes 54 seconds; thence Northerly 269.21 feet along the arc of said curve to the point of reverse curvature of a curve concave Southeasterly having a radius of 795.00 feet and a central angle of 11 degrees 26 minutes 57 seconds; thence Northeasterly 158.86 feet along the arc of said curve to the point of compound curvature of a curve concave Southerly having a radius of 260.00 feet and a central angle of 29 degrees 52 minutes 50 seconds; thence Easterly 135.59 feet along the arc of said curve to the point of reverse curvature of a curve concave Northerly having a radius of 215.00 feet and a central angle of 49 degrees 27 minutes 54 seconds; thence Easterly 185.62 feet along the arc of said curve to the most Westerly corner of Lot 43 Fairway Oaks at Deer Run First Replat, recorded n Plat Book 26, Page 15, Public Records of Seminole County, Florida; thence leaving the Southerly right of way of Fairway Oaks Drive from a tangent bearing of North 61 degrees 21 minutes 09 seconds East, run South 30 degrees 50 minutes 00 seconds East, 140.16 feet along the Westerly line of said Lot 43; thence along the Southeasterly boundary of said Fairway Oaks at Deer Run First Replat, run North 60 degrees 19 minutes 31 seconds East, 219.35 feet; thence North 51 degrees 48 minutes 00 seconds East, 237.31 feet to the most Southerly corner of Lot 38 of said Fairway Oaks at Deer Run; thence along the boundary of said Fairway Oaks at Deer Run, run South 40 degrees 36 minutes 54 seconds East, 496.31 feet; thence South 77 degrees 54 minutes 25 seconds East, 169.85 feet; thence North 53 degrees 53 minutes 31 seconds East, 692.18 feet; thence North 36 degrees 36 minutes 37 seconds East, 93.16 feet; thence North 15 degrees 13 minutes 02 seconds East, 172.63 feet; thence North 05 degrees 27 minutes 03 seconds West, 197.06 feet; thence South 46 degrees 08 minutes 23 seconds West, 164.93 feet to a point on a curve concave Southerly having a radius of 50.00 feet and a central angle of 69 degrees 12 minutes 45 seconds; thence from a tangent bearing of North 43 degrees 51 minutes 37 seconds West, run Westerly 60.39 feet along the arc of said curve; thence leaving said curve run North 23 degrees 04 minutes 22 seconds West,

160.41 feet; thence South 33 degrees 12 minutes 14 seconds West, 240.07 feet; thence North 50 degrees 53 minutes 44 seconds West, 103.26 feet; thence North 66 degrees 17 minutes 54 seconds West, 206.28 feet; thence North 84 degrees 28 minutes 36 seconds West, 206.28 feet; thence South 78 degrees 43 minutes 41 seconds West, 207.14 feet; thence South 59 degrees 10 minutes 00 seconds West, 623.94 feet; thence South 64 degrees 52 minutes 39 seconds West, 175.87 feet; thence South 30 degrees 50 minutes 00 seconds East, 145.00 feet to a point of the Northerly right of way of said Fairway Oaks Drive, said point lying on a curve concave Northerly having a radius of 165.00 feet and a central angle of 29 degrees 12 minutes 16 seconds; thence along the Northerly right of way of said Fairway Oaks Drive from a tangent bearing of South 81 degrees 36 minutes 47 seconds West, run Westerly 84.10 feet along the arc of said curve to the point of reverse curvature of a curve concave Southerly having a radius of 310.00 feet and a central angle of 29 degrees 52 minutes 50 seconds; thence Westerly 161.67 feet along the arc of said curve to the point of compound curvature of a curve concave Southeasterly having a radius of 845.00 feet and a central angle of 11 degrees 26 minutes 57 seconds; thence Southwesterly 168.85 feet along the arc of said curve to the point of reverse curvature of a curve concave Northwesterly having a radius if 1250.00 feet and a central angle of 11 degrees 51 minutes 54 seconds; thence Southwesterly 258.85 feet along the arc of said curve to the point of tangency; thence South 81 degrees 21 minutes 10 seconds West, 90.00 feet to the point of curvature of a curve concave Northerly having a radius of 320.00 feet and a central angle of 10 degrees 19 minutes 00 seconds; thence Westerly 57.62 feet along the arc of said curve to the point of compound curvature of a curve concave Northeasterly having a radius of 25.00 feet and a central angle of 90 degrees 47 minutes 46 seconds; thence Northerly 39.62 feet along the arc of said curve to the reverse curvature of a curve concave Westerly, having a radius of 755.47 feet and a central angle of 09 degrees 29 minutes 45 seconds; thence leaving the Northerly right of way of said Fairway Oaks Drive run Northerly 125.21 feet along the arc of said curve and also along the Easterly right of way of said Eagle Circle to the point of tangency; thence continuing along the Easterly right of way of said Eagle Circle, run North 07 degrees 01 minutes 49 seconds West, 127.78 feet to the point of curvature of curve concave Easterly having a radius of 674.71 feet and a central angle of 07 degrees 36 minutes 37 seconds; thence Northerly 89.62 feet along the arc of said curve to the Southerly line of Lot 21 of said Deer Run Unit 6; thence leaving said Easterly right of way of Eagle Circle from a tangency bearing of North 00 degrees 34 minutes 48 seconds East, run North 77 degrees 18 minutes 36 seconds East, 1080.68 feet along the Southerly line of Lots 21, 20, 19, 17, 16, 15, 14, 13, 12, 11 and 10 of said Deer Run Unit 6 to the point of beginning.

Parcel B-1 (Description of Front Nine Within Sterling Park Units Two and Three)

Begin at the Southeast corner of Sterling Park Unit Two as recorded in Plat Book 17, Pages 87 and 88, Public Records of Seminole County, Florida; thence North 86 degrees 37 minutes 09 seconds West, 740.96 feet along the Southerly boundary of said Sterling Park Unit Two; thence North 08 degrees 52 minutes 36 seconds East, 64.15 feet; thence North 67 degrees 53 minutes 52 seconds East, 151.17 feet; thence South 88 degrees 13 minutes 03 seconds East, 426.64 feet; thence North 69 degrees 33 minutes 27 seconds East, 292.53 feet; thence North 80 degrees 17 minutes 11 seconds

East, 290.91 feet to a point on the Southerly boundary of Sterling Park Unit Three, as recorded in Plat Book 18, Pages 52, 53 and 54, Public Records of Seminole County, Florida; thence South 56 degrees 32 minutes 05 seconds West, 212.174 feet along said Southerly boundary; thence North 86 degrees 21 minutes 46 seconds West, 206.502 feet along said Southerly boundary to the Easterly boundary of the aforesaid Sterling Park Unit Two; thence South 04 degrees 10 minutes 54 seconds West, 198.57 feet to the point of beginning.

Less Parcel B-3 (Villas at Deer Run)

A portion of land lying in Section 15, Township 21 South, Range 30 East, being more particularly described as follows:

Begin at the most Easterly corner of Lot 15, Deer Run Unit-8 ”A”, as recorded in Plat Book 26, Pages 89 through 90 of the Official Records of Seminole County, Florida, said point also being a point on the Westerly right-of-way line of eagle Circle Drive; thence departing said Westerly right-of-way line run North 35°12'21" West along the Northerly line of Lot 15 and Lot 16 of said Deer Run Unit-8 “A” for a distance of 229.50 feet to a Northerly corner of Lot 16; thence run North 89°48'18" West along the Northerly lines of said Lot 16 and Lot 17 of said Deer Run Unit-8 “A” for a distance of 150.00 feet to a Northerly corner of said Lot 17; thence run South 45°46'17" West along the Northwesterly line of said Lot 17 for a distance of 100.00 feet to the Westerly corner of said Lot 17; thence run South 17°59'23" West along the Westerly line of Lot 18 of said Deer Run Unit-8 “A” for a distance of 114.98 feet to the Westerly corner of said Lot 18; thence departing said Westerly corner run North 89°46'06" West for a distance of 222.88 feet; thence run North 34°17'02" West for a distance of 146.55 feet; thence run North 55°42'58" East for a distance of 577.64 feet; thence run South 34°17'02" East for a distance of 77.68 feet; thence run South 88°26'57" East for a distance of 50.00 feet to a point on a non-tangent curve, concave to the East and having a radius of 150.32 feet, thence from a tangent bearing of South 01°33'03" West, run Southeasterly along said curve through a central angle of 47°13'04" for an arc distance of 123.88 feet to a point of tangency; thence run South 45°40'01" East for a distance of 244.87 feet to a point on a non-tangent curve concave Southeasterly and having a radius of 819.33 feet said point also being on the aforesaid Westerly right-of-way line of Eagle Circle Drive, thence from a tangent bearing of South 46°50'18" West run Southwesterly along said curve and aforesaid Westerly right-of-way line through a central angle of 10°08'32" for an arc distance of 145.03 feet to aforesaid point of beginning.

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.

JAMESTOWN PARK

Lot 36, Jamestown, according to the plat thereof as recorded in Plat Book 9, Pages 71 and 72, of the Public Records of Seminole County, Florida.

KEWANNEE PARK

Begin at the Southwest corner of Block 9, of Indian Hills, Unit Two, as recorded in Plat Book 14, Page 80, Public Records of Seminole County, Florida, run thence East along the South line of said Block 9, 728.70 feet, thence South 00 degrees 52 minutes 20 seconds East 417.84 feet to the P.C. of a curve, concave Westerly, having a radius of 377 feet; run thence Southwesterly along the arc of said curve 177.11 feet to the P.T.; run thence South 27 degrees 25 minutes West 138.30 feet to the P.C. of a curve concave Southeasterly having a radius of 357 feet and a central angle of 11 degrees 23 minutes 01 seconds, run thence Southwesterly along the arc of said curve 70.92 feet; run thence West 602.84 feet, thence North 776.65 feet to the point of beginning.

and

The North 660 feet of the South 1506 feet of the East ¼ of the SE ¼ of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, less and except parcel conveyed in right-of-way deed filed in Official Records Book 1300, Page 578, Public Records of Seminole County, Florida described as follow:

From the Southeast corner of the SE ¼ of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, run N 00˚11'45" W along the East line of said SE ¼ a distance of 846.00 feet to the NE corner of Lot 7, Dommerich Woods Unit One, Plat Book 21, Page 37, Public Records of Seminole County, Florida, thence continue N 00˚11'45" W along said East line a distance of 90.00 feet, thence West a distance of 130.00 feet, thence S 00˚11'45" E a distance of 90.00 feet thence East a distance of 130.00 feet to the point of beginning.

together with:

From the Southeast corner of the SE ¼ of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, run N 00˚11'45" W along the East line of said SE ¼ a distance of 846.00 feet to the NE corner of lot 7, Dommerich Woods Unit One, Plat Book 21, Page 37, Public Records of Seminole County, Florida, thence continue N 00˚11'45" W along said East line a distance of 90.00 feet, thence West a distance of 130.00 feet, thence S 00˚11'45" E a distance of 90.00 feet, thence East a distance of 130.00 feet to the point of beginning.

together with:

A portion of the SE ¼ of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, being more particularly described as follows:

Begin at the NW corner of Lot 7, Dommerich Woods Unit Two as recorded in Plat Book 23, Page 100, Public Records of Seminole County, Florida, said point being on the East line of the Lift Station Site as shown on the plat of Indian Hills Unit One Second Replat as recorded in Plat Book 14, Page 74, Public Records of Seminole County, Florida; thence S 00˚40'52" E along the West line of said Lot 7 and along the East line of said Lift Station Site a distance of 14.14 feet; thence S 89˚46'48" W a distance of 2.30 feet to the point of curvature of a curve, concave Southeasterly having a central angle of 44˚16'06" and a radius of 48.75 feet; thence Southwesterly along the arc of said curve a distance of 37.67 feet to the point of tangency of said curve (chord bearing and distance between said points being S 67˚38'45" W 36.74 feet); thence S 45˚30'41" W, a distance of 152.81 feet to a point on the East right-of-way line of Kewannee Trail as shown on said plat of Indian Hills Unit Once Second Replat; said point being 30.00 feet from, measured radially to, the centerline of said Kewannee Tail; said point also being on the arc of a curve, concave Southwesterly, having a central angle of 08˚25'03" and a radius of 357.00 feet; thence Northwesterly along the arc of said curve, said line being said East right-of-way line, said line also being the West line of said Lift Station Site, a distance of 52.45 feet to a point (chord bearing and distance between said points being N 27˚04'41" W 52.50 feet); thence 45˚30'41" E, a distance of 137.13 feet to the point of curvature of a curve, concave Southeasterly along the arc of said curve a distance between said points being N 67˚38'45" E 74.41 feet); thence N 89˚46'48" E, a distance of 1.90 feet to a point on the West line of the East ¼ of the SE ¼ of Section 20, Township 21 South, Range 30 East, Seminole County, Florida; thence S 00˚40'52" E along the West line of said East ¼ of the SE ¼ and along the East line of said Lift Station Site, a distance of 35.86 feet to the point of beginning.

and

From the SE corner of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, run N 00˚11'46" W along the East line of said Section 1492.66 feet to a point of beginning; thence continue 00˚11'46" W 13.34 feet; thence West 663.57 feet; thence S 00˚12'18" E 626.63 feet; thence S 57˚30' W 207.61 feet to a point on the Easterly right of way line of Kewannee Trail (said point also being the PC of a curve concave Easterly, having a radius of 297 feet, a central angle of 59˚55' and a chord bearing of N 02˚37'30" W) run thence Northwesterly and Northeasterly along the arc of said curve 310.59 feet to the PT; thence N 27˚25' E 138.30 feet to the PC of a curve

concave Westerly having a radius of 437 feet and a central angle of 26˚55'; run thence Northeasterly along the arc of said curve 205.30 feet to the PT; run thence N 01˚54'08" E 408.54 feet; thence East 841.64 feet; thence S 00˚15'59" E 300.00 feet; thence West 120.93 feet to the point of beginning, less the North 206.66 feet thereof.

and

From the SE corner of Section 20, Township 21 South, Range 30 East, Seminole County, Florida, run West along the South line of said Section 1989.94 feet, run thence N 00˚13'22" W 626 feet to the point of beginning, thence continue running N 00˚13'22" W 1176.65 feet, run thence East 460 feet to the SW corner Block 9, Indian Hills, Unit Two, as recorded in Plat Book 14 Page 80, Public Records of Seminole County, Florida. thence continue along the boundary of said Indian Hills, Unit Two, East 728.70 feet, run thence S 00˚52'20" E 417.84 feet to the PC of a curve that is concave northwesterly having a radius of 377 feet run thence southwesterly along the arc of said curve 177.11 feet to the PR, run thence S 27˚25' W 138.30 feet to the PC of a curve that is concave easterly having a radius of 357 feet, run thence southerly along the arc of said curve 373.33 feet to the PT which point is the PC of a curve that is concave westerly having a radius of 297 feet, run thence along the arc of said curve 78.47 feet to a point on the north boundary of Indian Hills, Unit One Replat, as recoded in Plat book 14, Page 69, Public Records of Seminole County, Florida, thence along the boundary of said Indian Hills, Unit One Replat, run S 63˚13'34" W 96.85 feet, run thence West 680 feet, run thence S 76˚45'34" W 87.32 feet, run thence S 89˚36'40" W 101.61 feet, run thence N 00˚13'22" W 25.70 feet, run thence 89˚36'40" W 180 feet to the point of beginning, less parcel described as follows: Begin at the S.W. corner of Block "9", 728.70 feet; thence S. 00˚52'20" E 417.84 feet to the P.C. of a curve, concave westerly, having a radius of 377 feet; run thence southwesterly along the arc of said curve 177.11 feet to the P.T.; run thence S. 27˚25' W. 138.30 feet to the P.C. of a curve concave Southeasterly having a radius of 357 feet and a central angle of 11˚23'01"; run thence southwesterly along the arc of said curve, 70.92 feet; run thence west 602.84 feet; thence north 776.65 feet to the point of beginning.

LAKE DOT

Lake Dot and the abutting Lake Dot Park, as shown and depicted in the plat of Sunland Estates, as recorded at Plat Book 11, Page 19 of the Public Records of Seminole County, Florida.

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.

ROLLING HILLS (1749 Art Hagan)

Tract No. 6, Sanlando Springs, as recorded in Plat Book 5, Page 53; Tract No. 11, Sanlando Springs, as recorded in Plat Book 5, Page 48; Tract No. 12, Sanlando Springs, as recorded in Plat Book 5, Page 59; Tract No. 14, Sanlando Springs, as recorded in Plat Book 5, Page 58; Tract No. 25, Sanlando Springs, as recorded in Plat Book 5, Page 45; Tract No. 26, Sanlando Springs, as recorded in Plat Book 5, Page 17;

Tract No. 31, Sanlando Springs, as recorded in Plat Book 5, Page 15; Tract No. 32, Sanlando Springs, as recorded in Plat Book 5, Page 18, of The Public Records of Seminole County, Florida, said Tracts being described respectively as the Southeast Quarter of the Northwest Quarter, and the Northeast Quarter of the Southwest Quarter, and the Northwest Quarter of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter of Section 1, Township 21 South, Range 29 East, and the Northeast Quarter of the Southeast Quarter, and the Northwest Quarter of the Southeast Quarter, and the Southwest Quarter of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter of Section 2, Township 21 South, Range 29 East, of the United States General Land Office Surveys.

and

From the Southwest Corner of Lot 3, Block E, Sanlando Springs, Tract No. 31, According to the Plat thereof as recorded In Plat Book 5, Page 15, of the Public Records of Seminole County, Florida, run South along the East right of way line of Raymond Avenue, 25.02 feet to the centerline of vacated Lenwood Avenue; thence run North 87º 45' 00", along said centerline 106.68 feet for a point of beginning, thence continue North 87º 45' 00" East, 31.90 feet; thence run North 02º 15' 00" West, 25.00 feet to the Southeast corner of said Lot 3; thence run North 23º 06' 00" West, along the East line of Lot 3, a distance of 33.78 feet; thence run South 02º 43' 00" East, 45.56 feet; thence run South 87º 45' 00" West 20.25 feet; thence run South 02º 15' 00" East, 11.00 feet to the point of beginning.

and

Lots 12 and 13, Block C, Tract 14, Sanlando Springs, according to the plat thereof as recorded in Plat Book 5, Page 58, of the Public Records of Seminole County, Florida. and Lots 10, 11, 12 and 13, Block "A", Tract 25, Sanlando Springs, as recorded in Plat Book 5, Page 45, Public Records of Seminole County, Florida. Together with vacated rights-of-way belonging or in anywise appertaining to Rolling Hills Reserve, LLC.

less

Blocks A Through G, inclusive of aforesaid Tract No. 6, Sanlando Springs; Blocks A through G, inclusive of aforesaid Tract No. 11, Sanlando Springs; Blocks A through H, inclusive of aforesaid Tract No. 12, Sanlando Springs; Blocks A through H, inclusive of aforesaid Tract No. 14, Sanlando Springs; Blocks A through E, inclusive of aforesaid Tract No. 25, Sanlando Springs; Blocks A through H, inclusive of aforesaid Tract No. 26, Sanlando Springs; Blocks A through E, inclusive of aforesaid Tract No. 31, Sanlando Springs; and Blocks A through E, inclusive of aforesaid Tract No. 32, Sanlando Springs.

also less

All roads, streets, drives, avenues or other means of ingress and egress, however described, as provided and platted for access to the individual lots of the above described Tracts. And from the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of Section 1, Township 21 South, Range 29 East, Seminole County, run South

89º39'44" West along the South line of said Southwest 1/4, a distance of 50 feet for a point of beginning, thence continue South 89º39'44" West, a distance of 31.22 feet, thence run North 39º30'14" East, a distance of 127.31 feet to the East line of said Southwest 1/4, thence run South 0º11'46" East, a distance of 47.75 feet to a point 50 feet Northerly of said Southeast corner of the Southwest 1/4, thence run South 44º44' West, a distance of 70.80 feet to the point of beginning.

and

Begin at the S.E. corner of the SW 1/4 of the NW 1/4 of Section 1, Township 21 South, Range 29 East, run thence North along the East line of said SW 1/4 of the NW 1/4, 50.0 feet; thence run Southwesterly to a point on the South line of said SW 1/4 of the NW 1/4, 50.0 feet West of Said SE corner of the SW 1/4 of the NW 1/4; run thence East along the South line of said SW 1/4 of the NW 1/4 50.0 feet to the point of beginning.

ROSELAND PARK

Lot Park, Roseland Park's First Addition, according to the Plat thereof as recorded in Plat Book 7, Page 66, Public Records of Seminole County, Florida.

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.

SEMINOLE COUNTY SOFTBALL COMPLEX

The part of the plat of Sanlando Springs Tract 49, lying Easterly of the Seaboard Coast Line Railroad as shown on said plat, as recorded in Plat Book 5, Page 16, Public Records, Seminole County, Florida.

and

The West 25.00 feet of Lots 4 thru 8, Apple Valley Unit 4, as recorded in Plat Book 23, Page 17, Public Records, Seminole County, Florida

and

The West 25.00 feet of the North 40.00 feet of Section 11, Township 21 South, Range 29 East, Seminole County, Florida.

Containing 32.64 acres more or less including R/W of Franklin Ave. in Section 11-21-29.

SPORTS COMPLEX

Lots 19 & 20 & W 1/2 of vacated R/W adjacent on E & Lots 21 & 22 & E 1/2 of vacated R/W adjacent on W & that part of Lots 29, 30, 43 & 44 lying NLY of East Lake Mary Blvd & E 1/2 of vacated R/W adjacent on W & Lots 31 & 32 & Lot 41 & E 1/2 of Lot 42 & N 264 feet of W 1/2 of Lot 42 (less roads) Sanford Celery Delta Plat Book 1 Pages 75 & 76

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.

WEKIVA GOLF CLUB

Description No- One:

Golf Course- Fairways No.6, 7, 11,13 AND 14

From the West 1/4 corner of Section 5, Township 21 South, Range 29 East, Seminole County, Florida run N.88°41'19"E. along the East-West center section line of said Section 5, a distance of 4.57 feet to the point of beginning, Run thence true North 487.38 feet; thence N. 70°34'29"W. 154.85 feet; thence N.29°26'21 "W, 36.91 feet to a point of curvature concave Southerly, with a radius of 25.00 feet and a central angle of 81°14'36", run thence Northeasterly along the arc of said curve 35.45 feet to the point of reverse curvature of a curve concave Northerly with a radius of 467.66 feet and a central angle of 52°24'22", run thence Easterly long the arc of said curve 427.75 feet to the point of tangency; run thence N .65°59'51 "E. 121.74 feet; thence S.12°54'11"E. 1079.25 feet, thence S.67°46'57"E. 76.69 feet; thence N.61 °48'13"E. 507.37, feet thence S.44°36'40"E. 115.00 feet to the point of curvature of curve concave Westerly; with a radius of 25.00 feet and a central angle of 90°, run thence Southerly along the arc of said curve 39.27 feet to the point of tangency, said point being on the easterly right-of-way line of East Wekiva Trail, as per plat of "Hunt Club Boulevard and East Wekiva Trail", recorded in Plat Book 10, Page 49 through 51, Public Records of Seminole County, Florida; run thence S. 4 5°23'20"W. along said Westerly right-of-way line 690.39 feet to point lying N.45°23'20"E. 550.00 feet of the point of curvature of a curve

with a radius of 913.66 feet and a central angle of 45°30'35", as per said plat of "Hunt Club Boulevard and East Wekiva Trail", run thence N.38°11'20"W. 632.77 feet, thence S.87°26'38"W. 112.11 feet; thence S.36°02'41"W 486.05 feet; thence S 66°10'35"W. 1299.75 feet; thence S.69°48'34"W. 165.15 feet, thence S.13°06'14"W. 102.24 feet to a point on the North right of way line of aforesaid East Wekiva Trail, run thence along said North right-of-way line N.77°19'49"W. 309.88 feet to the point of curvature of a curve concave Northeasterly with a radius of 25.00 feet and a central angle of 91°55'25", run thence Northwesterly along the arc of said curve 40.11 feet to the point of tangency, said point of tangency being on the Easterly right-of- way line of the Southerly intersection of Hunt Club Boulevard, as per aforesaid plat of "Hunt Club Boulevard and East Wekiva Trail", thence leaving the aforesaid plat of "Hunt Club Boulevard and East Wekiva Trail" run N.14°35'36"E. 104.37 feet to the point of curvature of a curve concave Easterly with a radius of 1389.53 feet and a central angle of 12°29'18", run thence Northerly along the arc of said curve 302.87 feet to the point of tangency, run thence S.63°09'25"E., 65.46 feet, thence N.55°11'46" E. 499.32 feet, thence N.33°28'35"E. 148.66 feet; thence N.22°34'25" E. 512.20 feet to a point on a curve concave Southerly, with a radius of 395.00 feet, a central angle of 23°00'00" and a tangent bearing of N.81°33'36"E, run thence Easterly along the arc of a said curve 158.56 feet to the point of tangency, run thence S 29°29'11"E 154.58 feet; thence S.23°28'31"W. 489.52 feet thence S.22°17'50"E. 150.23 feet, thence N.74°24'59"E. 413.19 feet; thence N.39°17'52" E. 476.83 feet; thence N.19°17'24"E. 84.76 feet, thence true North 190.62 feet to the point of beginning.

less:

Description (1A)

From the Southeast comer of the Northeast 1/4 of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, run N.00°00'56'E. along the East line of said Northeast 1/4 of Section 6, a distance of 488.97 feet thence N.70°34'29"W. 121.18 feet to the point of beginning; thence continue N.70°34'29"W. 28.96 feet; thence N.29°26'21'E. 36.91 feet to the point of curvature of a curve concave Southeasterly and having a radius of 25.00 feet thence run Northeasterly along the arc of said curve 35.45 feet through a central angle of 81°14'36" to the point of reverse curvature of a curve concave Northerly, and having a radius of 467.66 feet thence run Easterly along the arc of said curve 23.62 feet through a central angle of 02°53'36" to a point on a curve concave southerly, and having a radius of 25.00 feet thence from a tangent bearing of N.72°12'39'W. run Westerly along the arc of said curve 36.73 feet through a central angle of 84°10'30" to the point of tangency; thence run 8.23°38'51 "W. 16.24 feet to the point of curvature of a curve concave Southeasterly and having a radius of 333.78 feet; thence run Southwesterly along the arc of said curve 17.73 feet through a central angle of 03°02'37" to the point of beginning.

Description No. Two:

Golf Course Fairway No. 3, 4, 5 AND 8

From the West 1/4 comer of Section 5, Township 21 South, Range 29 East, Seminole County, Florida, run N.89°41'19"E. along the East - West center section line of said

Section 5, a distance of 1173.32 feet for a point of beginning, run thence N.09°41'33"W. 259.88 feet; thence N.07°33'04'W. 783.80 feet; thence N.37°08'48°E. 82.80 feet; thence N.14°16'52"E. 227.02 feet thence N.75°57'50"'W. 98.95 feet; thence S.78°11'35"W. 180.83 feet thence N.74°04'38"W. 346.29 feet; thence N.76°15'03'W. 290.32 feet; thence N.54°52'21"W. 519.64 feet thence S.53°58'21 "W. 95.21 feet; thence S.23°13'54"E. 453.80 feet thence S.30°07'24"E. 727.77 feet to the point of curvature of a curve concave Northerly with a radius of 407.66 feet, a central angle of 21°47'06" and a tangent bearing of S.58°16'35"W. run thence Westerly along the arc of said curve 155.00 feet to the point of tangency; run thence N.15°42'47"W. 96.89 feet; thence N. 41°41'24"W. 673.58 feet thence N.23°29'00"W. 596.01 feet to the point of curvature of a curve concave Northwesterly with a radius of 1631.56 feet a central angle of 00°52'41" and a tangent bearing of N26°18'18"E.: run thence Northerly along the arc of said curve 25.00 feet to the point of tangency; run thence North 25°25'37"E. 356.63 feet to the point of curvature of a curve concave Southerly with a radius of 25.00 feet and a central angle of 90°17'22", said point of curvature being on the Easterly right-of-way line of Hunt Club Boulevard, at the Northerly intersection of Hunt Club Boulevard and East Wekiva Trail, as per plat of "Hunt Club Boulevard and East Wekiva Trail', recorded in Plat Book 18, Pages 49 through 51, Public Records of Seminole County, Florida, run thence Easterly along the arc of said curve 38.39 feet to the Point of compound curvature on the Southerly right-of-way line of aforesaid East Wekiva Trail, concave Southerly with a radius of 2272.55 feet and a central angle of 07°31'31"; run thence Easterly along the arc of said curve and said Southerly right-of-way line 298.48 feet to the point of reverse curvature of a curve concave Northeasterly with a radius of 2352.55 feet and a central angle of 7°32'27"; run thence Southeasterly along the arc of said curve 309.62 feet to the point of compound curve or a curve concave Northeasterly with a radius of 1020.32 feet and a central angle of 29°41'30"; run thence Southeasterly along the arc of said curve 528.75 feet to the point to tangency; run thence N.86°00'33"E. 378.53 feet to the point of curvature of a curve concave Southerly with a central angle of 43°01'08", and a radius of 565.45 feet run thence Southeasterly along the arc of said curve 424.55 feet to the point of tangency; thence leaving the aforesaid Southerly right-of-way line of the East Wekiva Trail, run S.11°11'11"E. 610.71 feet; thence S.53°35'57"W. 146.00 feet; thence S.15°24'19"E. 588.42 feet; thence S.09°42'30"E. 421.03 feet thence S.47°29'57"E. 72.24 feet to a point on the Westerly right-of way line of aforesaid East Wekiva Trail, said point lying S.45°23'30"W. 40.00 feet to the point of curvature of a curve concave Westerly with a central angle of 58°03'50', and a radius of 896.88 feet as per aforesaid plat of Hunt Club Boulevard and East Wekiva Trail; run thence S.45°23'40"W. along the said West right-of-way line 200.00 feet to the point of curvature of a curve concave Northerly with a radius of 25.00 feet and a central angle of 90°; thence leaving said West right-of-way line, run Southwesterly along the arc of said curve 39.27 feet to the point of tangency; run thence N.44°36'40"W. 115.00 feet thence N.43'48'36"W. 47.32 feet thence N.09°41'33"W.108.38 feet to point of beginning.

Description No. Three

Golf Course Fairway No.12

From the East 1/4 section corner of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, run N.88°33'57"W. along the East West center section line of said Section 6, a distance of 764.32 feet thence N.26°25'49"E. 17.31 feet to the point of beginning; run thence further N.26°25'49"E. 548.07 feet thence N.40°31 '06" E. 255.01 feet; thence S.60°33'39'E. 192.43 feet to the point of curvature of a curve concave Westerly with a radius of 25.00 feet and a central angle of 90°; run thence Southerly along the arc of said curve 39.27 feet to the point of tangency; run thence S.29°26'21" W. 40.00 feet; thence S.40°38'31"W. 705.65 feet to a point on a curve concave Southerly with a radius of 445.00 feet, a central angle of 13°59'14", and a tangent bearing of N.75°26'24"W. ; run thence Westerly along the arc of said curve 108.63 feet to the point of beginning.

and

Description 3(A)

From the Southeast corner of the Northeast 1/4 of Section 6, Township 21 South, Range 29 East, Seminole County, Florida. run N. 00°00'56"E. along the East line of said Northeast 1/4 of Section 6, a distance of 488.97 feet thence N.70°34'29"W. 171.19 feet to the point of beginning; thence continue N.70°34'29"W. 29.73 feet thence N .29°26'21"E. 40.00 feet to the point of curvature of a curve concave Westerly, and having a radius of 25.00 feet; thence run Northerly along the arc of said curve 39.27 feet through a central angle of 90°00'00"; thence run S.60°33'39"E. 25.00 feet to the point of curvature of a curve concave Westerly and having a radius of 25.00 feet; thence run Southerly along the arc of said curve 36.73 feet through a central angle of 84°10'30" to the point of tangency; thence run S.23°36'51"W. 16.24 feet to the point of curvature of a curve concave Southeasterly and having a radius of 383.78 feet; thence run Southwesterly along the arc of said curve 21.39 feet through a central angle of 03°11 '34" to the point of beginning.

Description No. Four

Golf Course Fairways No.10, 15 AND 16

From the East 1/4 section corner of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, run N.88°33'57"W. along the East West center section line of said Section 6, a distance of 1696.94 feet to the point of beginning; run thence S.05°29'26"E. 292.40 feet thence S.03°18'19"W. 329.55 feet thence S.41°30'54 "E. 153.09 feet thence S.30°22'49"W. 65.00 feet to the point of curvature of a curve concave Southeasterly with a radius or 1495.53 feet and a central angle of 15°47'13"; run thence Southerly along the arc of said curve 412.07 feet to the point of tangency; run thence S14°35'36"W. 109.61 feet to the point of curvature of a curve concave northwesterly with a radius of 25.00 feet and a central angle of 88°04'35", said point of curvature being on the West side of Hunt Club Boulevard, at the Southerly Intersection, of Hunt Club Boulevard and East Wekiva Trail, as shown on plat of 'Hunt Club

Boulevard and' East Wekiva Trail", recorded in Plat Book 18, Pages 49 through 51, Public Records of Seminole County, Florida, run thence Southwesterly along the arc of said curve 38.43 feet to the point of tangency; said point of tangency being on the North right-of-way line of said East Wekiva Trail; thence leaving said plat of Hunt Club Boulevard and East Wekiva Trail run N.77°19'49"W. 117.18 feet; thence N.04°11'24"E. 179.16 feet; thence N.32°57'04"W. 494.56 feet; thence N.49°16'33"W. 303.49 feet; thence N.83°14'02"W. 178.24 feet; thence N.59°25'47"W. 249.71 feet thence N.37°24'48"W. 266.94 feet; thence N.47°32'09"E. 180.00 feet to the point of curvature of a curve concave Southerly with a radius of 25.00 feet and a central angle of 90°; run thence Easterly along the arc of said curve 39.27 feet too the point of reverse curvature of a curve concave Northeasterly with a radius of 150.00 feet and a central angle of 40°; run thence Southeasterly along the arc of said curve 104.72 feet to the point of tangency; run thence S.52°59'47"E. 333.20 feet thence S.74°09'43"E. 293.13 feet; thence S.51°43'21"E. 187.26 feet; thence N.87°36'51 " E. 96.08 feet thence N.02°53'29"W. 793.01 feet; thence S.86°25'25"W. 64.12 feet; thence S.61°04'51"W. 370.16 feet thence S.64°54'57"W. 393.66 feet to a point of curvature of a curve concave Northeasterly, with a radius of 100.00 feet a central angle of 40° and a tangent bearing of N.82°27'51"W.; run thence Northwesterly along the arc of said curve 69.81 feet to the point of compound curvature of a curve concave Easterly with a radius of 25.00 feet and a central angle of 90°; run thence Northerly along the arc of said curve 39.27 feet to the point of tangency; run thence N.47°32'09"E. 1163.21 feet to the point of curvature of a curve concave Southeasterly with a radius of 349.03 feet and a central angle of 26°; run thence Northeasterly along the arc of said curve 158.38 feet to the Point of Tangency; run thence S.05°29'26"E. 938.86 feet to the point of beginning.

and

Description (4a)

Description of 10.00 Foot Strip East of Wekiva Club Estates Section Four:

Begin at the southeast corner of Lot 16, Wekiva Club Estates Section Four, As recorded in Plat Book 21, Page 49, Public Records of Seminole County, Florida. said comer also being on the Northerly right-of-way line of West Wekiva Trail, as per plat of Wekiva Hills Section One, Recorded in Plat Book 20, page 48, Public Records of Seminole County Florida; thence run N.12°40'11"E. along the East lot line of said Lot 16, a distance of 10.00 feet; thence S.77°19'49"E. 117.18 feet to a point on the West right-of-way line of Hunt Club Boulevard, as per plat of 'Hunt Club Boulevard and East Wekiva Trail", recorded in Plat Book 18, Pages 49 through 51, Public Records of Seminole County, Florida, run thence S.15°47'39"W. 10.02 feet to the aforesaid Northerly right-of-way line of West Wekiva Trail; thence run N.77°19'49"W. along said Northerly right-of-way line 116.64 feet to the point of beginning.

and

Description (4B)

From the Northerly most corner of Lot 3, Wekiva Club Estates Section Six, as recorded in Plat Book 22, Pages 39 and 40, Public Records of Seminole County, Florida, run

N.47°32'09"E. along the Southerly right-of-way line of Canterclub Trail, as per said Plat of Wekiva Club Estates Section Six, 174.76 feet to a point on a curve concave Northwesterly and having a radius of 40.00 feet; thence from a tangent bearing of S.56°56'36"E. run Southerly, Easterly, and Northerly along the arc of said curve 115.56 feet through a central angle of 165°31 '15" to the point of tangency; thence leaving said Southerly right-of-way line run S.42°27'51"E. 33.00 feet to the point of beginning; thence run N.47°32'09"E. 24.47 feet to a point on a curve concave Easterly and having a radius of 25.00 feet; thence from a tangent bearing of S.47°32'09"E. run Southerly along the arc of said curve 39.27 feet through a central angle of 90°00'00" to the point of tangency; thence run N .41°16'02"W. 25.00 feet to the point of beginning, The above described Parcel lying in the Southeast l/4 of the Northwest 1/4 of Section 6, Township 21 South, Range 29 East, Seminole County, Florida.

and

Description (4C)

From the Northerly most corner of Lot 3. Wekiva Club Estates Section Six, as recorded In Plat Book 22, Pages 39 and 40, Public Records of Seminole County, Florida, run N.47°32'09"E. along the Southerly right-of-way line of Canterclub Trail, as per said Plat of Wekiva Club Estates Section Six, 174.76 feet to a point on a curve concave Northerly and having a radius of 40.00 feet; thence from a tangent bearing of S.56°56'36" E. run Southerly, along the arc of said curve 27.51 feet through a central angle of 39°24'08" to a point of reverse curvature of a curve concave Southerly and having a radius of 31.80 feet; thence leaving said Southerly right-of-way line run Easterly along the arc of said curve 29.91 feet through a central angle of 53°52'53" to a point on a curve concave Southerly and having a radius of 25.00 feet; thence from a tangent bearing of N.42°27'51 "W., run Westerly along the arc of said curve 39.27 feet though a central angle of 90°00'00' to the point of tangency; thence run S.47°32'09'W. 160.00 feet to a point on the Northeasterly lot line of aforesaid Lot 3; thence run N.37°24'48"W. along said Northeasterly lot line 23.09 feet to the point of beginning, The above described Parcel lying in the Northeast 1/4 of the Southwest 1/4 of Section 6. Township 21 South, Range 29 East, Seminole County, Florida.

(Description (4D) Intentionally Deleted).

and

Description (4E)

From the intersection of the North line of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, and the centerline of Hunt Club Boulevard as shown on the Plat of Hunt Club Boulevard and East Wekiva Trail as recorded in Plat Book 18, Pages 49 through 51, Public Records of Seminole County, Florida, run S.25°25'37"W. along said centerline 263.72 feet to an intersection with the centerline of East Wekiva Trail; thence run N.64°17'57"W. along the centerline of East Wekiva Trail 78.00 feet; thence S.25°15'18"W. 30.00 feet to the Point of Beginning on the South right-of-way line of West Wekiva Trail, as per plat of Hunters Point, recorded in Plat Book 20, pages 78 through 79, Public Records of Seminole County, Florida; thence continue

S.25°15'18"W. 10.00 feet thence N.64°17'57"W. 64.31 feet to the point of curvature of a curve concave Southerly and having a radius of 1214.50 feet thence run Westerly along the arc of said curve 384.01 feet through a central angle of 18°06'59" to the point of reverse curvature of a curve concave Northerly, and having a radius of 1392.02 feet thence run Westerly along the arc of said curve 344.14 feet through a central angle of 14°09'53" to the point of tangency; thence run N.68°15'05"W. 329.36 feet to the point of curvature of a curve concave Southerly and having a radius of 761.21 feet; thence run Westerly along the arc of said curve 190.41 feet through a central angle of 14°19'54"; thence run N.14°13'40"E. 10.08 feet to a point on a curve concave Southerly and having a radius of 771.21 feet, said point being on the South right-of-way line of West Wekiva Trail, as per plat of Wekiva Hills Section Six, recorded in Plat Book 21, pages 24 through 25, Public Records of Seminole County, Florida; thence run Easterly along said South right-of-way line, the following courses: from a tangent bearing of S.82°29'38"E., run Easterly along the arc of said curve 191.71 feet through a central angle of 14°14'33" to the point of tangency; thence S.68°15'05"E. 329.36 feet to the point of curvature of a curve concave, Northerly and having a radius of 1382.02 feet; thence run Easterly along the arc of said curve 341.66 feet through a central angle of 14°09'52" to the point of reverse curvature of a curve concave Southerly and having a radius of 1224.50 feet; thence run Easterly along the arc of said curve 387.18 feet through a central angle of 18°07'00" to the point of tangency; thence run S.64°17'57"E. 64.23 feet to the point of beginning.

and

Description (4F)

From the Southwest corner of the Northeast 1/4 of Section 6, Township 21 South, Range 28 East, Seminole County, Florida, run N.01°22'28"E. along the West line of said Northeast 1/4 of Section 6, a distance of 204.65 feet to the point of beginning; thence run S.47°32'09"W. 254.97 feet; thence N42°27'51 "W. 83.00 feet; thence N.10°17'44"W. 27.18 feet; thence N.47°32'09"E 1173.21 feet to the point of curvature of a curve concave Southerly, and having a radius of 455.03 feet; thence run Easterly along the arc of said curve 338.45 feet through a central angle of 42°37'00"; thence S.25°38'57"E. 25.71 feet to a point on a curve concave Southerly, and having a radius of 432.03 feet; thence from a tangent bearing ofN.88°2l '48"W. run Westerly along the arc of the said curve 136.49 feet through a central angle of 18°06'03"; thence S.16°27'51 "E. 83.00 feet to a point on a curve concave Southeasterly, and having a radius of 349.03 feet; thence from a tangent bearing of S.73°32'09"W. run Southwesterly along the arc of said curve 158.38 feet through a central angle of 26°00'00" to the point of tangency; thence run S.47°32'09"W. 932.71 feet to the point of beginning.

and

Description (4G)

From the Southeast comer of the Northeast l/4 of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, run N.88°33'57"W. along the South line of said Northeast 1/4 a distance of 1414.35 feet to a point on the Westerly right-of-way line of Hunt Club Boulevard Phase Two, as recorded in Plat Book 26, Page 17, Public Records

of Seminole Country, Florida said point also being on the Easterly line of Wekiva Country Club Villas, as recorded in Official Records Book 1378, Page 1239, Public Records of Seminole County, Florida; thence run Northerly along said Westerly right-of-way line of Hunt Club Boulevard and also a long said Easterly 1ine of Wekiva Country Club Villas the following courses: run N .13°44'04"W. 339.71 feet to the point of curvature of curve concave Easterly and having a radius of 570.92 feet; thence run Northerly along the arc of said curve 321.89 feet through a central angle of 32°18'14" to the point of tangency; thence N.18°34'10"E. 85.82 feet to the point of curvature of a curve concave Southeasterly and having a radius of 824.l6 feet; thence run Northeasterly along the arc of said curve 157.64 feet through a central angle of 10°57'32" to the point of reverse curvature of a curve concave Westerly and having a radius of 21.69 feet, said point also being the point of beginning; thence leaving said Westerly right-of-way line, run Northwesterly along the arc of said curve and along the Northerly line of said Wekiva Country Club Villas 33.51 feet through a central angle of 88°31'51" to the point of tangency; thence N.59°00'09"W. 96.69 feet to the point of curvature of a curve concave Southwesterly and having a radius of 402.03 feet; thence run Westerly along the arc of said curve 333.03 feet through a central angle of 47°27'42"; thence leaving said Northerly line of Wekiva Country Club Villas, run N.16°27'51"W. 30.00 feet to the point on a curve concave Southeasterly and having a radius of 432.03 feet; thence from a tangent bearing of N.73°32'09"E. run Easterly along the arc of said curve 136.49 feet through a central angle 18°'06'03"; thence N.25°38'57"W. 25.71 feet to a point on a curve concave Southwesterly and having a radius of 455.03 feet thence from a tangent bearing of S.89°50'52"E. run Southeasterly along the arc of said curve 244.97 feet through a central angle of 30°50'43" to the point of tangency; thence S.59°00'09"E. 96.69 feet to the point of curvature of a curve concave Northerly and having a radius of 25.00 feet; thence run Easterly along the arc of said curve 36.97 feet through a central angle of 84°43'47" to a point on a curve concave Southeasterly and having a radius of 824.16 feet, said point also being on the aforesaid Westerly right-of-way line of Hunt Club Boulevard; thence from a tangent bearing of S.36°16'04"W. run Southwesterly along the arc of said curve 96.94 feet through a central angle of 06°44'21"W to the point of beginning.

and

Description Five

Golf Course Fairways No.1, 2, 9,17 & 18

From the East 1/4 corner of Section 6, Township 21 South, Range 29 East, Seminole County, Florida, run N.88°33'57"W. along the East - West center section line of said Section 6, a distance of 2840.03 feet thence N.10°17'44"W. 116.71 feet to the point of beginning; run thence further N.10°17'44"W. 690.62 feet; thence N.02°54'39"W. 295.38 feet thence N.38°01'08"E. 418.88 feet; thence N.45°46'24"E. 576.34 feet; thence N.40°59'16"E. 353.71 feet; thence N.54°23'08"E. 346.88 feet thence N.14°13'40"E. 224.75 feet to a point on a curve concave Southerly with a radius of 761.21 feet, a central angle of 14°19'54" and a tangent bearing of S.82°34'59"E.; run thence Easterly along the arc of said curve 190.41 feet to the point of tangency: run thence S.68°15'05"E. 329.36 feet to the point of curvature of a curve concave Northerly with a

radius of 1392.02 feet and a central angle of 14°09'53", run thence Easterly along the arc of said curve 344.14 feet to the Point of Reverse Curvature of a curve concave Southerly with a radius of 1214.50 feet and a central angle of 18°06'59", run thence Easterly along the arc of said curve 384.01 feet to the Point of Tangency; run thence S 64°17'57" E, 64.31 feet to the Point of Curvature of a curve concave Westerly with a radius of 25.00 feet and a central angle of 89°43'34", said Point of Curvature being on the Southwesterly corner of the Northerly intersection of Hunt Club Boulevard and East Wekiva Trail, as per plat of "Hunt Club Boulevard and East Wekiva Trail", recorded in Plat Book 18, pages 49, 50 and 51, Public Records of Seminole County, Florida, run thence Southeasterly along the arc of said curve 39.15 feet to the Point of Tangency, thence leaving said plat of "Hunt Club Boulevard and East Wekiva Trail" run S 25°25'37" W, 347.37 feet; thence N 73°31'04" W 120.93 feet, thence S 70°55'22" W, 253.95 feet; thence S 65°22'35" W 448.81 feet; thence S.55°23'50"W. 470.17 feet; thence S.25°38'57"E. 264.10 feet to a point on a curve concave Southeasterly with a radius of 455.03 feet a central angle of 42°37'00" and a tangent bearing of N.89°50'5l"W. ; run thence Westerly along the arc of said curve 338.45 feet to the point of tangency; run thence S.47°32'09"W. 1173.21 feet to the point of beginning.

less

Wekiva Landings, according to the Plat thereof, as recorded in Plat Book 75, Pages 31-34, as recorded in 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. PARKS AND RECREATION DEPARTMENT

28.25 SCHOLARSHIP SEMINOLE PROGRAM

A. PURPOSE. The Seminole County Parks and Recreation 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 Parks and Recreation 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 Parks and Recreation Department Director is authorized to administer the ***Scholarship Seminole*** Program. Policies and procedures governing the ***Scholarship Seminole*** Program shall be incorporated in the Parks and Recreation Department Operating Manual and shall be consistent with other Department policies and procedures applicable to the Parks and Recreation programs.

C. PROGRAM MANAGEMENT. The administration, coordination, permitting, and record keeping will be accomplished through the Administrative Offices of the Parks and Recreation 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 Parks and Recreation 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
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

SECTION 28. PARKS AND RECREATION 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 the Parks and Recreation Department 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 Parks and Recreation Department.

C. POLICIES AND PROCEDURES. The Parks and Recreation Department Director is authorized to administer the Sponsorship Program. Policies and procedures governing the Sponsorship Program shall be incorporated in the Parks and Recreation Department Operating Manual and be consistent with other Department policies and procedures applicable to the Parks and Recreation programs.

D. PROGRAM MANAGEMENT. The administration, coordination, and record keeping will be accomplished through the Parks and Recreation 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 Parks and Recreation 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
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

SECTION 28. PARKS AND RECREATION 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 Parks and Recreation 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 Parks and Recreation 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
Updates to Department name approved as a part of Agenda Item #57 on August 27, 2024

SECTION 28. PARKS AND RECREATION DEPARTMENT

28.45 PARKS AND RECREATION APPROVAL AUTHORITY

A. PURPOSE. The Board of County Commissioners ("Board") has the authority to award all contracts. The County's Purchasing Policy, found in the Seminole County Administrative Code and approved by the Board, embodies the Board's directives and procedures for procuring services and ensures compliance with applicable laws. Recognizing the unique nature of recreational services, the Board seeks to allow for certain exemptions from the established Purchasing Policy to better accommodate the specific needs of the Parks and Recreation Department and for the efficient ease of administration.

B. APPROVAL AUTHORITY.

(1) Exempt Services. The following services, when required as part of recreational services provided by the Parks and Recreation Department, are exempt from the competitive process:

(a) Instructors, which includes Conservation Instructors (Environmental Education); Health and Wellness Instructors (Tennis Pros, Assistant Tennis Pros); Developmental Instructors; Fitness Instructors; and Social Equity and Educational Instructors (e.g. Chess, Art, Summer Reading Program).

(b) Sports Management, which includes Tournament Directors, Site Coordinators, and Officials (Umpires, Scorekeepers, Referees).

(c) Program Entertainment.

(2) Compensation Rate Schedule. Upon prior approval by the County Manager, the Parks and Recreation Department Director has the authority to establish a rate schedule that outlines the compensation for each type of exempt service listed in this Section. The rate schedule may be adjusted annually based on the Consumer Price Index (CPI). Any changes to the rate schedule beyond the CPI adjustments require further approval by the County Manager. Once approved, the Parks and Recreation Director can award and execute contracts based on the approved rate schedule as adjusted by the CPI. However, Program Entertainment contracts exceeding FIVE THOUSAND AND NO/100 DOLLARS ($5,000.00) require Board approval.

(3) Budget Compliance. The Parks and Recreation Department Director must ensure sufficient Board-approved budgeted funds are available before awarding contracts specified in this Section.

C. AUTHORITY. Resolution 2024-R-92 adopted August 27, 2024

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.

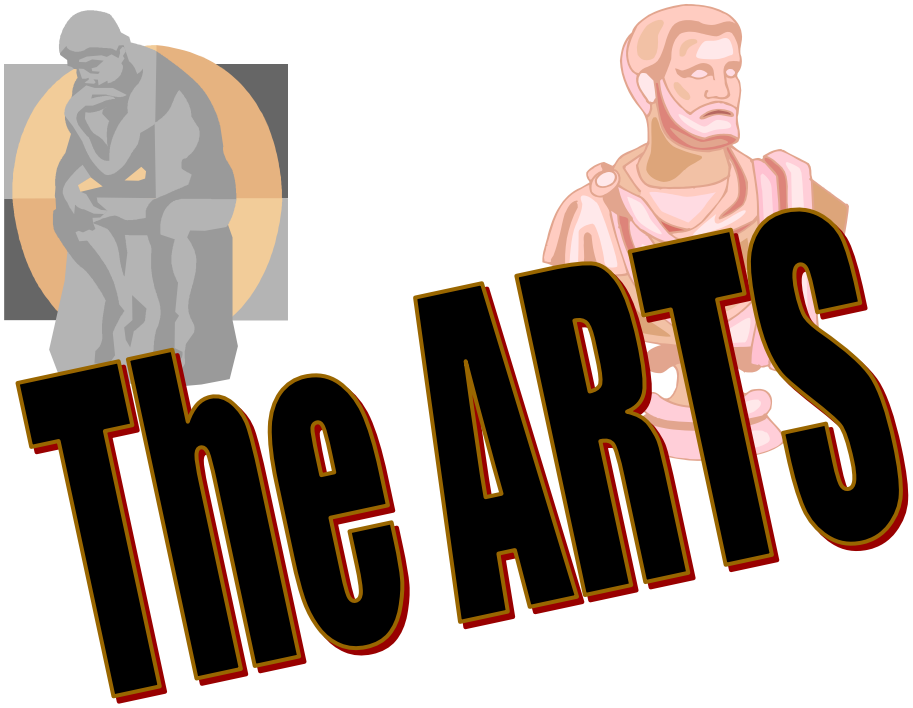
(3) Selection rules and deadlines for application submittal.

(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 thirty (30) 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 15th day of November, 2016.

*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
Resolution 2016-R-184 adopted November 15, 2016

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 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.30 EDUCATIONAL SYSTEM IMPACT FEE VESTED RIGHTS PROCESS

A. PURPOSE AND SCOPE. On January 9, 2018, the Board of County Commissioners of Seminole County (BCC) adopted an Ordinance amending the Educational System Impact Fee, Chapter 105 of Land Development Code of Seminole County (LDC) which includes Section 105.43, Vested Rights. LDC Section 105.43 provides that prior to the effective date of the Chapter (April 10, 2018), which is the first business day after ninety (90) days from adoption of the amending Ordinance, the County may enter into a written vested rights agreement with the owner of property in the unincorporated area of the County to provide that the owner's property shall be subject to payment of the Educational System Impact Fee rate in effect immediately prior to the amendment of the Ordinance. The process and considerations for determination of those circumstances under which County will enter into such vested rights agreement are set forth in this Administrative Code Section.

B. APPLICATION.

(1) The fee simple owner of property or its designated agent may submit an application to the Development Services Department Director for a Vesting Certificate. The application fee is FIVE HUNDRED AND NO/100 DOLLARS ($500.00) and must accompany the submittal of an application.

(2) This Educational System Impact Fee Amendment Ordinance and this Administrative Code Section are not intended to impair the obligation of any contract in existence as of January 9, 2018. Should the increase in the Educational System Impact Fee create such an impairment, the increased impact fee shall not be imposed on the property that is the subject of the contract in existence as of January 9, 2018, but instead such property shall be subject to the impact fee in effect as of January 8, 2018. An application claiming vesting as a contract in existence as of January 9, 2018 shall include the following information:

(a) The applicant must provide a copy of the executed contract for the sale or development of the subject property, which may be redacted for trade secrets and proprietary confidential business information;

(b) Said contract was executed on or prior to January 9, 2018 and is accompanied by evidence indicating such execution. Notarization of signatures with a specified date of on or prior to January 9, 2018 shall be considered sufficient evidence;

(c) Evidence that said contract was entered into in good faith, and was not merely entered into as a means of grandfathering against the updated Educational System Impact Fees;

(d) The applicant must submit signed and notarized statements from all parties to the contract that said contract remains valid for the subject property;

(e) The applicant must submit a signed and notarized statement that earnest money for the transaction has been paid for said contract; and

(f) Evidence that the applicant can demonstrate that the assessment of Educational System Impact Fees under the rates effective on April 10, 2018 will result in an immediate diminishment in the value of the subject contract.

(3) In those situations where on a property the governmental permitting process has commenced prior to January 9, 2018, but the issuance of a building permit for the Educational System Impact Construction will not occur until on or after April 10, 2018, an application for a Vesting Certificate may be submitted and shall 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 Vesting Certificate 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 site plan or survey/sketch of description of the subject property to be subject to the Vesting Certificate showing:

(i) The overall parcel; and

(ii) The number and types of units;

(d) A typed copy of the legal description of the subject property;

(e) A statement outlining the background of the project permitting history and explaining the development process that applicant claims warrants a Vesting Certificate which shall, at a minimum, establish that:

(i) A development order has been issued or the County has otherwise taken official action specifically with respect to development of the Educational System Impact Construction; and

(ii) Extensive obligations or expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses related directly to the development of the Educational System Impact Construction have been incurred or there has otherwise been a substantial change in position by the applicant; and

(iii) Such obligations, expenses and change in position were undertaken by the applicant in good faith reliance on the actions taken by the County; and

(iv) It would be unfair to deny the applicant the opportunity to complete the Educational System Impact Construction based on the Educational System Impact Fee rates in effect as of January 8, 2018.

C. REVIEW OF APPLICATION. The Development Services Department Director shall be responsible for reviewing all applications for a Vesting Certificate. The Development Services Department shall, with assistance from the County Attorney's Office, first investigate the application to determine whether it meets the requirements of Section B(2) or B(3). The BCC hereby delegates to the Development Services Department Director the authority to approve or deny Vesting Certificates. Each approval or denial shall state the facts and reasoning upon which the decision was made. Within thirty (30) days of the receipt of a denial of a Vesting Certificate from the Development Services Department Director, the applicant may file an appeal to the BCC, including supporting reasoning and documents, and the appeal shall be brought before the BCC for consideration at a public hearing in accordance with LDC Section 20.12.

D. IMPORTANT DATES.

Date	Significance
(1) January 9, 2018	Adoption date of Educational System Impact Fee Amendments Ordinance
(2) March 5, 2018	Suggested date to have Vesting Certificate Application filed. Reason: 55 days from adoption date; in the event of denial an appeal is to be filed within 30 days of denial per LDC Section 20.12.
(3) April 2, 2018	Deadline to file Vesting Certificate Application. Reason: Provides the Development Services Department Director with 5 business days to render a decision to approve or deny a Vesting Certificate Application.
(4) April 9, 2018	A Vesting Certificate must be effective pursuant to LDC Section 105.43; *i.e.*, the Vesting Certificate Agreement must be signed by the County and the applicant
(5) April 10, 2018	New Education System Impact Fee rates go into effect.
(6) May 10, 2018	Last day to file an appeal to the BCC of denial of Vesting Certificate if denial was issued by the Development Services Department Director on April 9, 2018. **NOTE:** Per LDC Section 20.12 an appeal must be filed within 30 days of date of denial.

E. RULES OF CONSTRUCTION FOR AN APPEAL OF DENIAL OF A VESTING CERTIFICATE BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR. The Appeal process shall comply with LDC Section 20.12. An appeal of a denial by the Development Services Department Director shall be filed no later than thirty (30) days from the date of the denial letter. For denial of a Vesting Certificate issued on or before April 9, 2018, an applicant shall have thirty (30) days to file a written appeal of such denial consistent with requirements and process contained in LDC Section 20.12, and pay the appeal fee as established in Administrative Code Section 20.21. The BCC shall consider the appeal and either affirm or overturn the Development Services Department Director's denial of the Vesting Certificate. In the event the Development Services Department Director's denial is overturned by the BCC, a new Vesting Certificate shall be issued and executed by the County and the applicant.

The County will not accept or consider any Vesting Certificate Application filed after April 2, 2018.

F. AUTHORITY. Resolution 2018-R-15 adopted January 23, 2018
Resolution 2018-R-21 adopted February 13, 2018
Resolution 2018-R-44 adopted March 27, 2018

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.31 MOBILITY FEE VESTED RIGHTS PROCESS

A. PURPOSE AND SCOPE. On June 22, the Board of County Commissioners of Seminole County (BCC) adopted an Ordinance amending the Road Impact Fee, Chapter 120 of Land Development Code of Seminole County (LDC) which includes Section 120.33, Vested Rights. LDC Section 120.33 provides that on or before September 27, 2021, which is ninety (90) days from the effective date of the new Mobility Fee Rates under Chapter 120 of the Land Development Code (June 29, 2021), the County may enter into a written vested rights agreement with the owner of property in the unincorporated area of the County to provide that the owner's property shall be subject to payment of the Road Impact Fee rate in effect immediately prior to the amendment of the Ordinance and creation of the Mobility Fee. The process and considerations for determination of those circumstances under which County will enter into such vested rights agreement are set forth in this Administrative Code Section.

B. APPLICATION.

(1) The fee simple owner of property or its designated agent may submit an application to the Development Services Department Director for a Vesting Certificate. The application fee is FIVE HUNDRED AND NO/100 DOLLARS ($500.00) and must accompany the submittal of an application. Note, if multiple Vesting Certificate applications for different types of Impact Fees are being submitted together, then only one (1) application fee is required for the multiple application package.

(2) This Mobility Fee Ordinance and this Administrative Code Section are not intended to impair the obligation of any contract in existence as of June 22, 2021. Should the increase in the Mobility Fee from the Prior Road Impact Fee create such an impairment, the increased Mobility Fee shall not be imposed on the property that is the subject of the contract in existence as of June 22, 2021, but instead such property shall be subject to the impact fee in effect as of June 21, 2021. An application claiming vesting as a contract in existence as of June 22, 2021 shall include the following information:

(a) The applicant must provide a copy of the executed contract for the sale or development of the subject property, which may be redacted for trade secrets and proprietary confidential business information;

(b) Said contract was executed on or prior to June 22, 2021 and is accompanied by evidence indicating such execution. Notarization of signatures with a specified date of on or prior to June 22, 2021 shall be considered sufficient evidence;

(c) Evidence that said contract was entered into in good faith, and was not merely entered into as a means of grandfathering against the updated Mobility Fees;

(d) The applicant must submit signed and notarized statements from all parties to the contract that said contract remains valid for the subject property;

(e) The applicant must submit a signed and notarized statement that earnest money for the transaction has been paid for said contract; and

(f) Evidence that the applicant can demonstrate that the assessment of Mobility Fees under the rates effective on June 29, 2021 will result in an immediate diminishment in the value of the subject contract.

(3) In those situations where on a property the governmental permitting process has commenced prior to June 22, 2021, but the issuance of a building permit for the Travel-Increasing Development will not occur until on or June 29, 2021, an application for a Vesting Certificate may be submitted and shall 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 Vesting Certificate 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 site plan or survey/sketch of description of the subject property to be subject to the Vesting Certificate showing:

(i) The overall parcel;

(ii) The number and type of units for residential development; and

(iii) The square footage of buildings and types of non-residential development.

(d) A typed copy of the legal description of the subject property;

(e) A statement outlining the background of the project permitting history and explaining the development process that applicant claims warrants a Vesting Certificate which shall, at a minimum, establish that:

(i) A development order has been issued or the County has otherwise taken official action specifically with respect to development of the Travel-Increasing Development; and

(ii) Extensive obligations or expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses related directly to the development of the Travel-Increasing Development have been incurred or there has otherwise been a substantial change in position by the applicant; and

(iii) Such obligations, expenses and change in position were undertaken by the applicant in good faith reliance on the actions taken by the County; and

(iv) It would be unfair to deny the applicant the opportunity to complete the Travel-Increasing Development based on the Road Impact Fee rates in effect as of June 21, 2021 instead of the Mobility Fee rates.

C. REVIEW OF APPLICATION. The Development Services Department Director shall be responsible for reviewing all applications for a Vesting Certificate. The Development Services Department shall, with assistance from the County Attorney's Office, first investigate the application to determine whether it meets the requirements of Section B(2) or B(3). The BCC hereby delegates to the Development Services Department Director the authority to approve or deny Vesting Certificates. Each approval or denial shall state the facts and reasoning upon which the decision was made. Within thirty (30) days of the receipt of a denial of a Vesting Certificate from the Development Services Department Director, the applicant may file an appeal to the BCC, including supporting reasoning and documents, and the appeal shall be brought before the BCC for consideration at a public hearing in accordance with LDC Section 20.12.

D. IMPORTANT DATES.

Date	Significance
(1) June 22, 2021	Adoption date of Mobility Fee Ordinance
(2) June 29, 2021	New Mobility Fee rates go into effect.
(3) August 27, 2021	Suggested date to have Vesting Certificate Application filed. Reason: In the event of denial, an appeal is to be filed within 30 days of denial per LDC Section 20.12.
(4) September 13, 2021	Deadline to file Vesting Certificate Application. Reason: Provides the Development Services Department Director with 10 business days to render a decision to approve or deny a Vesting Certificate Application.
(5) September 27, 2021	A Vesting Certificate must be effective pursuant to LDC Section 120.33; *i.e.*, the Vesting Certificate Agreement must be signed by the County and the applicant
(6) October 27, 2021	Last day to file an appeal to the BCC of denial of Vesting Certificate if denial was issued by the Development Services Department Director on September 27, 2021. **NOTE:** Per LDC Section 20.12 an appeal must be filed within 30 days of date of denial.

E. RULES OF CONSTRUCTION FOR AN APPEAL OF DENIAL OF A VESTING CERTIFICATE BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR. The Appeal process shall comply with LDC Section 20.12. An appeal of a denial by the Development Services Department Director shall be filed no later than thirty (30) days from the date of the denial letter. For denial of a Vesting Certificate issued on or before September 27, 2021, an applicant shall have thirty (30) days to file a written appeal of such denial consistent with requirements and process contained in LDC Section 20.12, and pay the appeal fee as established in Administrative Code Section 20.23. The BCC shall consider the appeal and either affirm or overturn the Development Services Department Director's denial of the Vesting Certificate. In the event the Development Services Department Director's denial is overturned by the BCC, a new Vesting Certificate shall be issued and executed by the County and the applicant.

The County will not accept or consider any Vesting Certificate Application filed after September 13, 2021.

F. AUTHORITY. Resolution 2021-R-101 adopted June 22, 2021

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.32 FIRE AND RESCUE SYSTEM IMPACT FEE VESTED RIGHTS PROCESS

A. PURPOSE AND SCOPE. On June 22, the Board of County Commissioners of Seminole County (BCC) adopted an Ordinance amending the Fire and Rescue System Impact Fee, Chapter 110 of Land Development Code of Seminole County (LDC) which includes Section 110.23, Vested Rights. LDC Section 110.23 provides that on or before September 27, 2021, which is ninety (90) days from the effective date of the updated Fire and Rescue System Impact Fee under the Chapter 110 of the Land Development Code (June 29, 2021), the County may enter into a written vested rights agreement with the owner of property in the unincorporated area of the County to provide that the owner's property shall be subject to payment of the Fire and Rescue System Impact Fee rate in effect immediately prior to the amendment of the Ordinance. The process and considerations for determination of those circumstances under which County will enter into such vested rights agreement are set forth in this Administrative Code Section.

B. APPLICATION.

(1) The fee simple owner of property or its designated agent may submit an application to the Development Services Department Director for a Vesting Certificate. The application fee is FIVE HUNDRED AND NO/100 DOLLARS ($500.00) and must accompany the submittal of an application. Note, if multiple Vesting Certificate applications for different types of Impact Fees are being submitted together, then only one (1) application fee is required for the multiple application package.

(2) This Fire and Rescue System Impact Fee Ordinance and this Administrative Code Section are not intended to impair the obligation of any contract in existence as of June 22, 2021. Should the increase in the Fire and Rescue System Impact Fee from the Prior Fire and Rescue System Impact Fee create such an impairment, the increased Fire and Rescue System Impact Fee shall not be imposed on the property that is the subject of the contract in existence as of June 22, 2021, but instead such property shall be subject to the impact fee in effect as of June 21, 2021. An application claiming vesting as a contract in existence as of June 22, 2021 shall include the following information:

(a) The applicant must provide a copy of the executed contract for the sale or development of the subject property, which may be redacted for trade secrets and proprietary confidential business information;

(b) Said contract was executed on or prior to June 22, 2021 and is accompanied by evidence indicating such execution. Notarization of signatures with a specified date of on or prior to June 22, 2021 shall be considered sufficient evidence;

(c) Evidence that said contract was entered into in good faith, and was not merely entered into as a means of grandfathering against the updated Fire and Rescue System Impact Fees;

(d) The applicant must submit signed and notarized statements from all parties to the contract that said contract remains valid for the subject property;

(e) The applicant must submit a signed and notarized statement that earnest money for the transaction has been paid for said contract; and

(f) Evidence that the applicant can demonstrate that the assessment of Fire and Rescue System Impact Fees under the rates effective on June 29, 2021 will result in an immediate diminishment in the value of the subject contract.

(3) In those situations where on a property the governmental permitting process has commenced prior to June 22, 2021, but the issuance of a building permit for the Fire and Rescue System Impact Construction will not occur until on or June 29, 2021, an application for a Vesting Certificate may be submitted and shall 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 Vesting Certificate 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 site plan or survey/sketch of description of the subject property to be subject to the Vesting Certificate showing:

(i) The overall parcel;

(ii) The number and type of units for residential development; and

(iii) The square footage of buildings and types of non-residential development.

(d) A typed copy of the legal description of the subject property;

(e) A statement outlining the background of the project permitting history and explaining the development process that applicant claims warrants a Vesting Certificate which shall, at a minimum, establish that:

(i) A development order has been issued or the County has otherwise taken official action specifically with respect to development of the Fire and Rescue System Impact Construction; and

(ii) Extensive obligations or expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses related directly to the development of the Fire and Rescue System Impact Construction have been incurred or there has otherwise been a substantial change in position by the applicant; and

(iii) Such obligations, expenses and change in position were undertaken by the applicant in good faith reliance on the actions taken by the County; and

(iv) It would be unfair to deny the applicant the opportunity to complete the Fire and Rescue System Impact Construction based on the Fire and Rescue System Impact Fee rates in effect as of June 21, 2021.

C. REVIEW OF APPLICATION. The Development Services Department Director shall be responsible for reviewing all applications for a Vesting Certificate. The Development Services Department shall, with assistance from the County Attorney's Office, first investigate the application to determine whether it meets the requirements of Section B(2) or B(3). The BCC hereby delegates to the Development Services Department Director the authority to approve or deny Vesting Certificates. Each approval or denial shall state the facts and reasoning upon which the decision was made. Within thirty (30) days of the receipt of a denial of a Vesting Certificate from the Development Services Department Director, the applicant may file an appeal to the BCC, including supporting reasoning and documents, and the appeal shall be brought before the BCC for consideration at a public hearing in accordance with LDC Section 20.12.

D. IMPORTANT DATES.

Date	Significance
(1) June 22, 2021	Adoption date of Fire and Rescue System Impact Fee Ordinance
(2) June 29, 2021	New Fire and Rescue System Impact Fee rates go into effect.
(3) August 27, 2021	Suggested date to have Vesting Certificate Application filed. Reason: In the event of denial, an appeal is to be filed within 30 days of denial per LDC Section 20.12.
(4) September 13, 2021	Deadline to file Vesting Certificate Application. Reason: Provides the Development Services Department Director with 10 business days to render a decision to approve or deny a Vesting Certificate Application.
(5) September 27, 2021	A Vesting Certificate must be effective pursuant to LDC Section 110.23; *i.e.*, the Vesting Certificate Agreement must be signed by the County and the applicant
(6) October 27, 2021	Last day to file an appeal to the BCC of denial of Vesting Certificate if denial was issued by the Development Services Department Director on September 27, 2021. **NOTE:** Per LDC Section 20.12 an appeal must be filed within 30 days of date of denial.

E. RULES OF CONSTRUCTION FOR AN APPEAL OF DENIAL OF A VESTING CERTIFICATE BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR. The Appeal process shall comply with LDC Section 20.12. An appeal of a denial by the Development Services Department Director shall be filed no later than thirty (30) days from the date of the denial letter. For denial of a Vesting Certificate issued on or before September 27, 2021, an applicant shall have thirty (30) days to file a written appeal of such denial consistent with requirements and process contained in LDC Section 20.12, and pay the appeal fee as established in Administrative Code Section 20.23. The BCC shall consider the appeal and either affirm or overturn the Development Services Department Director's denial of the Vesting Certificate. In the event the Development Services Department Director's denial is overturned by the BCC, a new Vesting Certificate shall be issued and executed by the County and the applicant.

The County will not accept or consider any Vesting Certificate Application filed after September 13, 2021.

F. AUTHORITY. Resolution 2021-R-101 adopted June 22, 2021

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.33 LIBRARY SYSTEM IMPACT FEE VESTED RIGHTS PROCESS

A. PURPOSE AND SCOPE. On June 22, the Board of County Commissioners of Seminole County (BCC) adopted an Ordinance amending the Library System Impact Fee, Chapter 115 of Land Development Code of Seminole County (LDC) which includes Section 115.23, Vested Rights. LDC Section 115.23 provides that on or before September 27, 2021, which is ninety (90) days from the effective date of the new Library System Impact Fee under Chapter 115 of the Land Development Code (June 29, 2021), the County may enter into a written vested rights agreement with the owner of property in the unincorporated area of the County to provide that the owner's property shall be subject to payment of the Library System Impact Fee rate in effect immediately prior to the amendment of the Ordinance. The process and considerations for determination of those circumstances under which County will enter into such vested rights agreement are set forth in this Administrative Code Section.

B. APPLICATION.

(1) The fee simple owner of property or its designated agent may submit an application to the Development Services Department Director for a Vesting Certificate. The application fee is FIVE HUNDRED AND NO/100 DOLLARS ($500.00) and must accompany the submittal of an application. Note, if multiple Vesting Certificate applications for different types of Impact Fees are being submitted together, then only one (1) application fee is required for the multiple application package.

(2) This Library System Impact Fee Ordinance and this Administrative Code Section are not intended to impair the obligation of any contract in existence as of June 22, 2021. Should the increase in the Library System Impact Fee from the Prior Library System Impact Fee create such an impairment, the increased Library System Impact Fee shall not be imposed on the property that is the subject of the contract in existence as of June 22, 2021, but instead such property shall be subject to the impact fee in effect as of June 21, 2021. An application claiming vesting as a contract in existence as of June 22, 2021 shall include the following information:

(a) The applicant must provide a copy of the executed contract for the sale or development of the subject property, which may be redacted for trade secrets and proprietary confidential business information;

(b) Said contract was executed on or prior to June 22, 2021 and is accompanied by evidence indicating such execution. Notarization of signatures with a specified date of on or prior to June 22, 2021 shall be considered sufficient evidence;

(c) Evidence that said contract was entered into in good faith, and was not merely entered into as a means of grandfathering against the updated Library System Impact Fees;

(d) The applicant must submit signed and notarized statements from all parties to the contract that said contract remains valid for the subject property;

(e) The applicant must submit a signed and notarized statement that earnest money for the transaction has been paid for said contract; and

(f) Evidence that the applicant can demonstrate that the assessment of Library System Impact Fees under the rates effective on June 29, 2021 will result in an immediate diminishment in the value of the subject contract.

(3) In those situations where on a property the governmental permitting process has commenced prior to June 22, 2021, but the issuance of a building permit for the Library System Impact Construction will not occur until on or June 29, 2021, an application for a Vesting Certificate may be submitted and shall 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 Vesting Certificate 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 site plan or survey/sketch of description of the subject property to be subject to the Vesting Certificate showing:

(i) The overall parcel;

(ii) The number and type of units for residential development; and

(iii) The square footage of buildings and types of non-residential development.

(d) A typed copy of the legal description of the subject property;

(e) A statement outlining the background of the project permitting history and explaining the development process that applicant claims warrants a Vesting Certificate which shall, at a minimum, establish that:

(i) A development order has been issued or the County has otherwise taken official action specifically with respect to development of the Library System Impact Construction; and

(ii) Extensive obligations or expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses related directly to the development of the Library System Impact Construction have been incurred or there has otherwise been a substantial change in position by the applicant; and

(iii) Such obligations, expenses and change in position were undertaken by the applicant in good faith reliance on the actions taken by the County; and

(iv) It would be unfair to deny the applicant the opportunity to complete the Library System Impact Construction based on the Library System Impact Fee rates in effect as of June 21, 2021.

C. REVIEW OF APPLICATION. The Development Services Department Director shall be responsible for reviewing all applications for a Vesting Certificate. The Development Services Department shall, with assistance from the County Attorney's Office, first investigate the application to determine whether it meets the requirements of Section B(2) or B(3). The BCC hereby delegates to the Development Services Department Director the authority to approve or deny Vesting Certificates. Each approval or denial shall state the facts and reasoning upon which the decision was made. Within thirty (30) days of the receipt of a denial of a Vesting Certificate from the Development Services Department Director, the applicant may file an appeal to the BCC, including supporting reasoning and documents, and the appeal shall be brought before the BCC for consideration at a public hearing in accordance with LDC Section 20.12.

D. IMPORTANT DATES.

Date	Significance
(1) June 22, 2021	Adoption date of Library System Impact Fee Ordinance
(2) June 29, 2021	New Library System Impact Fee rates go into effect.
(3) August 27, 2021	Suggested date to have Vesting Certificate Application filed. Reason: In the event of denial, an appeal is to be filed within 30 days of denial per LDC Section 20.12.
(4) September 13, 2021	Deadline to file Vesting Certificate Application. Reason: Provides the Development Services Department Director with 10 business days to render a decision to approve or deny a Vesting Certificate Application.
(5) September 27, 2021	A Vesting Certificate must be effective pursuant to LDC Section 110.23; *i.e.*, the Vesting Certificate Agreement must be signed by the County and the applicant
(6) October 27, 2021	Last day to file an appeal to the BCC of denial of Vesting Certificate if denial was issued by the Development Services Department Director on September 27, 2021. **NOTE:** Per LDC Section 20.12 an appeal must be filed within 30 days of date of denial.

E. RULES OF CONSTRUCTION FOR AN APPEAL OF DENIAL OF A VESTING CERTIFICATE BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR. The Appeal process shall comply with LDC Section 20.12. An appeal of a denial by the Development Services Department Director shall be filed no later than thirty (30) days from the date of the denial letter. For denial of a Vesting Certificate issued on or before September 27, 2021, an applicant shall have thirty (30) days to file a written appeal of such denial consistent with requirements and process contained in LDC Section 20.12, and pay the appeal fee as established in Administrative Code Section 20.23. The BCC shall consider the appeal and either affirm or overturn the Development Services Department Director's denial of the Vesting Certificate. In the event the Development Services Department Director's denial is overturned by the BCC, a new Vesting Certificate shall be issued and executed by the County and the applicant.

The County will not accept or consider any Vesting Certificate Application filed after September 13, 2021.

F. AUTHORITY. Resolution 2021-R-101 adopted June 22, 2021

SECTION 30. ECONOMIC AND COMMUNITY DEVELOPMENT SERVICES

30.34 NET BUILDABLE ACRES VESTED RIGHTS PROCESS

A. PURPOSE AND SCOPE. On April 26, 2022, the Board of County Commissioners of Seminole County (BCC) adopted an Ordinance amending the Comprehensive Plan of Seminole County, Florida, which amended the definitions of Net Buildable Acres in the Introductory Element and an Ordinance amending Section 2.3, Definitions, of the Land Development Code to provide a revised definition of Net Buildable Acres. The BCC hereby adapts a policy that any unexpired development application submitted prior to June 15, 2022 or any applicant with an executed contract to purchase a property signed prior to June 15, 2022 which application or contract utilizes or relies upon the prior definition of Net Buildable Acres when calculating project density, the County may enter into a written vested rights agreement with the owner of property in the unincorporated area of the County to provide that the owner's property shall be subject to the prior definition of Net Buildable Acres when calculating project density. The vested rights certificate shall allow a twelve (12) month period for the project to obtain Final Development Order or Preliminary Subdivision Plan utilizing the prior definition of Net Buildable Acres. The process and considerations for determination of those circumstances under which County will enter into such vested rights agreement are set forth in this Administrative Code Section.

B. APPLICATION.

(1) The fee simple owner of property or its designated agent may submit an application to the Development Services Department Director for a Vesting Certificate. The application fee is FIVE HUNDRED AND NO/100 DOLLARS ($500.00) and must accompany the submittal of an application.

(2) The Net Buildable Acres Comprehensive Plan Amendment Ordinance, the Land Development Code Amendment Ordinance, and this Administrative Code Section are not intended to impair the obligation of any contract in existence as of June 14, 2022. Should the new definition of Net Buildable Acres create such an impairment, the new definition shall not be imposed on the property that is the subject of the contract in existence as of June 14, 2022, but instead such property shall be subject to the definition of Net Buildable Acres in effect as of June 14, 2022. An application claiming vesting as a contract in existence as of June 14, 2022 shall include the following information:

(a) The applicant must provide a copy of the executed contract for the sale or development of the subject property, which may be redacted for trade secrets and proprietary confidential business information;

(b) Said contract was executed on or prior to June 14, 2022 and is accompanied by evidence indicating such execution. Notarization of signatures with a specified date of on or prior to June 14, 2022 shall be considered sufficient evidence;

(c) Evidence that said contract was entered into in good faith, and was not merely entered into as a means of grandfathering against the new definition of Net Buildable Acres;

(d) The applicant must submit signed and notarized statements from all parties to the contract that said contract remains valid for the subject property;

(e) The applicant must submit a signed and notarized statement that earnest money for the transaction has been paid for said contract; and

(f) Evidence that the applicant can demonstrate that the new definition of Net Buildable Acres will result in an immediate diminishment in the value of the subject contract.

(3) In those situations where on a property an unexpired development application has been submitted and the governmental permitting process has commenced prior to June 15, 2022, but the issuance of a building permit for the Final Development Order or Preliminary Subdivision Plan will not occur until on or after June 15, 2022, an application for a Vesting Certificate may be submitted and shall 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 Vesting Certificate 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 site plan or survey/sketch of description of the subject property to be subject to the Vesting Certificate showing:

(i) The overall parcel; and

(ii) The number and types of units;

(d) A typed copy of the legal description of the subject property;

(e) A statement outlining the background of the project permitting history and explaining the development process that applicant claims warrants a Vesting Certificate which shall, at a minimum, establish that:

(i) A development order has been issued or the County has otherwise taken official action specifically with respect to development of the project subject to the definition of Net Buildable Acres prior to June 15, 2022; and

(ii) Extensive obligations or expenses (other than land purchase costs and payment of taxes) including, but not limited to, legal and professional expenses related directly to the development of the project have been incurred or there has otherwise been a substantial change in position by the applicant; and

(iii) Such obligations, expenses and change in position were undertaken by the applicant in good faith reliance on the actions taken by the County; and

(iv) It would be unfair to deny the applicant the opportunity to complete the project based on the definition of Net Buildable Acres rates in effect prior to June 15, 2022.

C. REVIEW OF APPLICATION. The Development Services Department Director shall be responsible for reviewing all applications for a Vesting Certificate. The Development Services Department shall, with assistance from the County Attorney's Office, first investigate the application to determine whether it meets the requirements of Section B(2) or B(3). The BCC hereby delegates to the Development Services Department Director the authority to approve or deny Vesting Certificates. Each approval or denial shall state the facts and reasoning upon which the decision was made. Within thirty (30) days of the receipt of a denial of a Vesting Certificate from the Development Services Department Director, the applicant may file an appeal to the BCC, including supporting reasoning and documents, and the appeal shall be brought before the BCC for consideration at a public hearing in accordance with LDC Section 20.12.

D. IMPORTANT DATES.

Date	Significance
(1) April 26, 2022	Adoption date of Net Buildable Acres Comprehensive Plan Amendments Ordinance
(2) June 15, 2022	New definition of Net Buildable Acres goes into effect.
(3) June 24, 2022	Suggested date to have Vesting Certificate Application filed. Reason: 59 days from adoption date; 9 days from effective date; 21 days to deadline to issue a Vesting Certificate
(4) July 8, 2022	Deadline to file Vesting Certificate Application. Reason: Provides the Development Services Department Director with 5 business days to render a decision to approve or deny a Vesting Certificate Application.
(5) July 15, 2022	A Vesting Certificate must be effective on or before 30 days from the effective date new definition of the Net Buildable Acres pursuant to the Comprehensive Plan Amendment Ordinance and the Land Development Code Amendment Ordinance, the Vesting Certificate Agreement must be signed by the County and the applicant

(6) August 15, 2022	Last day to file an appeal to the BCC of denial of Vesting Certificate if denial was issued by the Development Services Department Director on July 15, 2022. **NOTE:** Per LDC Section 20.12 an appeal must be filed within 30 days of date of denial.

E. RULES OF CONSTRUCTION FOR AN APPEAL OF DENIAL OF A VESTING CERTIFICATE BY THE DEVELOPMENT SERVICES DEPARTMENT DIRECTOR. The Appeal process shall comply with LDC Section 20.12. An appeal of a denial by the Development Services Department Director shall be filed no later than thirty (30) days from the date of the denial letter. For denial of a Vesting Certificate issued on or before July 15, 2022, an applicant shall have thirty (30) days to file a written appeal of such denial consistent with requirements and process contained in LDC Section 20.12, and pay the appeal fee as established in Administrative Code Section 20.24. The BCC shall consider the appeal and either affirm or overturn the Development Services Department Director's denial of the Vesting Certificate. In the event the Development Services Department Director's denial is overturned by the BCC, a new Vesting Certificate shall be issued and executed by the County and the applicant.

The County will not accept or consider any Vesting Certificate Application filed after July 8, 2022.

F. AUTHORITY. Resolution 2022-R-61 adopted April 26, 2022

SECTION 32. OFFICE OF EMERGENCY MANAGEMENT

32.5 ANIMAL SERVICES DIVISION

32.5.5 ANIMAL CONTROL CERTIFICATION COURSE

A. GENERAL POLICY

(1) Section 20.131, 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) Section 828.27, Florida Statutes, requires that County-employed animal control officers shall complete a minimum forty (40) hour training curriculum approved by the Florida Animal Control Association and a 1-hour training course developed by the Department of Children and Families (DCF) pursuant to Section 39.208(5), Florida Statutes.

(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 and a 1-hour DCF training 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
Resolution 2023-R-118 adopted October 24, 2023

SECTION 32. OFFICE OF EMERGENCY MANAGEMENT

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 1, 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
Resolution 2023-R-118 adopted October 24, 2023

SECTION 32. OFFICE OF EMERGENCY MANAGEMENT

32.10 EMERGENCY MANAGEMENT

32.10.5 EMERGENCY MANAGEMENT AUTHORITY

A. GENERAL

(1) Chapter 252, Florida Statutes (1991), (Emergency Management Act) establishes an Office 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 Office of Emergency Management to act in accordance with and in support of the State Emergency Operations Plan Programs.

(5) The Seminole County Office of Emergency Management Emergency Management 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 Office of Emergency Management 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 Office of Emergency Management as required to effectuate the purposes of this division pursuant to statute.

(8) It shall be the responsibility of the Director of Emergency Management, or designee, to activate the Emergency Operations Center for threats and hazards identified in the Comprehensive Emergency Management Plan and to mobilize protective measures, response tactics, and declaration of recovery from these threats and hazards.

B. AUTHORITY. Resolution 93-R-242 adopted September 14, 1993
Resolution 2012-R-107 adopted June 12, 2012
Resolution 2023-R-118 adopted October 24, 2023

SECTION 32. OFFICE OF EMERGENCY MANAGEMENT

32.10 EMERGENCY MANAGEMENT

32.10.10 EMERGENCY MANAGEMENT COMPREHENSIVE EMERGENCY MANAGEMENT PLANNING, TRAINING, EXERCISE REQUIREMENTS HEALTHCARE INDUSTRY

A. PURPOSE. The purpose of this Section is to address the impacts created by rules imposed by the Florida Agency for Health Care Administration (AHCA) and the Federal Centers for Medicare and Medicaid Services (CMS) for the disaster preparedness of the facilities addressed in healthcare facilities.

B. DEFINITIONS. Unless otherwise expressly stated below, for the purposes of this Article, the words terms and phrases used herein shall have the same meaning as set forth in Chapter 252, Florida Statutes, Rules 58A-6, 58A-5, 59A-3, 59A-4, 59A-5, AND 65G-6, Florida Administrative Code (FAC), and 42 Code of Federal Regulations (CFR) 403.748(d), 416.54(d), 418.113(d) and the CMS Emergency Preparedness Rule Memorandum distributed on September 8, 2016 associated with aforementioned 42 CFR sections, which are incorporated herein by reference.

C. APPLICABILITY.

(a) This Article shall apply to Facilities that are subject to the Emergency Planning Criteria Regulations which include a whole community training and exercise element; and

(b) This Article shall apply to the Facilities that are required to have an Emergency Plan Review.

(c) If additional healthcare Facilities are in the future subjected to the Emergency Planning Criteria Regulations, those Facilities will automatically fall into their applicable category(ies) upon notification by Florida Statutes, FAC, AHCA and/or CMS.

D. EMERGENCY PLAN REVIEW.

(a) Facilities subject to Plan review. The Facilities required to have their plans reviewed and approved the Division as required by the Emergency Planning Criteria Regulations include:

(1) Residential Treatment Centers for Children and Adolescents

(2) Hospitals

(3) Ambulatory Surgical Centers

(4) Nursing Homes

(5) Intermediate Care Facilities for the Developmentally Disabled

(6) Assisted Living Facilities

(7) Adult Day Care Centers

(b) The Office of Emergency Management is the sole authority for review of a Facility's Plan that has emergency plan review requirements at the county level.

(c) The Office of Emergency Management will not write the Plan for Facilities, but will only review based on criteria set forth in by Emergency Planning Criteria Regulations established in Florida Statute and Rule.

(d) The Office of Emergency Management will work with these Facilities to accomplish an approved Plan each year.

(e) The criteria and policy for plan reviews will be made available to Facilities via the Office of Emergency Management web page.

(f) The Office of Emergency Management will maintain a web portal to allow for uploading of emergency management plans for review.

(g) The Plan review fee paid to the County shall be that set forth in Rule 27P-20.003, FAC.

E. TRAINING AND EXERCISE.

(a) Seminole County requires, consistent with the Emergency Planning Criteria Regulations and/or the CMS Emergency Preparedness Rule and to support preparedness and response readiness, all healthcare facilities to participate in training and exercise each year prior to the emergency management plan annual review.

(1) Seminole County requires participation in two (2) community wide workshops or whole community exercises per year offered by the Office of Emergency Management.

(2) The Office of Emergency Management will provide a minimum of one (1) annual emergency management planning workshop and two (2) community wide exercise opportunities for Facilities to complete their training and exercise requirements each year.

(b) Certification.

(1) The Office of Emergency Management is recognized by the State of Florida as an authority for certification of a Facility that participates in a whole community training or exercise event.

(2) The Office of Emergency Management will issue Facilities certificates of participation in whole community training or exercise events within five (5) business days of completion of the training or exercise event.

(3) Certificates will be issued in accordance with requirements set forth in applicable rules, codes, and/or statutes.

F. TRAINING AND RISK ASSESSMENT. For facilities which fail to complete the training and exercise requirements, training and exercise risk reduction fees are

calculated on a per bed based on the Facility's total number of licensed beds, or chairs (if applicable) currently $15 per licensed chair/bed.

G. AUTHORITY. Resolution 2023-R-118 adopted October 24, 2023

SECTION 32. OFFICE OF EMERGENCY MANAGEMENT

32.15 EMERGENCY TELECOMMUNICATIONS

A. PURPOSE. The purpose of this Section is to address the radio technology services for Seminole County and all municipalities and agencies in Seminole County which operate on the emergency telecommunications network(s) and communication systems along with anyone else seeking to occupy space on any of Seminole County's radio towers.

B. GENERAL.

(1) Seminole County Emergency Telecommunications Division will be the administrator of the radio technology, application interfaces, and features associated with the radio program for Seminole County.

(2) Seminole County may build, acquire, renovate, and administer RF tower sites, portable radios, mobile radios, RF repeaters, and other equipment necessary to accommodate an interoperable radio communication system to serve law enforcement, fire/rescue, government, security/safety, and other support entities.

(3) Seminole County Emergency Telecommunications are members of the State of Florida Regional Domestic Security Task Force V and members of Homeland Security Urban Area Security Initiative for Central Florida.

(4) Seminole County Emergency Telecommunications will ensure mutual aid channels will operate with regional and State partners.

(5) Seminole County Emergency Telecommunications will establish policies, procedures, and standards to be incorporated into a comprehensive management plan for the use of the countywide radio communications system.

(6) Seminole County Emergency Telecommunications will attend executive groups and committee meetings as they relate to RF infrastructure and equipment for First Responder agencies.

(7) Seminole County Emergency Telecommunications shall bear the overall responsibility for the design, engineering, acquisition, and implementation of the radio communications system(s) to include mutual aid systems, PSAP and 911 dispatch centers, microwave systems, third party application and interfaces, radio system networks architecture, and Cybersecurity program.

(8) Seminole County Emergency Telecommunications is responsible for ensuring the proper operation, maintenance, and preventative maintenance of all communication system equipment countywide.

(9) Seminole County may rent or lease space on any tower under its control and refuse to lease space on any tower at any site.

C. EMERGENCY TELECOMMUNICATIONS FEES.

(1) Seminole County Emergency Telecommunications will validate and audit all funds received through paid traffic citations as directed in Section 318.21(9), Florida Statutes.

(2) Rental space on a radio tower will be done through a negotiated rate with the agency, organization, or RF provider. A non-refundable application fee will be equal to the first month rent of the tower site paid by any entity interested in co-location on the Seminole County radio tower. Application fee will be applied to rental fees, if agreement is entered.

D. AUTHORITY. Resolution 2023-R-118 adopted October 24, 2023

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-333 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 the use of private vehicles to conduct official County business and to maximize the efficient utilization of all County vehicles to ensure the highest return available for capital, operating, and maintenance dollars.

B. ORGANIZATIONS AFFECTED. This Vehicle Use Policy applies to all departments and divisions with County employees who use County owned equipment or vehicles or, as applicable, privately owned vehicles 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 is 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, the Public Works Department shall evaluate and prepare specifications for both additional and replacement equipment that:

- Meet the real requirements of the task to be performed.
- Encourage the competitive bidding process; and
- Minimize purchase price and total life cost.

(3) The Public Works Department is responsible for developing and maintaining a comprehensive list of vehicle assignments. The County Manager is granted the authority to assign vehicles and to transfer vehicles between departments to ensure the maximum efficient utilization of the County fleet. Special care should be taken to maintain proper accounting records between general and enterprise funds. The vehicle assignment list must include information on daily and take-home assignments.

(4) 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 require the authorization of the County Manager.

(5) The assignment of a County-owned vehicle on a 24-hour basis as a condition of employment for any position requires the authorization of the County Manager.

(6) As a part of the budget process, the Resource Management Department is responsible for reviewing the new and replacement list developed for the various Departments. After approval by the County Manager, the Resource Management

Department shall incorporate any recommended purchases into the annual budget, subject to the availability of funding.

D. MONITORING UTILIZATION OF VEHICLES.

(1) Department and Divisions have primary responsibility to ensure proper use of their assigned County vehicles. The Public Works Department shall 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) Daily or take-home vehicle assignments are authorized based on the requirements of a specific position and not an individual. When an employee leaves the position to which a vehicle is assigned (e.g., 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 shall 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 will be reviewed annually and those not meeting the established criteria will be revoked. The Public Works Department shall prepare a vehicle assignment utilization report and forward it 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 24-hour vehicle assignments to the County Manager for the next fiscal year.

F. ASSIGNMENT GUIDELINES FOR ALL COUNTY VEHICLES FALL INTO THESE FIVE (5) CLASSIFICATIONS:

(1) 8-hour assigned County vehicles. The Department Director shall determine the assignment of an 8-hour vehicle based on these factors:

(a) The vehicle is subjected to frequent abnormal, excessive, or hazardous conditions that cannot be avoided.

(b) The vehicle is required to carry special equipment, parts and tools, or emergency response equipment.

(c) The employee’s position is one of inspection, deliveries, enforcement, investigation, or 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 the employee’s work 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 all or part of a day shall request such vehicles from their departmental motor pool through the Department Director or Division Manager who shall make assignments from the motor pool as available.

Each Department is responsible for maintaining accurate motor pool records; ensuring 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 and Public Works Five Points Annex.

(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 shall complete and sign the motor pool dispatch records.

(d) Before vehicles are returned to the Fleet/Facilities Division, they must be in reasonably clean condition, windows rolled up, doors locked, and the key returned to the Fleet/Facilities Division. The user shall 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 ensuring 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) An employee may obtain a County vehicle required for authorized extended or overnight trips by contacting his or her respective Department Director.

(b) For overnight travel and travel beyond the 125-mile radius from the employee's work reporting location, the employee should have the vehicle serviced prior to departure. The use of additional fuels and lubricants are the responsibility of the user Department. Any towing charges or emergency repairs needed and incurred against the vehicle during out of town County trips are 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 shall reimburse the employee using personal vehicles for County business at the standard rate established by the Internal Revenue Service (IRS).

(5) Assignment on a twenty-four hour basis.

(a) The County Manager is the final 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 are required to have off-street parking available on which to park such 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, severe weather, loss of roadway, loss of traffic signals or barricades, or severe water or sewer disruption, or stormwater washouts. In every case, the attempt to fill this need must be made 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 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.

(v) The County Manager determines that the assignment of a 24-hour vehicle will result in an increased level of customer services, increased efficiency, or both.

G. THE FOLLOWING GENERAL POLICIES APPLY TO THE USE OF COUNTY VEHICLES IN ALL FIVE (5) CLASSIFICATIONS.

(1) General policies on use of County vehicles.

(a) The Department or 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 with all appropriate receipts and proper accounting procedures used.

(b) Any employee operating a County vehicle or a privately owned vehicle used in conducting County business shall possess and maintain the appropriate Florida Driver's License and observe all traffic regulations and anti-littering regulations.

(c) All County vehicles must 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 must 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 or 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 the business establishment be illegal or lend discredit to the County Government or its operations.

(f) Vehicles being driven home as authorized in subsection F(5) above, "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 may 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 are permitted to take all authorized breaks and lunches within the assigned area, but may 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 must be reported to the Department Director for appropriate action.

(j) In addition to warranted discipline, the Department Director or County Manager has the right to deny, until remedied, the use of a County vehicle to anyone found violating rules contained in this Section.

(2) Liability for Vehicle Use: Reporting Requirements.

(a) Any damage to a County vehicle or personally owned vehicle used for County business must be reported to the immediate supervisor and Department Director upon occurrence. The supervisor shall initiate the appropriate accident report and notify the Insurance, Benefits & Training Division. Any police accident report must also be submitted. A copy of the police and the County's accident form must also be

submitted to Fleet Headquarters at Five Points along with the vehicle. The supervisor shall 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 must be immediately reported to the County Manager's Office for information.

(c) All vehicles which are in non-serviceable condition, or which are found to have unsafe equipment, must be reported orally 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 verification of insurance coverage from the employee.

(3) Employee Responsibilities.

(a) All employees shall comply with these vehicle policies as they exist in this Section, or as they may be amended.

(b) All employees who operate County vehicles shall exercise reasonable care in the safekeeping, use and maintenance of County vehicles to which they are assigned. Accordingly, intentional misuse or negligence in the use and care of County vehicles, including but not limited to, abuse, misuse, willful or negligent loss, destruction, or any combination of such actions may result in disciplinary action up to and including termination. Serious cases of negligence may result in the filing of civil, criminal, or both types of actions against the employee.

(c) All employees shall operate all vehicles in a safe manner and comply with all State and local traffic regulations including safety restraint laws for driver and all passengers and including not littering from the vehicle. All employees should display safe and courteous driving habits that reflect favorably on Seminole County and its employees.

(d) All employees shall comply with Internal Revenue Service requirements regarding vehicle assignments. (Not applicable for Public Safety or marked emergency vehicles).

(e) All employees shall have off-street parking available at their residence to park the County vehicle when not in use (24-hour vehicle assignment only).

(f) All employees shall 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 shall conduct periodic verifications of all County vehicle operators' drivers' licenses.

(g) All employees shall comply with the requirements imposed by the issuing legal authority for citations issued while operating a County vehicle and notify 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) All employees shall promptly report driver license restrictions, expiration, denial, suspension, or revocation immediately to their supervisor.

(4) Recordkeeping.

(a) The County Manager is responsible for allocating 24-hour vehicle assignments. These assignments must 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's Office.

(b) The Public Works Department is responsible for maintaining a comprehensive list of 24-hour vehicle assignments. Departments are responsible for maintaining a comprehensive list of all of their 8-hour vehicle assignments.

(c) It is the responsibility of the Department Directors to monitor and control the utilization of all County-owned vehicles in their areas. The Public Works Department shall prepare an annual vehicle assignment utilization report and submit it 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) Sections 112.061(7) and (8), Florida Statutes (2016), provide 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) Section 112.061(7), Florida Statutes (2016), 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 has the authority to consider and grant vehicle allowances, in accordance with budget restrictions, to those who qualify for this 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 or reaching TWENTY-FIVE AND NO/100 DOLLARS ($25.00) for periods exceeding the thirty (30) days of travel monthly of any travel for official County business.

(b) Continuous User. The continuous vehicle user is an employee 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 will be paid a fixed allowance of $225.00 per month.

(i) It is 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 use fuel from a County facility.

(iv) Employees must maintain his or 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
Section 112.061, Florida Statutes (2016)
Resolution 2017-R-95 adopted June 13, 2017

SECTION 34. PUBLIC WORKS DEPARTMENT

34.30 USE OF GOLF CARTS ON DESIGNATED COUNTY FACILITIES

A. PURPOSE. It is the purpose and intent of this Code to provide policies and procedures for permitting and regulating the operation of Golf Carts on Designated County Facilities located within the geographical limits of unincorporated Seminole County and under the jurisdiction of the County. It is also the purpose of this Code to provide policies and procedures for the orderly operation of Golf Carts on Designated County Facilities. The provisions of this Code may not be construed or interpreted to authorize any use of Seminole County's rights-of-way, roads, or streets that is not authorized by controlling law. The provisions of this Code apply only in the unincorporated areas of Seminole County.

B. DEFINITIONS. The following definitions apply to this Section 34.30:

(1) *Affected Area:* The area that extends at least one block beyond all sides of the County Road or Sidewalk that is the subject of the Request to be designated as a Designated County Facility. In some instances, the designation of a County Road or Sidewalk will create impacts beyond the one block perimeter, and in such cases, the County Engineer has the authority to extend notification beyond that boundary. If the County Road or Sidewalk proposed for designation as a Designated County Facility is located within an existing subdivision, the entire subdivision should be considered the Affected Area, if practicable.

(2) *Authorized Emergency Vehicle:* A Golf Cart of any fire department, police or sheriff vehicles, and such ambulances and emergency vehicles of County or municipal departments, public service corporations operated by private corporations, the Fish and Wildlife Conservation Commission, the Department of Environmental Protection, the Department of Health, the Department of Transportation, and the Department of Corrections as are designated or authorized by their respective department or the chief of police of an incorporated city or any sheriff of any of the various counties.

(3) *Board:* The Board of County Commissioners of Seminole County, Florida.

(4) *County:* Seminole County, Florida.

(5) *County Engineer:* That County official designated or recognized to be performing as the Professional Engineer of the County.

(6) *County Road:* Land in which the County owns the property in fee simple, or has a right-of-way or easement devoted to or restricted for use as a transportation facility for the public use; a road or street opened to travel by the public that is not maintained or owned by a community development district, special district, or a private entity.

(7) *Designated County Facility:* A County Road or Sidewalk, or a portion of them, which, consistent with this Section 34.30, has received approval from the County for the use of Golf Carts.

(8) *Golf Cart:* A motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding the speed of twenty (20) miles per hour.

(9) *Operator:* A person operating a Golf Cart within Seminole County.

(10) *Request:* A written request for a county road or sidewalk to be designated as a Designated County Facility.

(11) *Requestor:* A person or entity who is requesting that a County Road or Sidewalk be designated as a Designated County Facility. A Request for designation of a County Road or Sidewalk located within a subdivision with a homeowners' association must be submitted by a properly authorized representative of that homeowners' association.

(12) *Sidewalk:* The portion of a street between the curb line, or the lateral line, of a roadway and the adjacent property lines, intended for use by pedestrians.

C. PROCEDURES. Citizens may request the County designate certain County Roads or Sidewalks, or portions of them, for Golf Cart use. The following procedures apply to all requests for any such designation:

(1) Requests for designation of a County Road or Sidewalk as a Designated County Facility for Golf Cart use must be submitted to the County Engineer.

(2) The Request must clearly indicate the specific County Road or Sidewalk, or portion of them, for which the Requestor is seeking a designation, as well as any proposed roadway crossings.

(3) The County Engineer shall conduct an initial sufficiency review to determine the potential consistency of the Request with the requirements of this Section 34.30 and Section 316.212, Florida Statutes (2019), as this statute may be amended from time to time.

(4) If it appears the Request is sufficient to move forward under the requirements of this Code and Section 316.212, Florida Statutes (2019), as this statute may be amended from time to time, the County Engineer shall notify property owners in the Affected Area of the Request, identifying the County Road or Sidewalk that the Request involves, and providing the anticipated date of a decision regarding approval of the Request. The County Engineer shall also provide notification to the Seminole County Sheriff's Office for review and comment.

(5) Following the initial sufficiency determination, the County Engineer shall review the Request in accordance with best practices within the industry and with local, state, and federal design standards and guidelines and shall make a determination of subsections (6) and (7) below, as may be applicable.

(6) If the proposed Designated County Facility is a County Road, or portion of it, the County Engineer shall consider whether Golf Carts may safely travel on or cross the County Road, considering factors including the speed, volume, and character of

motor vehicle traffic using such road or street, and any input from the Seminole County Sheriff's Office.

(7) Only County Roads with a posted speed limit of twenty-five (25) miles per hour or less are eligible for consideration as a Designated County Facility.

(8) Upon completion of the review, the County Engineer shall issue an initial determination of approval or denial of the Request.

(9) If the County Engineer issues an initial determination of approval of the Request, the Requestor will be notified and a community meeting will be scheduled. All property owners within the Affected Area will be notified of the community meeting. The purpose of the community meeting is to provide notification of the initial determination of approval and to receive community input.

(10) Within fifteen (15) days of the community meeting, the County Engineer shall issue a final determination of approval or denial of the Request. Notice will be provided to the Requestor, all property owners in the Affected Area, and the Seminole County Sheriff's Office. The notification will include the effective date of the designation, if approved, as well as safety information and regulations related to the operation of Golf Carts on the Designated County Facility.

(11) In the event that the County Engineer denies the Request, the County Engineer shall provide the Requestor with written finding of facts in support of the denial. The Requestor may appeal the denial to the Board by filing a written notice of appeal with the County Manager within fifteen (15) days after receipt of the written findings of fact.

(12) If the proposed Designated County Facility is a Sidewalk, or portion of it, the County Engineer shall consider whether Golf Carts, bicycles, and pedestrians may safely share the Sidewalk, taking into consideration the current use of the Sidewalk, character of the surrounding community, the width of the Sidewalk, the clearance on either side of the Sidewalk, and the location of any authorized Golf Cart crossing.

(13) In order to be eligible to be considered as a Designated County Facility, Sidewalks must be a minimum of eight (8) feet wide, have a minimum of five (5) feet clearance from the edge of the adjacent roadway, and have a minimum of four (4) feet of recovery area on the outside of the Sidewalk. The character of the Sidewalk may dictate a wider required pavement width, and drainage features or other factors may require wider clearances on one or both sides of the Sidewalk. The Board may waive these minimums if it determines that Golf Carts, bicycles, and pedestrians may safely share the Sidewalk at reduced standards.

(14) Upon completion of the review, the County Engineer shall issue an initial recommendation of approval of the Request or a denial to advance the Request based on a finding that Golf Carts, bicyclists, and pedestrians cannot safely share the Sidewalk.

(15) If the County Engineer issues an initial recommendation of approval of the Request, the Requestor will be notified and a community meeting will be scheduled. All property owners within the Affected Area will be notified of the community meeting. The

purpose of the community meeting is to provide notification of the initial recommendation of approval and to receive community input.

(16) Within fifteen (15) days of the community meeting, the County Engineer shall issue a final recommendation of approval of the Request, or a denial to advance the Request based on a finding that Golf Carts, bicyclists, and pedestrians cannot safely share the Sidewalk. If the final recommendation is for approval, the County Engineer, with the assistance of the County Attorney's Office, shall cause an ordinance enabling the designation to be prepared for consideration by Board. Notice of the final recommendation of approval and of the hearing date for the enabling ordinance will be provided to the Requestor, all property owners in the Affected Area, and the Seminole County Sheriff's Office.

(17) Prior to the Board's consideration of the enacting ordinance, the County Engineer shall consult with the Florida Department of Transportation with respect to the proposed designation.

(18) Within five (5) days following the Board's action on enabling ordinance, the County Engineer shall notify the Requestor, all property owners in the Affected Area, and the Seminole County Sheriff's Office of the Board's action. The notification will include the effective date of the designation, if approved, as well as safety information and regulations related to the operation of Golf Carts on the Designated County Facility.

(19) In the event that the County Engineer denies advancement of the Request to the Board, the County Engineer shall provide the Requestor with written finding of facts in support of the denial. The Requestor may appeal the denial to the Board by filing a written notice of appeal with the County Manager within fifteen (15) days after receipt of the written findings of fact.

D. INSTALLATION OF SIGNAGE AND OTHER IMPROVEMENTS.

(1) In the event that the County Engineer or the Board approves the Request, the County Engineer shall install, or shall cause to be installed, an appropriate combination of signs and pavement markings to indicate that such Golf Cart use is allowed or prohibited, as may be applicable, on the Designated County Facility. All signage and pavement markings must comply with the standards of the *Manual on Uniform Traffic Control Devices* issued by the Federal Highway Administration, United States Department of Transportation, and with any permitting requirements for such signs or pavement markings.

(2) The County Engineer or the Board may require, as a condition of approval of a Designated County Facility, that additional safety improvements be installed at the expense of the Requestor.

(3) All signage, pavement marking, and other required safety improvements must be installed prior to the operation of Golf Carts upon the Designated Facility.

E. EXEMPTIONS.

(1) The County may use Golf Carts upon any County Road or Sidewalk in accordance with the provisions relating to municipalities in Section 316.2126(1), Florida Statutes (2019), as this statute may be amended from time to time.

(2) Notwithstanding any provision of this Code to the contrary, any Authorized Emergency Vehicle may operate on any County Road or Sidewalk, while carrying out official duties and in accordance with the provisions applicable to law enforcement officers in Section 316 .21265, Florida Statutes (2019), as this statute may be amended from time to time.

F. RULES AND REGULATIONS.

(1) The use of Golf Carts upon County Roads will be regulated by Chapter 316, Florida Statutes (2019), as this statute may be amended from time to time.

(2) Any ordinance authorizing Golf carts on sidewalks must substantially include the following:

(a) Golf Cart Operation and Equipment.

(i) The operation of a Golf Cart upon any County Facility is prohibited, except upon a Designated County Facility that has been marked with appropriate signs and pavement markings by the County Engineer.

(ii) Golf Carts operating within Seminole County must meet minimum equipment standards, as set forth in controlling law, including efficient brakes, reliable steering apparatus, safe tires, a rearview mirror, and red reflectorized warning devices in both the front and rear.

(iii) Golf Carts may cross at any intersection of two (2) Seminole County streets that are both designated for Golf Carts in the area of the intersection. Crossings may be designated over roadways with speed limits higher than 25 mph if proper safety measures are in place i.e. signal, four-way stop, etc.

(iv) All traffic control signs, signals, pavement markings, and controlling law for such crossings must be obeyed while crossing at intersections and it is prohibited and unlawful to fail to obey such signs, signals, pavement markings, and laws.

(v) Golf Carts operating on a Sidewalk must be equipped with a horn or other warning device as specified in section 316.271, Florida Statutes (2019), as this statute may be amended from time to time.

(vi) Consistent with Section 316.613, Florida Statutes (2019), as this statute may be amended from time to time, children aged five (5) years and younger must be restrained in a properly attached and separate federally approved child restraint device. For children aged four (4) through five (5) years, a properly attached child booster seat may be used. Additionally, for children aged four (4) through five (5) years, a safety belt may be used in lieu of the child restraint device if the child is being transported gratuitously by an operator who is not a member of the child's

immediate family; is being transported in a medical emergency situation involving the child; or has a medical condition that necessitates an exception as evidenced by appropriate documentation from a health care professional.

(vii) No Golf Cart may be operated in a reckless or careless manner upon any Designated County Facility.

(viii) A Golf Cart may be operated on a Designated County Facility only between sunrise and sunset, unless the County has determined that Golf Carts may be operated between sunset and sunrise on the particular Designated County Facility, in which case, the Golf Cart must be equipped with headlights, brake lights, turn signals, and a windshield.

(ix) The operation of a Golf Cart upon a Sidewalk is restricted to a maximum speed of fifteen (15) miles per hour.

(x) Any person operating a Golf Cart upon a Sidewalk must yield the right-of-way, slowing down or stopping, if necessary, to a pedestrian or bicycle upon the Designated Area.

(xi) A Golf Cart may not be operated upon a Designated County Facility by any person under the age of fourteen (14).

(xii) In addition to the above provisions, Chapter 316, Florida Statutes, the Florida Uniform Traffic Control Law, applies as set forth in the provisions of this statute.

(b) Penalties/Enforcement/Collections.

(i) Violations of the Seminole County Code concerning golf carts constitute a non-criminal infraction enforceable pursuant to the provisions of Section 316.212(9), Florida Statutes (2019), as this statute may be amended from time to time. The use of a Golf Cart resulting in violations of the Florida “Uniform Traffic Control” statute and the Florida “Uniform Disposition of Traffic Infractions Act” are enforceable according to Chapters 316 and 318, Florida Statutes (2019), as these statutes may be amended from time to time. All other Seminole County ordinances pertaining to the use of motor vehicles are also applicable to the operation of Golf Carts. Seminole County may enforce the provisions of this Code in any way authorized in accordance with controlling law and may seek any legal remedy as may be authorized by controlling law.

(ii) Under certain circumstances, it is a violation of state law for a person to refuse to take action at the time a citation is issued. Seminole County may enforce those laws and pursue statutory violations in accordance with controlling Florida law.

(iii) The enforcement provisions of this Section are supplemental in nature and are not intended to prohibit the County from seeking any remedy available at law or equity.

G. AUTHORITY. Resolution 2019-R-205 adopted December 10, 2019

SECTION 34. PUBLIC WORKS DEPARTMENT

34.35 TRAFFIC CALMING DEVICES

A. PURPOSE. The purpose of this Section to provide policies and procedures for design and installation of traffic calming devices within unincorporated Seminole County. The Board approves the use of the following traffic calming devices on County roadways to control vehicle speeds:

(1) Speed Cushions

(2) Mid-Block Chokers

(3) Chicanes

(4) Median/Center Islands

(5) Roundabouts

(6) Traffic Circles

(7) Gateway/Entry Features

B. TRAFFIC CALMING CRITERIA. The following Traffic Calming Criteria must be met before traffic calming devices may be installed on a roadway:

(1) Roadway must have a documented speeding issue, the observed 85th percentile speed is greater than 8 mph over posted speed limit.

(2) The maximum roadway volume must not exceed 3,000 vehicles per day.

(3) The maximum posted speed on the roadway must not exceed 30 mph.

(4) 65% of all property owners along the roadway where the traffic calming devices are being installed must vote to approve the installation.

(5) Functional spacing of devices (primarily for speed cushions or humps) is based on the following guidelines:

- 300 feet – 400 feet between devices;
- No installation on curves or turns;
- Minimum of 100 feet from intersections or curves or turns; and
- Spacing subject to adjustment for driveways.

(6) Roadway must have driveways that directly access the road.

(7) Roadway must not be a principal arterial, minor arterial or major collector roadway. Roadway must be a local street or minor collector that is evaluated on a case-by-case basis.

(8) Traffic calming devices should not be placed on any roadway that is a primary or routine response route for emergency vehicles, including departure routes from a fire station.

(9) Traffic calming devices must not increase response times by more than one minute or the total travel time to the furthest protected structure along the response route to more than 5 minutes.

The above criteria applies to the following traffic calming devices: speed cushions (in addition to Section C below), mid-block chokers, chicanes, median/center islands and certain other devices from the 2005 Traffic Calming Program manual. Other devices in the manual, such as roundabouts, traffic circles and gateway/entry features, may have different criteria to be determined by the County Traffic Engineer or County Engineer on a case by case basis if those devices were desired.

Nothing above limits the County Traffic Engineer's or County Engineer's ability to install any devices upon the County roadway system that in their sole opinion is justified for the maximum safety of the motorists or residents and does not impede Public Safety operations.

C. SPECIFIC SPEED CUSHION DESIGN CONSIDERATIONS. Speed cushions must be designed to reduce as much as possible the impact to emergency vehicle response times. The following design considerations are to be used and any cushions installed on County roadways shall be approved by the County Engineer or County Traffic Engineer. Cushions may be fabricated from pre-fabricated rubber pieces, similar to Traffic Logix Speed Cushions or equal, or in-place constructed asphalt sections. Cushions should be made up of two (2) or three (3) sections for each location along the roadway. The width of the sections must be six feet (6') and they must be installed with two foot (2') gaps between sections. The length of the sections shall be twelve feet (12') or longer to set the desired speed over the cushion. The general design of cushions will be subject to approval by the County Engineer or County Traffic Engineer.

D. OPPORTUNITIES FOR CREATING MUNICIPAL SERVICES BENEFIT UNITS (MSBUs) TO INSTALL TRAFFIC CALMING DEVICES IN COMMUNITIES. Communities seeking information on the possible creation of MSBUs for installation of traffic calming devices should refer to Section 22.10 of this Code.

E. REMOVAL OF TRAFFIC CALMING DEVICES. Approval of 65% of the property owners along the roadway where traffic calming devices are located is necessary for the Board to consider removal of any traffic calming devices.

F. AUTHORITY. Resolution 2020-R-118 adopted October 27, 2020
Resolution 2024-R-55 adopted April 23, 2024

OPERATING POLICIES & PROCEDURES
of the
SEMINOLE COUNTY
BOARD OF COUNTY COMMISSIONERS

2/8/22 Update

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INTRODUCTION

AUTHORITY.

Except as may be provided in the Seminole County Home Rule Charter (Charter), or by these Policies and Procedures, or by questions of order, the methods of organization and the conduct of business of the Board of County Commissioners shall be governed by the policies and procedures set forth herein.

PURPOSE.

These Policies and Procedures are intended to provide for the efficient and orderly operation of the Board. Non-compliance of any particular policy or procedure shall not independently be grounds for the invalidation of any Board action.

AMENDMENTS.

Any Commissioner may propose amendments to the Operating Policies and Procedures. A proposed change to the Policies and Procedures must be submitted in writing to the Chairman and the County Manager. Amendments to the Policies and Procedures can be accomplished only by a formal amendment to the Seminole County Administrative Code approved by a majority vote of the full Board.

SUSPENSION OF OPERATING POLICIES & PROCEDURES.

A motion to suspend the Operating Policies and Procedures may be made by any Commissioner. A suspension is a non-debatable motion. The Operating Rules and Policies may be suspended by a majority plus one vote of the Commissioners present. Once suspended, the policies and procedures remain suspended only for the time indicated in the motion.

DEFINITIONS.

As used herein, these enumerated terms shall be defined as follows:

1. "Board" shall mean the Seminole County Board of County Commissioners.

2. "Commissioner" shall mean the individual elected or appointed to the Board of County Commissioners.

3. "County Manager" shall mean the person appointed by the Board, and as designated in the Charter, to serve as the Chief Executive Officer in a full time or interim capacity or his/her designee.

4. "County Attorney" shall mean the person appointed by the Board, and as designated in the Charter, in a full time or interim capacity or his/her designee.

5. "the Clerk" shall mean the person elected or appointed to the position of the Clerk of the Circuit Court or his/her designee.

SECTION 1
ORGANIZATION, POWERS, DUTIES, & RESPONSIBILITIES OF OFFICERS

SECTION 1. ORGANIZATION, POWERS, DUTIES, AND RESPONSIBILITIES OF OFFICERS

1.5 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 by confirming the appointment of department heads.

1.10 COUNTY COMMISSIONERS. The powers, duties, and responsibilities of each Commissioner are set forth in the Constitution, the Laws of the State of Florida, and the Seminole County Home Rule Charter.

1.15 NEWLY ELECTED COMMISSIONERS. The term of Commissioners elected to office shall commence on the second Tuesday following the general election as specified in Section 100.41, *Florida Statutes*. A swearing-in ceremony for newly elected Commissioners will be coordinated by the County Manager's Office. The County Manager shall develop and administer an orientation program for all new Commissioners. Newly elected Commissioners are encouraged to enroll in and attend the New Commissioner Training Program offered through the Florida Association of Counties.

1.20 COMMISSIONERS SUBJECT TO STANDARDS OF CONDUCT.

A. Each Commissioner is subject to the standards of conduct set out in Part III, Chapter 112, *Florida Statutes*. By personal example and by admonition to colleagues whose behavior may threaten the honor of the Board, each Commissioner shall watchfully guard the responsibility of office. Each Commissioner will attend and receive annual ethics training as required by Section 112.3142, Florida Statutes.

B. The manner in which an elected County Commissioner performs his/her duties and responsibilities has a direct impact on the quality of life of the citizens in Seminole County; the morale and job performance of County staff; and the efficacy and accountability of the other Commissioners with whom they serve. Therefore, in addition to the statutorily required standards of conduct, Commissioners shall adhere to the following tenets and shall hold one another accountable for conduct inconsistent with these principles:

(1) Commissioners will **act collectively, not individually, when adopting and/or amending County legislation and governing policies, and when issuing decisions related to quasi-judicial matters;** and acknowledge that it is the role of the County Manager and staff to administer such legislation, policies, and decisions.

(2) Commissioners will **not attempt to manage executive activities** (a) by intruding into daily operations or spheres of responsibility designated by Charter to the County Manager as the chief executive officer or to administrators acting as County Manager designees; or (b) by undermining the County Manager's authority.

(3) Commissioners will **represent the interests of the entire county** when making decisions and will rely upon available facts and their independent judgment, while placing significant value on objective evidence and the recommendations provided by the County Manager

and other professional subject matter. Commissioners will avoid all conflicts of interest and avoid using their position as an elected County Commissioner for personal, professional, or partisan gain.

(4) Commissioners will **demonstrate dignity, respect, and courtesy** toward those with whom they contact in their capacity as a Commissioner, and will refrain from intimidation and ridicule of fellow Commissioners, the County Manager, staff, and other stake-holders in the county.

(5) Commissioners will **refrain from inappropriate language** including statements that are judgmental, malicious, threatening, disparaging, mean-spirited, vulgar or abusive. All disagreements, concerns or criticisms shall be framed in language that is in keeping with the dignity and professionalism of an elected official.

(6) Commissioners will **focus on solving problems,** and will maintain appropriate decorum and professional demeanor in the conduct of County business, working cooperatively and conscientiously with others as they request or receive information, examine data or weigh alternatives in the decision-making process.

(7) Commissioners will **demonstrate patience** and refrain from demanding interruptive access to staff or immediate responses or services when requesting information that requires significant staff time in research, preparation, or analysis or that will result in staff neglect of more urgent duties. Such requests will be made through the County Manager for scheduling and prioritizing or through consensus of the Board.

(8) Commissioners will **devote sufficient time for adequate preparation** prior to Board meetings and will be in attendance, insofar as possible, at those meetings and all other scheduled events at which Commissioner participation is required. Commissioners will prepare themselves through study, inquiry, and thought so as to be informed thoroughly about issues to be discussed in public meetings, and will be focused on the issues and discussions during those meetings and not distracted by outside influences or technology.

(9) Commissioners will **respect diversity and encourage the open expression of divergent ideas and opinions** from fellow Commissioners, staff, and citizens of the county. Commissioners will actively and objectively listen to others' concerns or constructive criticisms.

(10) Commissioners will **refrain from any individual action that could compromise the integrity** of the County or fellow Commissioners, and will delineate clearly for any audience whether they are acting or speaking as an individual citizen or in their capacity as a representative of Seminole County.

(11) Commissioners will **maintain confidentiality of privileged information** and will **abide by the *Government in the Sunshine Law*** in both its spirit and its intent. Commissioners will treat any information generated, stored, or sent through electronic means in the same manner as any written document that may be subject to Florida's Public Records Act, Chapter 119, *Florida Statutes*, and will not use electronic resources, including social media, to discuss with other Commissioners any matter that would be subject to the Government in the Sunshine Law, regardless of whether the communication occurs on a personal device or through a County-owned account or equipment.

(12) Commissioners will **promote constructive relations in a positive climate** with all employees as a means to enhancement of productivity and morale. Commissioners will support employment of best qualified persons for staff positions, and will recognize the achievements of staff and others sharing Seminole County's mission.

(13) Commissioners will **update and improve their knowledge, contributions, and value to the County** by keeping abreast of current issues and trends through reading, continuing education, and training. Commissioners will study policies and issues of the County, State, and nation and will strive to attend training programs such as those offered through the Florida Association of Counties, National Association of Counties, and other professional organizations with a continuing goal to improve their individual performance as an elected County Commissioner.

(14) Commissioners will **value and assist fellow Commissioners** by exchanging ideas, concerns, and knowledge gleaned from their own research or training. Commissioners will help build positive community support for the County in general, and with respect to particular actions, by cooperation and mutual exchanges of praise when deserved, apologies when mistaken, and recommendations when needed.

(15) Commissioners will, **while taking a stand for their individual beliefs, remain flexible enough to understand others' views**. Commissioners will recognize that they share in the responsibility for all Board decisions and will accept the will of the majority.

(16) Commissioners will **remember always that their first and greatest concern must be the safety and welfare of citizens and the staff of the County**.

C. The Board shall formally and publicly affirm the above tenets of conduct at its annual Reorganization Meeting.

1.25 COMMISSION OFFICE. The Commission Office is an organizational division of the County government responsible for administrative support to the Board 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 County Manager's Office shall coordinate the administrative support functions of the Commission Office and is responsible for ensuring the efficient procedural operations of the Office pursuant to and in accordance with the Seminole County Administrative Code.

A. EXECUTIVE ASSISTANTS. The County will provide Commission Office Executive Assistants to facilitate the performance of each Commissioner's individual duties and responsibilities.

(1) The number of Executive Assistants assigned to support the Commission Office and the Commissioners shall be established by the Board through its budgetary authorization of such positions. Authorized Executive Assistant positions may not be eliminated while occupied unless part of a formal reduction in force effort.

(2) Commission Office Executive Assistants will be deemed members of the executive branch of County Government, and will be employees of the County Manager; however, the County Manager may delegate supervisory authority over the Executive Assistant(s) to the individual Commissioners in a manner not inconsistent with the Seminole County Home Rule

Charter. Such supervisory authority may include, but is 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.

(3) Upon the vacancy of any authorized Commission Office Executive Assistant position, the County Manager, or his/her designee, will coordinate the recruitment of a new Executive Assistant with the Commissioner(s) to whom the Executive Assistant position is assigned. Final selection of a candidate to fill the vacancy will be at the discretion of the Commissioner(s) to whom the Executive Assistant will be assigned; however, prior to extension of a formal offer of employment, the affected Commissioner(s) shall consult with the County Manager, or his/her designee, to ensure consistency with County policies. Additionally, Commissioners shall consult with the County Manager, or his/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.

(4) In the event that the Board authorizes, through the budget or other action, fewer than five (5) Commission Office Executive Assistants, the County Manager shall coordinate the assignment of Executive Assistants to individual Commissioners, and in coordination with the Chairman, ensure sufficient support for each Commissioner.

B. ADMINISTRATIVE SUPPORT OF THE CHAIRMAN'S DUTIES.

(1) In order to ensure continuity in form, process, and distribution, the County Manager's Office will provide administrative support to the Chairman with regard to correspondence that the Chairman drafts on behalf of the Board. The County Manager's Office will also assist in the coordination of the other duties and responsibilities of the Chairman's Office including, but not limited to the processing documents requiring the Chairman's signature; review of proclamations and ceremonial resolutions when prepared by others; maintenance of the schedule of Board meetings and work sessions; documentation of follow-up items from Board meetings; and coordination of Committee and Advisory Board appointments.

(2) The Executive Assistant assigned to the Commissioner who is elected to serve as Chairman will maintain the Chairman's calendar and will be responsible for disseminating information that arrives in the Chairman's Office to other Commissioners' offices, appropriate County staff, and relevant outside agencies.

1.30 COMMISSIONER CORRESPONDENCE AND COMMUNICATION.

A. FORMAL CORRSPONDENCE. All formal correspondence by a Commissioner in an official capacity shall be prepared on official Board letterhead. Official correspondence may not be prepared on unofficial letterhead or on plain paper, and official Board letterhead shall not be used for the personal correspondence of any Commissioner. All authorized communications by a Commissioner in an official capacity shall be paid for by the County as funds allow. Nothing in this rule prevents the use of email for informal correspondence. All correspondence shall be in compliance with public records laws.

B. USE OF COUNTY RESOURCES. Individual members of the Board of County Commissioners may request, through the County Manager's Office, assistance from the Office of Community Relations, as capacity permits, to develop information relating to the Board's activities, the operation of County business, or the implementation of County policies. Distributed information must be informational in nature, factual, and not contrary or detrimental to the Board's official position on a matter. Information distributed through Commission Offices must be nonpolitical, refrain from uncivil references to the personalities or opinions of any individual, and must represent the best interests of the County as a whole. All information developed in whole or in part by the Office of Community Relations on behalf of the Board or an individual Commissioner, will be distributed subsequent to review by, and approval of, the County Manager or his/her designee.

C. MASS MAILINGS.

(1) When a Commissioner desires to send mail pieces that are identical or nearly identical in content, or which are to serve a common purpose, the Commissioner shall seek the approval of the Board.

(2) Approval of the Board shall not be required to mail:

(a) Notifications of community and/or District meetings related to projects or initiatives that have been authorized by the Board and/or for which the County Manager has authorized staff engagement; or

(b) Notifications or informational items that serve a public purpose and that are intended and necessary to communicate critical information to the public. Such items must be reviewed by the County Manager prior to mailing to ensure compliance with this policy.

(3) This provision shall apply to mass mailings initiated by individual Commissioners, and shall not be construed to restrict a Commissioner's ability to respond to communications received from his/her constituents or other persons having legitimate business with Seminole County.

D. PROHIBITED COMMUNICATIONS.

(1) Commissioners shall strictly adhere to the "blackout" period during the solicitation and procurement process.

(2) Upon receiving notice from the County Attorney, Commissioners shall not discuss pending litigation, or the threat of litigation, with any attorney, party or party's representatives.

1.35 COMMISSIONER TRAVEL.

A. Commissioners are eligible for travel reimbursement in accordance with Section 112.061, Florida Statutes, subject to the availability of funding as authorized by the Board in the annual Budget.

B. AUTHORIZED TRAVEL.

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

(2) 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) Any other travel authorized by the County-wide Travel Policy (Section 3.5 of the Administrative Code).

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

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

C. APPROVAL. Expense reports will be submitted for review and approval by the County Manager, consistent with this Section and the County-wide Travel Policy. In the event that the County Manager is unable to confirm that a requested reimbursement is in compliance with the applicable policies, he/she shall refer the request to the Board Chairman for a final determination. The County Manager will provide a report to the Board regarding the usage and status of the approved travel budget on a quarterly basis.

1.40 DUTIES OF THE CHAIRMAN AND VICE CHAIRMAN.

A. CHAIRMAN. The Board shall annually elect one Commissioner as Chairman by majority vote. This election shall be held at the annual Reorganization Meeting of the Board. In the event of a Chair vacancy, the new Chairman shall be elected no later than the next regular meeting. In addition to his/her powers and duties as a Commissioner, the Chairman shall have the additional powers and duties limited to the following:

(1) Serve as presiding officer of the Board;

(2) Call the Board 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 Board meeting agendas and the scheduling of Board work sessions and meetings;

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

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

B. VICE CHAIRMAN. The Board shall annually elect one Commissioner as Vice Chairman. The Vice Chairman shall have all rights and duties of the Chairman during the temporary absence, disability, or conflict 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. VACANCIES.

(1) Whenever the Chairman is unable to perform the duties as the presiding officer (i.e. death, resignation, removal from office, permanently disabled) the Vice Chairman shall become the Chairman until a successor is elected by the Board.

(2) Whenever the Vice Chairman is unable to perform his/her duties Vice Chairman (i.e. death, resignation, removal from office, permanently disabled) the Chairman shall appoint a temporary Vice Chairman to serve until the entire Board can elect a replacement. When the Board elects a new Vice Chairman of the Board, he/she shall serve for the remainder of the unexpired Vice Chairman term and until a successor is elected.

1.45 REORGANIZATION OF THE BOARD OF COUNTY COMMISSIONERS.

A. REORGANIZATION MEETING. The Board shall hold a Reorganization Meeting each year at the conclusion of the regular meeting of the Board on the second Tuesday of November except in general election years when the Reorganization Meeting shall occur on the second Tuesday following the general election. The Reorganization Meeting will be held in the Board Chambers. The newly elected Chairman and Vice Chairman shall take over their duties upon the conclusion of the Reorganization Meeting.

During an election year, the newly elected Commissioners will be sworn in before the reorganization of the Board.

B. PURPOSE OF REORGANIZATION MEETING.

(1) Administer the Oath of Office to newly elected Commissioners; and

(2) Election of Chairman and Vice Chairman.

C. OATH OF OFFICE FOR NEWLY ELECTED COMMISSIONERS. The newly elected Commissioners will receive the oath of office by the judge or other official who has been selected by the incoming Commissioner to perform this duty. New Commissioners shall take an oath to support the Constitution of the United States and of the State of Florida, and to truly and faithfully discharge the duties of their office to the best of their knowledge and ability.

D. OFFICERS. The elected officers of the Board shall be a Chairman and a Vice Chairman, who shall assume office immediately upon election, and shall serve for a period of one (1) year

unless otherwise designated by vote of the Board. During an election year, these officers shall be elected after the new Board has been seated.

E. METHOD OF ELECTION OF OFFICERS. The Chairman and Vice Chairman shall be elected one at a time beginning with the Chairman. The County Attorney shall preside over the nominations and the election of the Chairman. The newly elected Chairman shall preside over the nominations and election of the Vice Chairman. Each nomination for office serves as a motion. The nomination need not be seconded. The different names shall be repeated by the presiding officer as they are moved. The vote shall be taken after the presiding officer declares that nominations are closed and shall be taken on each nominee in the order in which they were nominated until one is elected by a majority of the votes.

1.50 BOARD COMMITTEE APPOINTMENTS. After the election of the Vice Chairman, each Commissioner shall submit to the Chairman his/her requests for committee appointments. The Chairman shall appoint members of the committees over which he/she has appointment authority and shall seek conformation from the Board for committee appointments that require such approval. Necessary committee appointments shall be accomplished no later than the first Board meeting/work session in December of each year except for representation on the Value Adjustment Board. Annual appointments to the Value Adjustment Board shall take effect on May 1st of each year.

1.55 BOARD MEMBER REPRESENTATION AT OTHER MEETINGS. Unless otherwise directed by the Board or established by committee assignment, the Chairman will represent the Board at meetings, conferences, or other occasions involving other governmental entities, agencies, officials, or groups, or nongovernmental organizations, departments, agencies, or officials, and report back to the Board anything of significance. The Chairman may designate another Commissioner to represent the Board. Neither the Chairman, nor his/her designee, shall have the power to act for or on behalf of the Board or the County, unless previously authorized to do so.

1.60 COMMISSIONER COMMITTEE APPOINTMENTS.

A. Commissioners may be appointed and removed from time to time as Commissioner Liaison to various committees, boards, authorities, and councils by the Chairman or the Board, depending on the appointment requirements for the specific committee, board, authority, or council. In the event that a majority of the Board should desire that a different Commissioner serve as the Commissioner Liaison to a particular committee, board, authority, or council over which the Board has appointment authority, the Board, upon the affirmative majority vote, may remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his/her stead. The Chairman may remove the current Commissioner Liaison and appoint a different Commissioner Liaison in his/her stead at any time for a particular committee, board, authority, or council over which he/she has appointment authority.

B. Duties of each Commissioner Liaison include, but are not limited to:

(1) Reasonably attempt to attend each meeting of the committee, board, authority, or council to which he/she is assigned as Liaison, and ensure that his/her Alternant (if one exists) attends in his/her stead if he/she is unable to;

(2) Become knowledgeable with the procedures, authority and functions for the committee, board, authority, or council to which he/she is assigned;

(3) Enhance and implement communication between the assigned committee, board, authority, or council and the Board; and

(4) As part of the Commissioner's regular District Report, brief the rest of the Board on important matters related to the assigned committee, board, authority, or council.

C. A Commissioner Liaison is not authorized to act on behalf of or in the place of the Board in relation to an assigned committee, board, authority, or council without specific and particular instructions by the Board. This provision shall not be interpreted to restrict the right of any Commissioner Liaison to exercise his/her right of free speech by informing any committee, board, authority, or council of the personal opinions or views of that Commissioner. In communicating with a committee, board, authority, or council, each Commissioner shall clearly state whether he/she is acting pursuant to a specific instruction from the Board or is speaking in his/her individual capacity with no authorization from the Board to influence, bind, or direct such committee, board, authority, or council.

D. When a Commissioner is assigned to a committee, board, authority, or council and that liaison position is established by virtue of a statute, ordinance, or resolution, the Commissioner shall participate on that body as required by the respective statute, ordinance, or resolution. As an appointed member to a committee, board, authority, or council, a Commissioner Liaison will, as a representative of the Board, in good faith support the position the Board has taken, if any, on a particular matter. Where the Board has not taken a specific position on a particular matter, the appointed Commissioner Liaison will consider any prior Board consensus discussions or associated formal action as a guideline for feedback and decisions. If appointed to a committee, board, authority, or council that is an advisory body to the Board, a Commissioner while sitting as a member of the Board is not restricted to voting the same way as the Commissioner voted on the advisory body in his/her liaison capacity.

1.65 REPLACEMENT OF CHAIRMAN AND VICE CHAIRMAN.

The Chairman and Vice Chairman serve at the pleasure of the majority of the Board and may be removed and replaced at the pleasure of a majority of the full membership of the Board.

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

A. DUTIES AND RESPONSIBILITIES. 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; 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 Managers, Assistant County Managers, Department Directors, and Chief Administrators.

(3) Reports annually to the Board 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 and executes the budget and capital programs in accordance with appropriations and ordinances enacted by the Board;

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

(6) Supervises, directs, and controls the operations of the executive branch of County Government consisting of the following departments and executive offices:

(a) Community Services Department

(b) Development Services Department

(c) Environmental Services Department

(d) Information Services Department

(e) Leisure Services Department

(f) Fire Department

(g) Public Works Department

(h) Resource Management Department

(i) Office of Economic Development and Community Relations

(j) Office of Emergency Management

(k) Office of Human Resources

(l) Office of Organizational Excellence

(m) The County Manager has the authority to reorganize, restructure, and rename any department or executive office within the executive branch of the County Government, within the confines of the authorized budgetary resources, in order to maximize the efficiency and efficacy of the delivery of County services.

(7) Ensures the proper management of County personal matters as follows:

(a) Recommends to the Board a current position classification and pay plan for all positions funded by the Board;

(b) Selects, employs, and supervises all non-legal personnel and fills all non-legal vacancies and positions of employment under the jurisdiction of the County

Manager. The employment of all department directors shall require confirmation by the Board. As used herein, the term "non-legal" shall refer to County personnel or functions that are not part of the Office of the County Attorney; and

(c) Suspend, discharge, or remove any non-legal employee under the jurisdiction of the County Manager pursuant to administrative procedures and policies.

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

1.75 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 at the pleasure of the Board, shall provide legal services to the Board, County Manager, County departments and County boards and agencies as specified by County ordinances.

A. DUTIES AND RESPONSIBILITIES. 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;

(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 Deputy, Senior Assistant, and 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.

1.80 DEPUTY COUNTY MANAGER.

A. 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 and executive offices 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. If so designated, the County Manager shall provide notification of his/her delegation of authority to the Board, Department Heads, and Chief Administrators; and

(8) Represents the County at functions assigned by the County Manager.

1.85 ASSISTANT COUNTY MANAGER.

A. 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.

1.90 DEPARTMENT DIRECTORS AND CHIEF ADMINISTRATORS. Department Directors and Chief Administrators serve as part of the County Manager's executive leadership team.

A. The powers, duties and responsibilities of each department director or chief administrator shall include the following:

(1) Hires, terminates and directs employees within their department or executive office;

(2) Carries out the functions of the department or executive office and is responsible for meeting its short-range and long-range goals, objectives and projects; reports directly to the County Manager, the Deputy County Manager, or Assistant County Manager.

(3) Undertakes any task of another department or executive office on a temporary basis as directed by the County Manager;

(4) Delegates executive duties and responsibilities within the department or executive office as necessary provided that, except in the absence of the department director or chief administrator, overall responsibility shall not be delegated or relinquished by the department director or chief administrator;

(5) Advises and assists other members of the executive leadership team on matters relating to the department/executive offices' 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 or executive office;

(9) Prepares an annual budget for the department or executive office for review and processing in accordance with procedures established by the County Manager and administers the expenditures of the department or executive office 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.

1.95 COMMISSIONERS' RELATIONSHIP TO EMPLOYEES. Individual Commissioners are prohibited from interfering with, or giving direction to, 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 Commissioners, 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 Commissioners hereunder. The application, interpretation, or adjudication of any questions arising under this provision shall be the responsibility of the Board, whose determination shall be final.

SECTION 2
LEGISLATION AND MEETING PROCEDURES

SECTION 2. LEGISLATION AND MEETING PROCEDURES

2.5 MANNER OF LEGISLATION. The Board shall take official action only by means of ordinances, resolutions, or motions.

A. ORDINANCES.

(1) For the purposes of these procedures, "ordinance" means an official legislative action of the Board, which action is a regulation of a general and permanent nature and enforceable as a local law.

(2) Board action shall be taken by ordinance when required by law, or to prescribe permanent rules of conduct which continue in force until repealed, or where such conduct is enforced by penalty.

(3) All ordinances shall be introduced in writing and scheduled for public hearing after advertisement.

(4) Emergency Ordinances. By vote of one more than simple majority, the Board may without notice or hearing adopt an emergency ordinance. The emergency ordinance shall contain a declaration describing the emergency, and shall be passed in accordance with Section 125.66(3), *Florida Statutes*.

B. RESOLUTIONS.

(1) For the purposes of these procedures, "resolution" means a legislative act of the Board concerning matters of County business and is formal statement of policy concerning matters of temporary or advisory character or a provision for the disposition of a particular item of the business of the Board.

(2) Board action shall be taken by resolution when required by law and in those instances where an expression of policy more formal than a motion is desired. All resolutions shall be reduced to writing. A resolution may be put to its final passage on the same day on which it was introduced.

C. MOTIONS.

(1) For the purposes of these procedures, "motion" means a proposal that certain action shall be taken or shall not be taken or a certain view be expressed.

(2) A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law. All motions shall be made and seconded before debate.

2.10 PREPARATION OF LEGISLATION. Legislation, in the form of ordinances or resolutions will usually be prepared by the County Attorney's Office. With the exception of ordinances dealing with individual land use or zoning matters, the preparation of any ordinance may be pursued only upon an affirmative consensus by a majority of the Board. Any ordinance or resolution not prepared by the County Attorney's Office shall be reviewed by the County Attorney's Office before presentation to the Board for consideration. All ordinances and resolutions prepared by or submitted to the County Attorney's Office shall be approved by his/her office as to form. "Honorary" resolutions do not require review by the County Attorney's Office.

2.15 GENERAL FORMAT OF LEGISLATION. Every ordinance or resolution shall embrace but one subject matter, and the subject shall be briefly expressed in the title. The title should be a general "table of contents" for ordinance or resolution in order to assist with computer searches. No ordinance or resolution shall be revised or amended by reference to its title only. Ordinances and resolutions to revise or amend shall set out in full the revised or amended section, subsection or paragraph of a subsection, and revisions shall be clearly demonstrated through the use of mechanisms such as "strike-throughs" for deleted content, and "underlines" for added content.

2.20 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 presented to the Board, 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 Board 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 also 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 Board.

2.25 PROCLAMATIONS.

A. PURPOSE. The Board values the importance of taking the time to recognize and honor organizations, initiatives, and individuals who have made a positive impact on our community. Those honors are presented in the form of proclamations. A proclamation is an official document endorsed by the entire Board to commemorate a specific time period, event, or accomplishment impacting a large number of County residents. They may also be given for the purpose of raising awareness about an issue, to celebrate a milestone, or serve as an expression of support for individuals, community organizations, and businesses.

B. REQUESTING A PROCLAMATION. Proclamations may be requested through the County Manager's Office as follows:

(1) Requests should be submitted a minimum of four weeks in advance in order to allow adequate time for the request to be reviewed and approved.

(2) All requests should clearly include the name, address and telephone number of the person making the request, as well as who will be present to accept the proclamation, including name and title.

(3) Parties requesting a proclamation are required to provide a draft of the requested proclamation.

(4) Proclamations must be of significance, interest, or relevance to County residents, businesses, initiatives, or programs.

(5) Individuals requesting proclamations must be clearly associated with the entity, person, or subject matter being honored.

(6) Only one recognition/proclamation will be issued per year per organization, individual and/or event.

(7) The County reserves the right to edit for size and content; modify as to form; or deny any proclamation.

C. APPROVAL AND PRESENTATION.

(1) Proclamation and presentation requests are approved at the discretion of the Chairman.

(2) Reasonable attempts will be made to accommodate all requested dates.

(3) Generally, no more than four (4) recognitions/proclamations will be presented during a meeting.

(4) If a representative is not present, the proclamation will not be recognized during the Board meeting.

(5) Proclamations will not be placed upon the agenda for:

(a) Matters of political controversy, ideological or religious beliefs, or individual convictions.

(b) Events, individuals or organizations with no direct relationship to Seminole County.

(c) Campaigns, organizations, individuals or events contrary to Seminole County Government policies.

(d) Groups, organizations, individuals, dates, events or causes that are associated with anything deemed immoral, unlawful, hateful, unjust or injurious to others by the Board.

2.30 MEETINGS GENERALLY.

A. VENUE. Unless otherwise noticed, all regularly scheduled Board meetings shall be held in the Board Chambers located at 1101 East First Street, Sanford, or such place or time as may be approved by a majority consensus of the Board, and shall be open to the public and all news media. In case of special meetings, emergency meetings, or work sessions, the Board may select another meeting location within the County.

B. SCHEDULE. A meeting schedule will be distributed at the start of each calendar year listing the dates of all anticipated meetings of the Board. Meetings set to be conducted the day after a legal holiday may be rescheduled. Meetings may be postponed or canceled by consensus of the Board. Although a generalized schedule of regular and work session meetings is included herein, the Board has the discretion to revise the generalized schedule by consensus to ensure the orderly and efficient execution of county business. The County Manager's Office shall maintain an on-going calendar of upcoming regular and work session meetings.

2.35 REGULAR MEETINGS. Unless otherwise noticed, the Board shall hold regular business meetings on the second and fourth Tuesdays of each month commencing at 9:30 am. Regular meetings may be otherwise postponed or canceled by a majority consensus of the Board. When a regular meeting day falls on a legal holiday observed by the County, the regular meeting of the Board shall be held on the following day at the same time and place or on such date, time and place approved by the Board and noticed accordingly.

2.40 WORK SESSION MEETINGS. In order to build consensus among the Commissioners, it is frequently advantageous for the Board to discuss in detail an issue or issues under its consideration without taking action. In such situations, the Board may hold a work session meeting.

A. Unless otherwise noticed, work session meetings shall generally occur on the third Tuesday of the month, commencing at 9:30 am. Work session meetings may be postponed or canceled at the discretion of the County Manager, in consultation with the Chairman, or by a majority consensus of the Board. The County Manager and/or the Board may designate additional work session meetings at any time during the month, including regular meetings days. When so designated, that meeting date, or portion thereof, shall be publicly noticed as a work session meeting.

B. Although the primary purpose of a work session meeting is open discussion, fact finding and consensus building, formal action may be taken by the Board at work session meetings, provided the subject matter of the proposed action is specifically noticed as a work session topic or that the specific action item was included in the work session meeting notice.

C. The conduct of public comment at a work session meeting shall follow that prescribed by Section 2.175 of these procedures, unless modified by the Chairman.

D. An agenda of the order of business at the work session meeting shall be prepared by the County Manager and made available to the public at least seven (7) calendar days before the work session meeting.

2.45 SPECIAL MEETINGS. The Chairman or a majority of the Commissioners may call a special meeting of the Board upon not less than twenty-four (24) hours' notice. Written notice of the call of such special meeting shall be given by the County Manager to each Commissioner, the Clerk, the County Attorney, any persons entitled, as a matter of law, to written or verbal notice, and the press, stating the date, hour, and place of the meeting and the business to be transacted at such meeting, including "all other business that may come before the Board."

2.50 EMERGENCY MEETINGS. The Chairman, County Manager, or County Attorney may call an emergency meeting of the Board at any time to consider and take action upon a public emergency. No action shall be taken by the Board unless the Board first declares by motion or

resolution that an emergency exists and the action taken directly pertains to the emergency. Prior notice of the emergency meeting shall be given by the most appropriate and effective method(s) available under the circumstances. Continuity of government issues shall prevail. No other business shall be transacted at the meeting, and the minutes of each emergency meeting shall show the nature of the emergency and the manner and method of notice.

2.55 MEETINGS CANCELLATION. On occasion a need may arise that requires the cancellation of a previously scheduled Board meeting. The Chairman, the County Manager, or the County Attorney may exercise authority and cancel a Board meeting. Each local media organization shall be notified of a Board meeting cancellation. The Notice of Cancellation must also posted on the County's website, social media sites, and the notice display case of the First Floor of the County Services Building.

2.60 MINUTES. The Clerk shall take accurate minutes of the proceedings of every meeting of the Board, with the exception of statutorily closed sessions where no minutes are to be taken. Unless a reading of the minutes of a meeting is requested by a majority of the Board, such minutes, when approved by the Board and signed by the Chairman and the Clerk, shall be considered approved without reading; provided that the Clerk delivered a copy thereof to each member of the Board at least two full business days preceding the meeting. The minutes of prior meetings may be approved by a majority of the members present, and upon such approval, shall become the official minutes.

2.65 BOARD MEETINGS OPEN TO THE PUBLIC. All meetings of the Board shall be open to the public in accordance with the *Florida Government in the Sunshine Law*, Section 286.011, *Florida Statutes*.

A. EXCEPTIONS. The exception shall be those meetings statutorily exempt, such as executive collective bargaining sessions (Section 447.605(1), *Florida Statutes*); meetings regarding risk management claims (Section 768.28(15), *Florida Statutes*); and litigation meetings pursuant to Section 286.011(8), *Florida Statutes*. The Board shall follow all statutory requirements for exempt meetings.

B. ACCESSIBILITY/SEATING CAPACITY. All meetings will be conducted in a building that is open and accessible to the public. Due to the need to comply with the fire code, there may be occasions when entrance by the public to the Board Chambers or other meeting room is limited. To the extent possible, alternative seating arrangements may be made.

C. PROHIBITED ITEMS. For public safety purposes, no signs or placards mounted on sticks, posts, poles or similar structures will be allowed in Board meeting rooms. Other signs, placards, or banners shall not disrupt meetings or interfere with a person's ability to observe the meeting.

2.70 PHYSICAL PRESENCE OF COMMISSIONERS.

A. A Commissioner may be physically absent from a Board meeting but participate and vote in the meeting only when the following conditions exist:

(1) The absent Commissioner is not needed for a quorum to be physically present at the meeting;

(2) The absent Commissioner can hear the proceedings, and when appropriate equipment is available, can see the proceedings, for the entirety of the meeting;

(3) The absent Commissioner can clearly be heard, and when the appropriate equipment is available, be seen, in the meeting room, for the entirety of the meeting; and

(4) The Commissioner is physically unable to attend the meeting and either:

(a) The Commissioner is undergoing medical treatment or experiencing physical infirmity; or

(b) An immediate family member (spouse, parent, child or sibling) is undergoing dramatic medical treatment or experiencing grave physical infirmity.

B. A Commissioner seeking to participate in a meeting of the Board who must be physically absent due to the conditions outlined above shall provide notice to the County Manager in advance of such absence so that the installation of appropriate equipment can occur to enable that Commissioner to participate in that meeting. The County Manager shall inform the other members of the Board of the planned absence.

C. The requirement that Commissioners be physically present in order to participate and/or vote at a Board meeting may be waived during a declared Local State of Emergency to the extent permitted by law.

2.75 MEETING AGENDA.

A. There shall be an official agenda for every meeting of the Board, which shall determine the order of business conducted at the meeting. All proceedings and the order of business shall be conducted in accordance with the official agenda.

B. Any departure from the order of business set forth in the official agenda may occur upon consensus among a majority of the Commissioners present at the meeting.

C. Additions, deletions, or corrections to the agenda may be considered by the Board and may be accepted through majority consensus. Items may be added to the agenda by four-fifths vote of the Board or when deemed necessary by the majority in emergency situations when the issues are time critical to the County. Non-agenda matters shall be confined to items that are informational only.

2.80 SETTING THE AGENDA.

A. The County Manager shall, in consultation with the Chairman, prepare the agenda in an appropriate form approved by the Board. In order to conduct efficient meetings, the County Manager shall have broad discretion in managing the items to be placed on the agenda, including the authority to add or delete items, except for those items specifically directed for placement on the agenda by the Board.

B. Each regular meeting agenda shall provide for a discussion of Future Agenda Items. Individual Commissioners wishing to place items on a future agenda shall submit a request to the County Manager at least fifteen (15) days before a regular meeting. The request shall identify the requesting Commissioner, and contain a brief description of the subject matter. County staff may assist in framing the request. Upon presentation of any request under the Future Agenda Items

portion of a meeting, the Board will consider only whether staff time and County resources should be expended on preparation of a formal item for consideration at a subsequent Board meeting; the substance of the matter shall be debated if and when the item is placed on a future agenda. It shall take an affirmative vote of a majority of the Board to place the requested item on a future agenda. Any such item deemed by the County Manager to be of an urgent nature may be placed directly on the agenda.

C. The County Manager shall make every effort to make the agenda and supporting materials available to the Commissioners, the public, and the media no less than ten (10) days prior to the next regular Board meeting or Public Hearing, except when legally observed holidays affect copying and distribution. The County Manager and County Attorney shall have the authority to add agenda items up to the time of the meeting when it is essential, necessary, and in the County's best interest to do so.

2.85 CONTINUING AGENDA ITEMS.

A. APPLICANT CONTINUANCE REQUESTS.

(1) Any request from an applicant to continue a public hearing or other agenda item must be made in writing, with justification, and submitted by the applicant (or the appellant in the case of an appeal) to the County Manager's Office not later than 48 hours before the scheduled public hearing or other agenda item.

(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. The Board may, by a majority vote, waive this limitation when it finds extenuating circumstances exist.

(3) Requests for continuances are not automatically granted, and the applicant/appellant, or its representative, should be in attendance at the meeting at which the public hearing or other agenda item is scheduled and be prepared for the Board to consider and act upon the item in question.

(4) The County may, either by a majority vote of the Board or through the issuance of an Executive Order, waive any of the provisions contained herein governing applicant continuance requests in conjunction with a declared Local state of Emergency.

B. ADMINISTRATIVE CONTINUANCES. The Board may on the recommendation of the County Manager, the recommendation of the County Attorney, or on its own, determine that circumstances exist which make the continuation of a public hearing or other agenda item in the best interest of the public.

(1) In such instances, the Board may:

(a) Continue the public hearing or other agenda item to a date certain; or

(b) Continue the public hearing or other agenda item indefinitely.

C. CONTINUANCE OF THE ENTIRE AGENDA. In cases of emergency or other extenuating circumstances, the Board may determine that all scheduled agenda item(s) will be continued. 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 Board meeting and announce its continuance to the alternative date and adjourn the meeting.

D. The County Manager is directed to ensure that additional and supplemental notice of continued items 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 this Section.

2.90 QUORUM.

A. A quorum for the transaction of business by the Board requires the physical presence of three (3) Commissioners. Except as provided in Section 2l.70C of these Policies and Procedures, a quorum cannot be established with remote/virtual participation. Once a quorum has been established, a majority of Commissioners present at the meeting and eligible to vote shall be required to carry a motion, unless by statute, ordinance or other regulation, an extraordinary majority (4/5th) of the Board is required for approval of an item.

B. If no quorum exists within thirty (30) minutes after the time designated for the meeting of the Board to commence or if a quorum is lost, the Chairman, or the Vice Chairman or, in their absence, the Commissioner with the most seniority, shall adjourn the meeting. The names of the members present and the time of adjournment shall be recorded in the minutes by the Clerk.

C. Any member of the Board who announces a conflict of interest on a particular matter and a decision to refrain from voting or otherwise participating in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum.

2.95 PRESIDING OFFICER.

A. CHAIRMAN TO SERVE. The Chairman shall serve as the Presiding Officer unless unable to serve.

B. DUTIES OF PRESIDING OFFICER. The duties of the presiding officer shall include the following:

(1) Call the meeting to order, having ascertained that a quorum is present;

(2) Announce the order of business and insure the orderly disposition of the items on the agenda;

(3) State every question coming before the Board;

(4) Open and close all public hearings;

(5) Invite public comment;

(6) Announce the results of every vote;

(7) Record the vote on all matters wherein the recording of the ayes and nays is required or requested;

(8) Recognize all Commissioners who seek the floor under correct procedure;

(9) Preserve order and enforce the rules of decorum and discipline;

(10) Manage the meeting; including fair and efficient use of time and encouraging public participation throughout the meeting;

(11) Expedite business in every way compatible with the rights of Commissioners;

(12) Declare the meeting adjourned at the conclusion of the agenda, or at any time in the event of an emergency affecting the safety of those present; and

(13) Sign each written measure passed by the Board during the meeting at which he/she is presiding officer.

C. MOTIONS BY THE CHAIRMAN. The Chairman shall have the same rights in debate as any other member.

2.100 RULINGS BY THE CHAIRMAN, APPEALS.

The County Attorney shall serve as the parliamentarian and advise and assist the Chairman on parliamentary issues, including questions of order and priority of debate. Any Commissioner may appeal the decision of the Chairman in which event a majority vote of the Board present shall conclusively determine the ruling appealed. No other business, except a motion to adjourn or to lay on the table, shall be in order until the question on appeal has been decided.

2.105 ORDER OF BUSINESS FOR BOARD MEETINGS.

A. The business of all Regular Meetings of the Board should be transacted as follows unless the Board, by majority consensus, re-arranges agenda items to more expeditiously conduct the business before the Board:

(1) Call to Order by the Chairman.

(2) Invocation – when available. If no invocation is offered, a moment of silence will be observed.

(3) Pledge of Allegiance – to be led by a Commissioner as designated by the Chairman.

(4) Proclamations, awards, recognitions, and special presentations.

(a) Unless authorized by the Chairman, there will be a limit of four (4) proclamations/recognitions per meeting.

(b) Requests and Special Presentations. A request or special presentation by a member of the public, another governmental agency, or a non-governmental organization or entity that requires discussion by the Board shall be limited to no more than (15) minutes for presentation prior to questions from the Board. The provisions of general law and these operating procedures shall govern whether prior notice of the request or special presentation must be published. Upon conclusion of the request or presentation, the Board may take action. Unless otherwise authorized by the Chairman, the number of requests and special presentations during a Regular Meeting shall be limited to three (3).

(5) Announcements by the Chairman and presentation of amendments to the Agenda. An amendment to the agenda is a necessary addition to the regular or consent agenda and consists

of items that are submitted for agenda consideration after the established deadline. Examples of such items include grant applications. Amendments will be permitted only when warranted.

(6) Approval of the Consent Agenda.

(a) Prior to a vote on the motion to adopt the Consent Agenda, the public shall have the opportunity to provide comments on any item on the Consent Agenda. Public comment will be consistent with the rules for appearance before the Board as detailed herein. Politicking is prohibited during public comment.

(b) Following the public comment on the Consent Agenda items, the Chairman shall inquire if any Commissioner wishes any item to be withdrawn from the Consent Agenda. If any member of the ~~Commission~~ Board requests an item be pulled from the Consent Agenda and discussed separately, the Chairman shall place the item at an appropriate place on the agenda for the current or a future meeting. If two Commissioners remove the same item from the agenda, the first Commissioner to indicate the removal will be the first to speak.

(c) A motion to approve the Consent Agenda will have the effect of adopting all items on the Consent Agenda except the items that were pulled. Consent Agenda Items that are pulled for discussion will be approved separately.

(7) Consideration of Regular Agenda Items. The County Manager shall schedule all Regular Agenda items so that they may be acted on in the timeliest manner. Consideration of a Regular Agenda item may not last more than one hour unless the Board rules by majority consensus or passes a motion to extend the one hour limit.

(8) Informational Staff Briefings.

(a) County Manager Staff Briefings.

(b) County Attorney Staff Briefings.

(9) Public Hearings. Public Hearings and Quasi-Judicial Public Hearings are conducted by the Board on matters as required by Florida law (e.g. adoption of an ordinance, consideration of a re-zoning).

(a) Unless otherwise noticed, Public Hearings shall commence at 1:30 p.m.

(b) Public Hearings will not be scheduled on a “first come, first served” basis on the agenda, but rather the County Manager shall schedule Public Hearings so that they can be conducted in the most expeditious and timely manner.

(10) Staff Reports.

(a) County Manager’s Report.

(b) County Attorney’s Report.

(11) Future Agenda Items. Requests by individual Commissioners for placement of items on future agendas shall be considered by the Board at this time consistent with the procedures included herein.

(12) Public Comment on Non-Agenda Items. A thirty (30) minute time period will be provided for discussion of items NOT on the agenda. There is a three (3) minute time limit for all speakers, unless an individual has written documentation that they are representing a group, in which case six (6) minutes will be provided. Public comment will be consistent with the rules for appearance before the Board as detailed herein. Politicking is prohibited during public comment.

(13) District Reports. This time allotment shall be available for Commissioners to share announcements such as community events, suggest future agenda items, report on Commissioner Liaison matters, propose advisory board appointments, or introduce an item of concern. Formal action may be taken on matters during District Reports upon consent of a majority of the Board.

(14) Adjournment.

2.110 APPEALS OF BOARD DECISIONS; MEETING RECORD. If a person decides to appeal any decision made by the Board with respect to any matter considered at the meeting, a record of the proceedings may be needed and, for such purposes, the person will need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be based.

2.115 CONSIDERATION OF REGULAR AGENDA ITEMS. Non- public hearing items that do not appear on the Consent Agenda shall be presented on the Regular Agenda. Items appearing on the Regular Agenda require Board direction, a policy decision, or are otherwise of great significance necessitating separate attention and action.

A. Regular Agenda items shall be considered individually and the order of presentation shall generally be as follows:

(1) Chairman announces item.

(2) Staff presentation describing the agenda item to be considered, and providing the staff recommendation, if any.

(3) Commissioner questions for staff (no debate).

(4) Applicant presentation (if applicable).

(5) Commissioner questions for the Applicant (no debate).

(6) Public comment, if any. Public comment will be consistent with the rules for public participation before the Board as detailed herein.

(7) Public comment is closed.

(8) Applicant rebuttal (if applicable).

(9) Board follow-up.

(10) Motion made.

(11) Board discussion and amendments, if any.

(12) Vote taken at the conclusion of the Board discussion.

2.120 PUBLIC HEARINGS. Public hearings are normally scheduled during Regular Meetings of the Board. Public Hearings. Unless otherwise required by law or specifically directed by a majority vote of the Board, all public hearings will be scheduled for the afternoon session, and will be heard in the order as they appear on the agenda.

A. The procedures to be followed for public hearings are, generally, as follows:

(1) The Chairman shall announce the Public Hearing and the topic being considered, and shall request that the Board accept the proof of publication of the item.

(2) Staff presentation describing the agenda item to be considered, and providing the staff recommendation, if any.

(3) Commissioner questions for staff (no debate).

(4) Applicant presentation (if applicable).

(5) Commissioner questions for the Applicant (no debate).

(6) After Commissioners' questions are answered, the Chairman opens the public hearing. Public comment will be consistent with the rules for public participation before the Board as detailed herein.

(7) Campaign rhetoric is prohibited during public comment.

(8) Following public comment (if any), the Chairman closes the public hearing.

(9) Board follow-up, if necessary.

(10) Motion made.

(11) Board discussion and amendments, if any.

(12) Vote taken upon the conclusion of the Board discussion.

2.125 QUASI-JUDICIAL HEARINGS.

A. QUASI-JUDICIAL POLICY STATEMENT. It shall be the general policy of the Board that the following statement of intent shall be applicable to all quasi-judicial public hearings, and that the Chairman read this statement into the record prior to the commencement of any quasi-judicial proceeding before the Board: "While the Board welcomes comments from all persons with an interest in this proceeding, Florida law requires that the Board's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Board during the hearing on the application. Competent substantial evidence is such evidence as a reasonable mind would accept as adequate to support a conclusion. There must be a factual basis in the record to support opinion testimony from both expert and non-expert witnesses. Persons presenting testimony may rely on factual information that they present, that is presented by a County staff, that the applicant presented, or on factual information included in the County staff report to support their testimony. All persons who present written materials to Board for consideration must ensure that a copy of such materials is provided to the Clerk for inclusion in the Board's record of proceeding and official minutes."

B. ORDER OF PROCEDURE FOR CONDUCTING THE HEARING. The order of procedure to be followed for quasi-judicial hearings shall generally be as follows:

(1) **Ex-Parte Disclosure Statement by the Chairman.** The Chairman shall make the following inquiry of the Commissioners: "Has any Commissioner received any oral or written communications regarding the quasi-judicial item? If so, please disclose the substance of the communication and identify the person making the communication." Disclosure must be made before or during the public meeting at which a vote is taken on quasi-judicial matters, so that persons who have opinions contrary to those expressed in the ex-parte communication are given a reasonable opportunity to refute or respond to the communication. Documented ex-parte communications will be available during the public hearing, in writing or electronically.

(2) **Staff Presentation of Application.** County staff shall describe the quasi-judicial item to be considered and will make a presentation pertaining to the item. Unless otherwise authorized by the Chairman, staff shall not exceed ten (10) minutes during its presentation. The Chairman shall then inquire as to whether the Commissioners have questions for the staff members who made the presentation.

(3) **Applicant Presentation.** The applicant or his/her representative shall make a presentation pertaining to the application. The applicant will generally have up to fifteen (15) minutes to present the application unless this time is extended by consensus of the Board. Upon conclusion of the applicant's presentation, The Chairman shall inquire as to whether Commissioners have questions of the applicant and the applicant's representatives.

(4) **Proponent and Opponent Presentations.** The Chairman shall next ask if any members in the audience in favor of the application wish to present evidence and testimony. The Chairman shall then invite all members of the public who are opposed to the application to present his/her testimony and evidence in support of his/her position. Public testimony will be consistent with the rules for public participation before the Board as detailed herein. At the conclusion of the testimony, the Chairman shall ask if any of the Commissioners have questions of the witness.

(5) **Applicant Rebuttal.** There shall be an opportunity for applicant rebuttal.

(6) **Board Motions to Approve or Deny.** The Chairman shall then inquire if any of the Commissioners wish to put forth a motion. If there is a second to the motion, the Commissioners may discuss the motion after which the Chairman shall call the vote. No motions shall be accepted by the Chairman until the close of the applicant's rebuttal and the public hearing portion of the hearing.

(7) **Notice to the Applicant if Application is Not Approved.** If a motion is not passed in favor of the application, the application shall be deemed to be denied and the applicant shall be so notified by the Chairman.

C. EX-PARTE COMMUNICATIONS. Section 286.0115, *Florida Statutes* provides that any person who is not otherwise prohibited by statute, charter provision or ordinance may discuss with any Commissioner the merits of any matter on which the Board may take action. The following procedures, which remove the presumption of prejudice, shall be followed for ex-parte communication:

(1) The substance of any ex-parte communication with a Commissioner which relates to a quasi-judicial action pending before the Board (such as a zoning decision) is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

(2) A Commissioner may read a written communication from any person. A written communication that relates to quasi-judicial action pending before the Board (such as a zoning decision) shall not be presumed prejudicial to the action. Such written communication shall be made a part of the record before final action on the matter.

(3) Commissioners may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before the Board. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit or expert opinion is made a part of the record before final action on the matter.

2.130 BOARD TO PROMOTE AND PRESERVE DECORUM AND CIVILITY. The Board expressly recognizes that promoting and preserving decorum and civility best enables the Board to fairly and expeditiously conduct the business of the County. While the Board is in session, the Chairman shall preserve order and decorum. A Commissioner shall neither by conversation nor otherwise delay or interrupt the proceedings or the peace of the Board, nor disturb any Commissioner while speaking or refuse to obey the orders of the Board or its Chairman.

2.135 MANNER OF SPEAKING.

A. COMMISSIONERS. No Commissioner shall speak on any question or discuss any matter, nor interrupt another, nor make a motion without first being recognized by the Chairman. When two or more Commissioners seek recognition by the Chairman, the Chairman shall name the Commissioner who is to speak first. No Commissioner shall be interrupted by another without the consent of the Commissioner who has the floor, except by rising to a question of order. A Commissioner, in speaking on any matter, shall confine him/herself to the question, or matter before the Board, shall not use abusive language, and shall avoid commenting on personalities or character of other Commissioners, former Commissioners, other officials, staff, or the public.

B. THE PUBLIC. Members of the public and designated representatives shall address their comments to the Board as a whole and not to any Commissioner individually, any group of Commissioners, or to County staff. Imposing a demand for an immediate response from the Board, and Commissioner, or County staff, during public comment shall be considered out of order. Persons shall not address the Board with personal, impertinent or slanderous remarks, or become boisterous. A Commissioner shall not engage in dialogue with persons making public comment unless the question or comment is directed through the Chairman or made with the permission of the Chairman.

2.140 DISRUPTION OF MEETING. Any person disrupting a Board meeting by making personal, impertinent, or slanderous remarks or through boisterous behavior while the Board is in session, may be removed from the meeting. Such removal may be requested by the Chairman in his/her discretion, by consensus of the Board, or by the Sheriff's office if there is perceived to be an immediate threat to any person. No demonstrations of approval or disapproval from the audience shall be permitted; and if, after warning by the Chairman, such demonstrations are made

and result in a disruption of the meeting, the person(s) creating such disruption may be removed from the meeting. Alternatively, the Chairman may recess the meeting until order is restored.

2.145 PROMPTNESS OF ATTENDANCE; ABSENCE FROM MEETINGS. Board members are expected to observe timely appearance at Board regular, work session, special meeting, or other official Board functions. Any member who is unable to timely attend any such meeting or function shall notify either the Chairman or the County Manager, prior to the meeting, if possible so that notice may be conveyed to all Board members. Any member present at any meeting of the Board will give notice to the Chairman if leaving the meeting for an extended period of time.

2.150 MOTIONS. A motion is a proposal that the Board (1) take certain action; (2) direct that a specific action be taken on behalf of the County; or (3) express itself as holding certain views. A motion should be seconded before debate. The Chairman may allow the meeting to proceed without waiting for a second. A motion must have a second before being considered for a vote by the Board. A motion, once approved and entered into the record, is the equivalent of a resolution in those instances where a resolution is not required by law.

2.155 MOTIONS: HOW MADE, WITHDRAWAL.

A. Every motion shall be made orally, unless the Chairman requests that it be reduced to writing. When a motion is made and seconded, it shall be stated by the presiding officer or, his/her designee, and the mover shall have the floor. After a motion has been stated or read, it shall be deemed to be in the possession of the Board and shall be disposed of by vote of the Board.

B. The mover may withdraw a motion, except a motion to reconsider, at any time before the same has been amended or before a vote shall have commenced, if a majority of the Board present consents.

2.160 MOTIONS TO RECONSIDER A VOTE.

A. GENERALLY. A motion to reconsider a vote of the Board may be made at the same meeting or the next regular meeting held thereafter provided the next meeting is not more than thirty (30) days after the meeting at which the original vote occurred. A motion to reconsider may be made only by a Commissioner who voted on the prevailing side of the original vote or who was absent from the meeting when the original vote occurred. When a majority of the Commissioners present vote in the affirmative but the question is lost because the concurrence of a greater number is necessary for adoption or passage, any Commissioner may move for a re-consideration. If a motion to reconsider is lost, it shall not be renewed again.

B. ELIGIBILITY FOR CONSIDERATION. A motion to reconsider a vote shall not be entertained:

(1) If the approved action has been partially or fully carried out;

(2) If a contract, when the party to the contract has been notified of the outcome;

(3) If an ordinance or other action taken after a required public hearing; or

(4) If the vote has caused something to be done that is impossible to undo.

C. DISPOSITION. If a motion to reconsider the vote on a main question is made immediately after such vote is taken, it may, at the option of the mover, be decided immediately or left pending. If it is made other than immediately after such vote is taken, it shall be left pending for consideration by the Board and the item will need to be noticed prior to reconsidering. All motions to reconsider a particular vote not immediately disposed of shall be considered and disposed of at the same hearing or meeting.

D. EFFECT. Adoption of a motion to reconsider a vote shall rescind the original action; therefore a new motion, second, and vote is required to take formal action on the item, if desired, and may take place at a future meeting. If a motion to reconsider a vote is not brought forward in a timely manner, yet a Commissioner would like to revisit the issue, the item may be placed on a future agenda provided that (1) new information has been discovered that if known at the time of the original vote, the outcome may have been different; (2) a majority of the Board approves; and (3) none of the instances set forth above that would prohibit a motion to reconsider a vote exist.

2.165 RULES OF ORDER AND DEBATE. This section sets forth the rules of debate to maintain decorum, the various motions available for use by the Board, and related matters.

A. OBTAINING THE FLOOR. A Commissioner desiring to speak should address the Chairman and, upon being recognized by the Chairman to speak, should address his/her remarks and inquiries to the question under debate.

(1) A motion must be accepted by the Chairman before it is officially on the floor and eligible for debate.

(2) When a motion is made and seconded, it is under consideration and no other motion shall be received thereafter, except: (a) to continue to a date certain, (b) to substitute, (c) to amend until the question is decided, or (d) to call the question. These motions listed in this paragraph shall have preference in the order in which they are listed.

(3) The maker of a motion shall be entitled to the floor first for debate.

(4) A Commissioner recognized by the Chairman to speak should not be interrupted when speaking unless to call said Commissioner to order. In such an event, the Commissioner should cease speaking until the question of order is determined, without debate, by the Chairman. If in order, the Commissioner may continue speaking.

(5) A Commissioner shall be deemed to have yielded the floor when the Commissioner has finished speaking.

(6) Non-member recognition shall be at the Chairman's discretion.

B. POINT OF ORDER. Any member who believes that there has been a breach of the Board meeting procedures has a right to call immediate attention to the matter by raising a "point of order." A point of order (1) may interrupt a speaker who has the floor; (2) does not need to be seconded; (3) is not debatable; and (4) is decided by the Chairman. By motion and second, a decision of the Chairman on a point of order may be appealed to the Board and, without debate, the Chairman shall submit to the Board the question, "Shall the decision of the Chairman be sustained?" and the Board shall decide by a majority vote.

C. CHAIRMAN MAY PARTICIPATE IN PROCEEDINGS. The Chairman may make motions, second motions, and debate, subject only to such limitations of debate as are enforced by these rules on all Commissioners and Section 2.95C. of these procedures.

2.170 VOTING.

A. The votes during all Board meetings should be transacted as follows:

(1) All votes with the exception of the Board shall be taken by voice. In the case of any vote, if the Chairman is in doubt as to the outcome, or upon the request of a Commissioner for any reason, the Chairman shall call for a roll-call vote.

(2) When the Chairman calls for a vote on a motion, every member, who was in the Commission chambers must give their vote, unless the member has publicly stated that he/she is abstaining from voting due to a conflict of interest, pursuant to Section 112.3143 or Section 286.012, Florida Statutes, or other Florida law.

(3) The passage of any motion, policy or resolution shall require the affirmative vote of at least a majority of the membership of the Commissioners who are present and eligible to vote, unless otherwise required by statute or ordinance.

(4) Any Commissioner shall have the right to express dissent from or protests against any ordinance, resolution or policy of the Commission, and to have the reason therefore entered in the minutes.

B. CHANGE OF VOTE. After announcement of the results of a vote, no vote may be changed unless a motion to reconsider the vote is approved.

C. PROXY VOTING PROHIBITED. A Commissioner shall not vote for another Commissioner, nor shall any person not a Commissioner cast a vote for a Commissioner. Commissioners must be present and cast their own vote.

D. TIE VOTE. A tie vote shall result in the failure of the motion; however, there is no prevailing side for the purposes of a motion to reconsider the vote. Any Commissioner may, at the next regular meeting and with approval by a majority of the Board, request that the item be placed on a future agenda for consideration.

E. VOTING CONFLICTS. No Commissioner shall vote on a matter when the Commissioner has a voting conflict pursuant to Sections 112.3143 or 286.011, *Florida Statutes*. If a Commissioner abstains from voting to avoid a legal conflict of interest, he/she shall file a Form 8B with the Clerk describing the nature of his/her interest in the matter. The Clerk will and incorporate the Form 8B into the minutes of the meeting. This form must be filed within fifteen (15) days following the Board meeting.

2.175 PUBLIC PARTICIPATION BEFORE THE BOARD.

A. CITIZEN INPUT. The Board recognizes the important right of all citizens to express their opinions on the operation of County government and encourages citizen participation in the local government process. The Board also recognizes the necessity for conducting orderly and efficient meetings so that County business may be completed efficiently, effectively, and timely. Members of the public wishing to speak at Board meetings shall comply with the procedures set forth below.

B. DESIGNATED TIME FOR PUBLIC COMMENTS. Members of the public are provided two opportunities to address the Board:

(1) Public comments on items appearing on the agenda. Citizens may address the Board regarding items appearing on the agenda for that meeting. These comments will be made during the time period in which that agenda item is before the Board and be limited to the agenda Item under consideration.

(a) Consent Agenda. Prior to Board approval of the Consent Agenda, public comment will be accepted. One speaker form identifying all items of interest shall be submitted to County staff who will pass it on to the Chairman. If more than one item is identified, the three minute allotment may be extended at the Chair's discretion.

(2) Public comments on non-agenda items. Citizens may address Board regarding items not on the agenda during the Public Comment portion of the meeting, typically occurring at the end of the meeting, following District Reports. This comment period shall be limited to 30 minutes in total. In most cases, the Board shall not take final action on public comment items presented at the same meeting, but may refer the item to the County Manager or County Attorney for action or input.

(3) The Board is not required to give members of the public an opportunity to be heard on a proposition under the following circumstances (see §286.0114(3), *Florida Statutes*):

(a) When an official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if providing an opportunity to be heard would cause an unreasonable delay in the ability of the Board to act;

(b) When an official act of the Board involves no more than a ministerial act including, but not limited to, approval of the agenda, approval of the minutes, and ceremonial proclamations; or

(c) When an Agenda Item or portion of a meeting is exempt from public observation or participation pursuant to §286.011, *Florida Statutes*, including, but not limited to, Attorney-Client Sessions, Executive Sessions, and Risk Management Program Sessions.

B. MANNER. Upon recognition by the Chairman, each person addressing the Board shall step up to the speakers' podium and give his/her name and address for the record. No person other than a member of the Board and the person having the floor shall be permitted to enter into any discussion without the permission of the Chairman. All remarks shall be addressed to the Board as a body and not to any individual Commissioner, County staff, or the audience. Commissioners may ask questions of the speaker after his/her uninterrupted comments have been made. Question shall not be directed to a Commissioner or staff except through the Chairman. Generally, public comment from an individual on a single matter will be limited to one comment opportunity per meeting.

C. SPEAKER FORMS. Any member of the public wishing to speak before the Board or who wants to make their position known but does not want to address the Board shall complete a "speaker form" and present the card to staff in the Board Chambers for forwarding to the

Chairman. Only those individuals who have submitted speaker forms and who have been recognized by the Chairman may address the Board. Any member of the public who has filled out a form must be present when the Chairman announces the person's name if they desire to be recognized. If an individual does not wish to speak and instead submits a form with his/her comment noted, it is within the Chairman's discretion to read the comment into the record. If the Chairman does not read the comment, the speaker form is nonetheless submitted as part of the official record. In any event, a speaker form will not be read into the record if the citizen submitting same is not present when the item is being discussed. As a general practice, speaker forms will not be accepted after presentation of an agenda item has begun; however, the Chairman has the discretion to accept additional speaker forms. Speaker forms are considered public records and are to be submitted to the Minutes Clerk before the meeting adjourns. A member of the public may be allowed to address the Board prior to completing a speaker form, at the discretion of the Chairman, but must complete and submit a speaker form afterwards.

D. CIVILITY. All public comments and any multimedia shown or material distributed shall avoid personal attacks, abusive language, and redundancy. The Chairman may curtail repetitious comments. No person attending a Board meeting is to harass or otherwise disturb any other person in the room. Any person making impertinent or slanderous remarks or whose behavior is disruptive shall be subject to removal from the Board Chambers, or such other action as may be appropriate, and barred from making any additional comments during the meeting by the Chairman, unless permission to continue or again address the Board is granted by a majority vote of the Board members present.

E. RELEVANCY. Comments shall be limited to the subject being considered by the Board. Comments involving non-agenda items should be directed to County issues.

G. ALLOTTED TIME. Each member of the public shall be granted three (3) minutes to speak. The Chairman may adjust maximum speaking time up or down as the circumstances may dictate; the Chairman may also provide an additional three (3) minutes to an individual who can demonstrate that he/she is an official representative of a formally established entity such as a homeowners association or advocacy group. Allowing the use of a speaker's time by another individual will not be permitted. In the event more than twenty (20) people indicate their desire to speak on the same or a related subject, the Chairman may establish a maximum time limit, not to exceed one hour, for public comments. The Chairman may also assign time limits for proponents and opponents to address an item. In any event, the Chairman shall have the discretion to adjust speaking time limits as he/she deems appropriate.

H. DISSEMINATION OF INFORMATION/USE OF MULTIMEDIA. Any member of the public desiring to submit information to the Board relevant to the item may do so only when they are at the podium and recognized to speak. No motion to receive and file any submission by the public is necessary to make same a part of the record as all items presented to the Board at the meeting shall automatically be placed into the record. Speakers should be prepared to leave all submitted documents, photos, presentations, etc. with the Clerk for incorporation into the record. Due to time constraints, there shall be no expectation that the Board will read any information submitted at a Board meeting. Early submission of information relevant to an item appearing for Board consideration is encouraged. The public is authorized to use multimedia supportive of their comments. In order to ensure accommodation of technical needs, multimedia is to be submitted to the County Manager's Office five (5) working days prior to the Board meeting.

I. EMPLOYEES. Employees of the County may address the Board on matters of public concern in their capacity as a private citizen. Employees or those speaking on their behalf shall not be permitted to address a grievance/arbitration or employee appeal matter during the public comment period. Employees will be advised of the appropriate forum and process for presenting or discussing such matters.

J. ACCESSIBILITY. All persons with disabilities shall be provided reasonable assistance to enable them to effectively participate in Board meetings.