

Administrative Manual
Orange County Florida

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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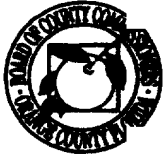
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Management

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06/22/99

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No. 91-001
DM: 11/01/91

Title:

PURPOSE/INTRODUCTION

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Executive Orders will provide direction and guidelines to County employees on issues or actions that do not necessitate the formality of an Administrative Regulation, i.e., Board of County Commissioners-* action. The Executive Orders are intended to serve as a comprehensive guide for action by the administrative personnel and to govern Orange County operations. It is mandatory for all County personnel to observe the Executive Orders or disciplinary action may result from a violation.

Executive Orders reflect actions that either 1) convey specific instructions and/or assign responsibility to staff relative to implementing policies or policy direction adopted by the Board of County Commissioners; or 2) provide directives from the Chairman to staff pursuant to the Chairman**s power under the County Charter to supervise County staff and County operations.

Executive orders will be generated by the County Chairman and distributed to all departments by the County Administrator's Office. Periodically, new or revised Orders will be issued and each recipient is responsible for *maintaining an* up-to-date copy. The issuance of a new order automatically supersedes any outstanding directive or procedure governing the same subject or substance. It is important that all County personnel become familiar with and knowledgeable of the Executive Orders in their manual.

Executive orders will be printed on green paper for ease of maintaining and identifying them. The orders will consist of **two** types of information: Purpose and Background and Order. The orders will be numbered with the year first, followed by their number, so that additional orders **may be added** or modified. The Orders should be placed in the front of the Administrative Regulations binder immediately following the Table of Content section with the appropriate tab marked "Executive orders."

EFFECTIVE DATE: November 1,
1991

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ORDERED this **r** day of November,
1991.

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Linda W. Chapin
orange County
Chairman

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SMOKING IN THE WORKPTACZ

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PURPOSE AND BAC

The purpose of this section is to provide employees with an understanding of Orange Countys rules *governing smoking* in County facilities. The rules are designed to foster the health and safety of all employees and the public as well as reduce adverse impacts and maintenance to mechanical equipment. After careful review and *consideration of*.All the available information, Orange County has decided to take additional positive steps towards providing a smoke-free *environment for* all employees.

Smoking poses a *significant risk* to the health of the smoker. It can damage sensitive technical equipment and can be a safety hazard. The 1986 Surgeon General's report on involuntary smoking states that second hand smoke is a cause of disease, including lung cancer, in healthy *non-smokers*. *The* report continues by saying that the simple separation of smokers and *non-smokers* within the same air space may reduce, but does not eliminate, the exposure of non-smokers to environmental tobacco smoke.

The following rules are provided to assist orange County employees in finding a reasonable accommodation between those who smoke and those who do not, and demonstrate orange County's desire to improve the health of its employees.

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1. Smoking shall not be allowed in any workplace or public area within a County owned, or leased facility after the above cited dates.
2. Employees shall not smoke at or near any primary public **entrance to** a building.

ORANGE COUNTY CHAIRMAN

91.002

EXECUTIVE ORDER

No:

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- 3. Smoking will be allowed in existing common break rooms designated as smoking areas providing that positive air exchange/exhaust equipment is already in place. (For example, in the County Administration Center smoking will be allowed in the designated smoking portion of the third floor breakroom, third floor balcony, and the patio area outside the cafeteria.) New common smoking break areas will not be created within any existing or proposed buildings without the authorization of the County Administrator or designee.
- 4. Smoking shall not be allowed in County vehicles.

For 24-hour residential facilities, rules shall be adopted by the appropriate Division Director.
- 6. Smoking in common facilities such as restrooms and drinking fountain areas is not permitted and is a violation of State law.

EFFECTIVE DATE

ORDERED this 16- day of November, 1991.

On November 1, 1991 the Orange County Administration Building will be designated a smoke-free workplace.

On January 1, 1992 all other County facilities will become smoke-free.

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Linda W. Chapin
Orange County Chairman

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 91,003

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AFFORDABLE HOUSING EXPEDITED REV EW

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I. PURPOSE AND BACKGROUND:

Since 1988, when the Board of County Commissioners, acting on my motion, created the Affordable Housing Task Force, one of the top priorities in orange County has been the goal of increasing the housing available to people of moderate, low, and very low income. The criteria for determining when housing is and is not "affordable" to people in these income groups has been approved by the Board and is contained in Subsection 11.02.06 of the Orange County Administrative Regulations. The determination is made by the Community Development Department.

Of the several measures identified by the Task Force that would be useful in stimulating affordable housing, one was an expedited process for regulatory review of development proposals. In the 1991 State of the County Address, I included expedited review as one of my affordable housing priorities. The Planning and Zoning Departments have given me their recommendations, all of which can be instituted by Executive order.

II. ORDER

EFFECTIVE DATE: January

1992

ORDERED this 15th day of November, 1991.

on and after the effective date of the Order, all development applications that are certified by the Community Development Department to be "affordable housing" shall be entitled to review in the expedited manner described in Attachment 1 to this Executive order. All responsible staff are directed to implement the provisions of Attachment I accordingly.

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Linda W. Chapin
Orange County Chairman

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ATTACHMENT I
TO
EXECUTIVE ORDER 91-002

EXPEDITED REVIEW
OF
AFFORDABLE HOUSING APPLICATIONS

GOALS:

Procedures for variance (BZA actions) may in some cases save up to 30 days. .

Rezoning procedures (P&Z actions) may save 30 days or more.

- Policies for subdivision review (DRC actions) will save a minimum of two weeks during economic slowdowns, and up to 45 days in a strong economy.

REVIEW PROCESSES:

1. Board of Zoning Adjustment

- A. Issue: The Board of Zoning Adjustment (BZA) hears a maximum of 45 cases per month. Applications made after the limit of 45 hearings is reached are considered the following month.
- B. Issue: Cases heard by the BZA for Special Exceptions must undergo an institutional review by staff that sometimes delays the project from being heard by the BZA. Furthermore, affordable housing projects must compete with other projects to be scheduled for institutional reviews.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 91.003

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Expedited **Process:** A minimum of five (5) hearing slots shall be reserved for affordable housing projects that have been certified by the Community Development and Housing Assistance Department. Additional affordable housing projects may be scheduled depending on the number of other requests. (If, upon the close of receipt of applications, there are fewer than five applications for affordable housing projects, others may be scheduled in their place.)

Expedited Process: once a project is certified by the Community Development and Housing Assistance Department and a complete zoning application, including site plan, has been received by the Zoning Department, the institutional review shall occur within ten (10) working days after the cutoff date for accepting applications. (Applications close the first Wednesday of every month for public hearings to be held the first Thursday of the following month in order to comply with advertising requirements.)

2. *Planning and Zoning Commission*

A. Issue: Although the *Planning and Zoning Commission* (P&Z) does not have a limit on the number of requests that it hears, zoning applications must be initially approved for a public hearing on P&Z's Review Agenda. Assuming the project is approved for public hearing, the application is heard the next month by the *Planning and Zoning Commission*.

Expedited Process: Because the Planning and Zoning Departments, affordable housing it is not necessary inconj

Housing Assistance Department, review projects during the certification process, for such projects to go on the *Planning and Zoning Commission* Review Agenda. Once an affordable housing project obtains certification from the Community Development and Housing Assistance Department and a complete application is received by the Zoning Department, the project will be scheduled for next *Planning and Zoning Commission* public hearing, subject to meeting the required 15 day advertising timeframe.

B. Issue: Prior to submitting a zoning application and a Land Use Plan for a Planned Development (PD), an affordable housing applicant must have a pre-application meeting with County staff. The scheduling of this meeting sometimes delays applicants from being scheduled for the DRC meeting and the *Planning and Zoning Commission* public hearing.

Expedited Process: Unless the applicant requests otherwise, the *Zoning Department* shall schedule and hold pre-application

meetings for affordable housing projects within ten (10) working days after receiving the necessary copies of the concept plan and a copy of the affordable housing certificate.

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Expedited Process: Once the necessary copies of plans and a copy of the affordable housing certificate are received by the Planning and Development Office, the Planning Department shall conduct a sufficiency review within three (3) working days.

Expedited Process: Affordable housing projects certified by the Community Development and Housing Assistance Department shall be scheduled to be considered by the DRC within 30 days after having completed their sufficiency review.

Expedited Process: When public hearings for certified affordable housing projects are requested by the Zoning Department or the Planning and Development office, these departments shall clearly identify such projects as being affordable housing projects in order for the Clerk to schedule them as soon as possible.

3. Development Review Committee

- A. Issue: Prior to being scheduled on the DRC agenda, a Planned Development or a Preliminary subdivision Plan must first undergo a sufficiency review to ensure that the necessary information is included. Delays in the sufficiency review prevent affordable housing projects from being scheduled in a timely manner. Sufficiency reviews are typically conducted within five to ten working days.
- B. Issue: Once the Planned Development or Preliminary Subdivision Plan application is found to be sufficient, it is scheduled for the DRC on a first-come/first-serve basis. It is not uncommon for projects to wait six to eight weeks to be heard by the DRC.

Board of County Commissioners Scheduling of Public Hearings

- A. issue: Due to the large number of public hearings heard by the Board, no special attention is given to affordable housing projects in scheduling the hearings primarily because the Clerk to the Board currently has no way of knowing that they are affordable housing projects.

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 92.001
Due* 01/29/92
Revised: 10/07/92;

Title:

12/01/93; and

11/09/95

COMMISSION STAFFING

Page I Of 3

1 11

I. PURPOSE AND BACKGROUND:

Authority: The Chairman has the authority to supervise daily activities of employees pursuant to Article III, Section 302, Subsection D, paragraph 9 of the Charter.

Delegation: The Chairman will elect, by Executive order, to delegate this responsibility to individual Commissioners as it relates to their Aides. This delegation is subject to certain limitations as noted below.

II. ORDER:

Limits on Delegation:

1. An individual Commissioner may hire his/her own Aide, provided the individual meets the minimum qualifications as spelled out in the job description. That Aide will serve at the pleasure of the individual Commissioner and be completely exempt from the personnel policies and procedures, just as are the members of the Chairman's personal staff. Employees in the 200 series are entitled to the following benefits:

- Regular membership in the Florida Retirement System;
- Accrual of personal and term leave;
- Beneflex program participation; and,

EFFECTIVE DATE: January 29, 1992

REVISED this 9,711- day of November, 1995.

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Linda W. Chapin
Orange County Chairman

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

- Eligible for other benefits such as employee **assistance program**, educational assistance, **paid holidays, and bereavement leave (in accordance with established guidelines)**.
- 2. New Aides will start at the minimum salary of the range, unless a Commissioner desires to offer a starting salary above minimum. The Commissioner is responsible for determining the appropriate starting salary; however, the salary must be within the pay range.
- 3. The individual Commissioner is responsible for maintaining time records of his/her Aide and for initialing the time sheet. The Vice Chairman will sign the time sheet.

The individual commissioner is responsible for assigning work to his/her Aide and monitoring work habits and performance. The individual Commissioner is responsible for any needed discipline.

Individual Commissioner may approve salary increases for Aides provided:

a.

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They are granted concurrent with anniversary date.

- b. A performance evaluation has been completed.
- c. Merit increase would not cause the employee's salary to be above the maximum of the pay range.
- d. Merit increase percentage is within the guidelines established for these employees (guidelines for non-classified service established annually). Merit increases above the guidelines may be approved by the Commissioner in recognition of exemplary performance; however, the increase cannot result in a salary which exceeds the pay range.

Each Aide will be expected to carry out all of the duties and responsibilities of the job, description and

be responsible for the clerical and administrative support for his/her District Commissioner.

If additional assistance is required by an Aide, volunteers may be used. However, such volunteers shall not give direction to County staff.

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The Chairman reserves the - right to adjust this delegation of authority as may be deemed appropriate in the future.

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**ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER**

Page 3 of 3

Pay Ranges: Aides are 200 series employees (the same as the Chairman's personal staff) with a specified salary range. These ranges will be reviewed and **adjusted when** market conditions dictate, as are all other pay ranges in this series.

Absences from Office: When an Aide is to be absent for more than one day, it is the responsibility of the Commissioner to notify the Manager of General Services who will arrange for a replacement. Aides may fill in for one another on a voluntary basis, with the concurrence of the supervising Commissioner. For absences of less than a day, no replacement will be provided. Telephone calls will be routed directly to Commission offices. The new voice mail system will record telephone calls for future response.

Authority for Receptionists: The receptionists in the Board of County Commissioners office are not subject to this delegation and will be supervised by the Vice Chairman. The Vice Chairman will be in charge of the work directed to them and will arrange for backup coverage needed at the front desk.

Decorum and Common Areas:

The Vice Chairman is delegated the authority to set rules from time to time regarding the following matters:

1. the use of common areas and equipment (for example, the lobby, the coffee room, the restrooms, and the copy and facsimile machines),
2. the presence of persons other than visitors and county employees,
3.
the County Commissioner reading file, and,
4. any other matter not covered by this executive order.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 92.002

Date- 01/31/92
Revised 12/22/92

Title:
e:

DELEGATION OF AUTHORITY TO SIGN CONTRACTS
AND LEGAL DOCUMENTS

Page 1 Of 2

I. PURPOSE AND BACKGROUND:

Section 302(D)(4) of the Orange County Charter allows the Orange County Chairman to designate to certain individuals the authority to sign contracts, resolutions, plats, deeds and other documents and instruments on her behalf. In an effort to expedite the processing of documents and other legal instruments which frequently must be signed by the County Chairman on short notice, a memorialization evidencing that certain individuals have authority to sign contracts, resolutions, plats, deeds, and other legal documents and other instruments on behalf of the Orange County Chairman, in her absence, has been created.

ORDE :

As expressly permitted by Section 302(D)(4) of the Orange County Charter, I, Linda W. Chapin, Orange County Chairman, hereby delegate to the following individuals the authority to sign contracts, resolutions, plats, deeds, and other documents and instruments on my behalf and request that the Clerk to the Board of County Commissioners and other designated County staff endeavor to obtain said..individualsl signatures in the following order of priority:

1. Commissioner Bill Donegan, Vice Chairman of the Board, or
2. County Administrator Jean Bennett, or
3. Commissioner Mable Butler, or
4. Commissioner Bob Freeman, or
5. Commissioner Mary Johnson, or
6. Commissioner Fran Pignone, or
7. Commissioner Tom Staley.

Pursuant to County Procurement Ordinance 92-26, the Chief of Purchasing and Contracts may execute contracts for procurement activities subsequent to the appropriate approvals as specified within the ordinance.

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

Linda W. Chapin
Orange County Chairman

No: 92.002

This Executive Order is intended to be renewed on an annual basis, but shall remain in force and effect until expressly revoked or amended in writing by an Executive Order subsequent to the date

of this Executive Order.

EFFECTIVE DATE: December 22, 1992

ORDERED this day
of January, 1993.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 92.003
Date: 04/15/92

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sn,

Title:

**EMPLOYEE PARKING# ADMINISTRATION CENTER, PINE
STREET BUILDING AND C & S BUILDING**

Page 1 of 3

I. PURPOSE AND BACKGROUND:

The purpose of this order is to affirmatively act toward the implementation of a coherent and fair parking policy and address the short and long term parking needs of Orange County Government offices located in downtown Orlando.

orange County currently employs more than 1,500 persons in downtown Orlando, and owns or leases significantly fewer parking spaces. Parking for employees has been a continuing problem since the number of available parking spaces has remained relatively static while larger numbers 6-f persons are being employed by the County. This situation has resulted in an inequitable distribution of current parking spaces.

As one element of a permanent resolution of these problems, Orange County intends to increase the awareness of and participation in alternatives to single vehicle employee parking including: Public Transportation, Car and Van Pooling and Ride Sharing.

Another element includes a more equitable distribution of Administration Center parking spaces. To this end, employees from the Data Center and Property Appraiser's office who have not received parking supplements or been offered the opportunity to utilize the Meter Eater system will be accommodated based on county seniority as established by their hire date. Permits will be distributed as attrition of current Administration Center employee parking lot users occurs. Priority consideration in assignment of parking spaces will be given to those participating in vanpooling or ridesharing.

The following steps shall also be taken to begin this process.

II. Order:

1. 1 shall establish a Parking Task Force to address and make recommendations concerning available short and long term opportunities, alternatives and parking rules. The Task Force shall solicit the assistance and cooperation of the City of Orlando Parking Bureau and Tri-County Transit Authority.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No:
Page

2.

Effective April 15, 1992 new County employees or those transferring from other departments or agencies will not be issued permits to park in the following County owned or leased facilities:

Administration Center
Pine Street Parking Garage
C & S Building

3. A seniority list based on date of hire will be maintained. Employees from the Administration Center, Pine Street and C & S Buildings will be issued permits as spaces become available through the attrition of current authorized parking lot users. Employees participating in carpooling or vanpooling will be given priority before seniority in assignment of spaces.
4. Physically disabled employees holding the proper state license tag shall be accommodated at the nearest parking area.
5. Department managers and above shall be issued permits. Other waivers from this order may be obtained from the County Administrator or his designee.
6. County employees required to attend training or temporary assignment to the Administration Center may receive temporary parking permits.

Existing and new County employees may park at the new Courthouse site (Livingston and Orange Avenue) as long as space is available and permits are properly obtained and displayed. The use of this site for parking shall cease when construction of the new facility begins. At that time unless other County sponsored options become available, employees shall have to make their own parking arrangements.

8. Violation of parking rules will result in loss of, - privileges and/or the placement of the violator's name at the end of the seniority list.
9. Twenty-nine (29) additional permits have become available at the Pine Street parking garage. These are to be distributed based on the number of the department's full time day shift employees and the resulting percentage share as applied to the total occupancy. If any

department/agency is already over their allocation, they may keep the cards already issued. Once distributed, this allocation will remain the same unless over 25% of a department relocates to another facility.

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ORANGE COUNTY CHAIRMAN EFFECTIVE DATE: April 15, 1992

EXECUTIVE ORDER

Page ORDERED this 10-- day of March, 1992.

Linda W. Chapin
Orange County Chairman

10. The parking task force will formulate rules and procedures which upon approval and distribution, will supplement this order.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: Q7 - nnA
D=- 12/01/92

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Title:

DESIGNATED RKPLOYER BREAK ROON FACILITIES

Page jL Of 2

I. PURPOSE
AND-BAC

The purpose of this section is to define a "bona fide" employee break room and the facilities that should be provided within.

Break room facilities provided by the County are an extension of the work environment. Each break room should provide, at a minimum, a means to refrigerate and microwave food. A "bona fide" break room shall be defined as -a break room which serves all employees of a facility or, under special circumstances as approved by the County Administrator, a particular area within a department.

II.

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ER:

1. All requests for equipment in break room facilities will require the approval of the Department Manager and the Division Director. The Department ' Manager and Division Director will be responsible for ensuring that funds are available for these costs.

Standard purchasing procedures should be followed.

3. A refrigerator(s) to accommodate the number of authorized positions of the departments utilizing the break room facilities may be provided to refrigerate foods.
4. A microwave(s) with the ability to reheat/cook foods may be provided.
5. An ice-machine(s) to serve the number of authorized positions of the departments utilizing the break room may be provided; however, an installation cost analysis must first be performed by the Facilities Management Department and attached to the request seeking

approval.

6. An adequate number of chairs and tables may be provided, as well as other miscellaneous items which are normally associated with a break room.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 92.004
Page 2 Of 2

The County will be responsible for all maintenance (construction, repairs, janitorial services, etc.) of a "bona fide" employee break room. However, personnel using the break room must assume responsibility for normal cleaning of the interiors of refrigerator(s) and microwave(s).

- 8. Expenditures incurred to furnish and/or equip a "bona fide" break room may be charged to the division/departmental budget of those who will benefit from the facility, or be charged as directed by the Office of Management & Budget.

EFFECTIVE DATE: December 1, 1992

ORDERED this / day of D - 1992.

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Linda W. Chapin
Orange County Chairman

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 92,005
Date: 12/29/92

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le:

CELLULAR TELEPHONES - PERSONAL-USE REIMBURSEMENT_ Page I Of 1

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I. PURPOSE AND BACKGROUND:

EFFECTIVE DATE: December 29, 1992

County-provided cellular telephones should be limited to County business use only, as stated in Administrative Regulation 7.01.

If personal use is unavoidable, appropriate procedures shall be followed to ensure that the County is reimbursed for all personal calls.

Ii. ORDE :

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ORDERED this, i~ day of December, 1992.

- A. Each month, a copy of the cellular telephone bill will be forwarded to the responsible County employee.
- B. Upon receipt of the bill, the employee will be responsible for reviewing all calls charged to him/her, and for highlighting all calls determined to be personal in nature.
- C. The County employee shall review this bill with his/her department manager or division director. The employee will forward the highlighted bill, signed by the employee and department manager or division director, along with any money owed to cover the cost of personal calls to the Orange County Comptroller's office within 10 days of receipt of the bill. Payment must be made by check and payable to the Orange County Board of County Commissioners.

Linda W. Chapin
Orange County Chairman

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER
12/29/92

No: 92, 00r,
Date:

Title:

CELLULAR TELEPHONES - ACQUISITION PROCEDURE

Page I
of

I. PURPOSE AND
BACKGROUND:

The lease or purchase of cellular telephone service and/or sets will require the approval of the appropriate Division Director.

II.

ORD

ER:

- A. The requesting department will contact the Telecommunications Department to obtain the name of the cellular telephone service provider deemed to be the best available provider.
- B. Proper justification will be required and must include the following information before being sent to the Division Director for approval:

Narrative - this detailed information will describe the costs and benefits to be derived by the department in terms of improved efficiency, time savings, increased revenues, etc. It will also detail the consequences if cellular telephone service is not approved.

The Division Director is responsible for *ensuring* budgetary compliance, *conducting periodic* audits of employee use, and keeping Telecommunications apprised of the number of users.

once approved, it is the responsibility of the Manager of the requesting department to advise the cellular telephone user of all applicable Orange County policies and procedures and ensure their adherence to those policies.

EFFECTIVE DATE: December 29, 1992

ORDERED this
1992.

day of December,

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Linda W. Chapin

r
orange County Chairman

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

NO: 94.001

Date. 01/31/92
Revised 1/21/94;
1=7/94; 8/12/96

Title: DELEGATION OF AUTHORITY IN
CONTRACTS, RESOLUTIONS, PLATS, DEEDS
AND OTHER LEGAL DOCUMENTS

page I of I

I. PURPOSE AND BACKGROUND:

Section 302(D)(4) of the Orange County Charter allows the Orange County Chairman to designate to certain individuals the authority to sign contracts, resolutions, plats, deeds and other documents and instruments on her behalf. In an effort to expedite the processing of documents and legal instruments which frequently must be signed by the County Chairman on short notice, a memorialization evidencing that certain individuals have authority to sign contracts, resolutions, plats, deeds, and other legal documents and other instruments on behalf of the Orange County Chairman, in her absence, has been created.

II. ORDER:

As expressly permitted by Section 302(D)(4) of the Orange County Charter, I, Linda W. Chapin, Orange County Chairman, hereby delegate to the following individuals the authority to sign contracts, resolutions, plats, deeds, and other documents and instruments on my behalf and request that the Clerk to the Board of County Commissioners and other designated County staff endeavor to obtain said individuals' signatures in the following order of priority:

- A. Vice Chairman of the Board of County Commissioners, or
- B. County Administrator, or
- C. Any County Commissioner.

Pursuant to County Procurement Ordinance No. 92-26, the Chief of Purchasing and Contracts may execute contracts for procurement activities subsequent to the appropriate approvals as specified within the ordinance.

This Executive Order, shall remain in force and effect until expressly revoked or amended in writing by an Executive Order subsequent to the date of this Executive Order.

EFFECTIVE DATE:

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Linda W. Chapin
Orange County Chairman

ORDERED this 2 th . day of **August, 1996.**

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

NO: 94.002
Date:09/09/94

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Title
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CONTRACT NEGOTIATION PROCEDURES

page 1 Of

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I. PURPOSE AND BACKGROUND:

The purpose of this procedure is to adopt a uniform method of negotiating large dollar volume contracts approved by the Board of County Commissioners and to initiate a process to safeguard the best interests of the County through input from proper County staff during the negotiation stages of contract development. The Board of County Commissioners recognizes that negotiated contracts exceeding certain dollar amounts provide significant exposure to the County and require particular care, expertise and skill-s of pertinent County staff during the negotiation and contract formulation phases.

ii. ORDER:

- A. This procedure shall include contract negotiations in which the total cost, fees, or revenues of the contract are estimated (or reasonably expected) to exceed \$50,000 for the term of the agreement. This procedure covers:
1. Negotiations with consultants and professionals (excluding architects/engineers) after initial nomination in accordance with existing RFP, RFQ and other proposal procedures;
 2. Sole source purchases exceeding the specified amount;
 3. Any other contract not awarded through fixed-priced bidding exceeding the specified amount.
- B. This procedure shall not include contracts or purchase orders issued via sealed fixed-priced bidding.
- C. This procedure shall include revenue contracts, such as concession agreements.

FOR MORE INFORMATION CONTACT: Purchasing Department

REFERENCE:

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D.

Staff shall be assigned by appropriate Division Directors, or their designees, upon request by the Chief of Purchasing and Contracts, for negotiating contracts meeting the criteria delineated in IIA above. Assigned staff for each procurement under these procedures shall consist of the following members:

1. The Director/Manager of the user division/department, or designee.

The Chief of Purchasing and Contracts, or designee.

County Attorney, or designee.

E. Additional member(s) may be assigned by the County Administrator's Office as follows:

1. Representatives from other County departments which have a significant financial concern, interest in the project, or special expertise, as required.
2. *Consultant(s) under contract* by the County who have specialized expertise -regarding the specific contract.
3. No person from the private sector shall be a member of assigned staff unless the contractual arrangements require participation from the private sector.

F. The Purchasing and Contracts Department may invite assigned staff to attend a non-public pre-negotiation meeting.

G. At the pre-negotiation meeting, the Lead Negotiator shall be selected, based on the skills necessary for successful completion of contract negotiations. The representative of the user division/department shall also explain the details of the project, budget, and existing **time** constraints. During this meeting, one or more additional member(s) may be selected (per item IIE above) to participate during negotiations. Time,

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place and frequency of future meetings shall be scheduled at the pre-negotiation meeting. An additional pre-negotiation meeting(s) may be scheduled prior to formal negotiations if necessary.

H. Duties of the Lead
Negotiator:

Arrange for an appropriate meeting room to be reserved for the negotiation meetings.

2. Maintain and file information/data pertaining to each negotiation meeting, including information supplied by the contractor.

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5.

Conduct all meetings and serve as the final decision-maker in formulating negotiation strategies and tactics.

Recommend, for each significant issue to be negotiated: tentative negotiating strategy, negotiating objectives, minimum position, and maximum position for use during the negotiations. This strategy should be discussed at the pre-negotiation meeting and during the negotiation process, as needed.

With the advice and assistance of the Purchasing and Contracts Department and the County Attorney, provide assigned staff an outline or draft of the proposed agreement indicating the scope of work involved in the project and advise of the substance and material provisions to be included in the agreement to be negotiated.

6. Retain authority for final approval of any negotiable points which may need to be agreed upon during the negotiation process.
7. *Maintain control* over any and all communications and discussions between the County and the party with whom the County is negotiating.
8. Schedule and conduct a final meeting, if necessary wherein majority concurrence is

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EXECUTIVE ORDER

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I. The Chief of Purchasing and Contracts shall designate the appropriate division/department responsible for placement of the contract on the Board Agenda. The Purchasing and Contracts Department shall maintain a complete contract file, including a copy of the final signed contract or agreement, copy of payment/performance bonds (if any), all related correspondence, a current certificate evidencing *insurance* (if required), and copies of all Agenda Items submitted to the Board.

Exceptions to this procedure:

Emergency situation(s) with County procedures.

handled in accordance

- 3. When contract requirements for fees, costs or revenues are below \$50,000, the Chief of Purchasing and Contracts, with concurrence of the user division/department head, may appoint an individual or an informal team to negotiate all aspects of the contractual agreement. Such *negotiations and* agreement are subject to review by the Purchasing and **Contracts** Department and/or other approved committees.
- 4. Renewals to existing contracts.
- 5. Architectural/engineering contracts, unless requested by the user department.

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ned from staff and copies (minimum of two copies) of the contract are signed by the consultant or contracted party. NOTE: A copy of the final contract shall be submitted to all assigned staff for review prior to placement on the Board Agenda.

Assigned staff at the pre-negotiation meeting, may, by consensus, decide not to handle

negotiations of a particular contract due to time constraints, Board direction, scheduling, or other documented considerations. In such case, the staff shall recommend the responsible party or parties to handle the negotiations.

IIF

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 94.002
page 4 of 5

- K. Any changes to a contract negotiated under the provisions of this procedure shall be in the form of a written amendment and approved by the proper authority in accordance with County policies and procedures unless such changes are specifically allowed in the contract.

EFFECTIVE DATE: 09/09/94, 1994

ORDERED this 9th day of September, 1994.

EXECORD2 09/09/94

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Elinda W. Chapin
Orange County Chairman

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

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GRANT APPLICATION AND APPROVAL PROCESS

Page 1 of 3

PURPOSE AND BACKGROUND:

It is the policy of Orange County to encourage the pursuit of federal, state and private foundation grants-in-aid. Grants offer an important source of funding and supplement County resources. As a matter of equity, it is the goal of Orange County to ensure that its taxpayers get a fair share of federal and state grants which are funded through their tax dollars.

Intergovernmental Affairs, a unit of the County Administrator's Office, is the focal point for grant policy. It is the responsibility of Intergovernmental Affairs to coordinate grant development and submission, prepare grants as needed, collect and disseminate grant availability information, establish a database of all grants applied for and received by the County, and generally promote grant awareness within Orange County Government and within Orange County as a whole.

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A. Competitive Grants

Application
Review

Copies of all grant applications should be routed through the Intergovernmental Affairs Coordinator for processing. It shall be the responsibility of the Intergovernmental Affairs Coordinator to have grant applications reviewed by Finance-Grants Accounting, the Legal Department, and the Office of Management and Budget (OMB). The primary purpose of this review is to assess the terms of the binding grant agreements, particularly the administrative and fiscal requirements.

**Grant
Applic
ation
Signature Authority**

In addition to delegation authority as stated in Executive Order 94.001, "Delegation of Authority to Sign Contracts and Legal Documents," authority to sign grant applications is hereby further delegated to Deputy County Administrators, Assistant County Administrators and the Intergovernmental Affairs

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 94.003

Page 3 of 3

authorization for the County Chairman or County staff to execute renewal documents can be part of the initial agenda item.

EFFECTIVE DATE: e 1994
ORDERED this - day of 1994.

Linda W. Chapin
orange County
Chairman

EXECORD7
08/22/94

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

INOTIFICATION OF IN-THE-LINE OF DUTY DEATHS

,PURPOSE AND BACKGROUND:

No: 95.001

Date: 01/05/95

Page I of

The purpose of this Executive Order is to -ensure the proper notification and information distribution to the necessary parties upon the death of a County employee when in the line of duty, and to ensure the proper notification and information distribution to the necessary parties upon the nonwork-related death of a County employee.

2.

A. ResRonsibilities For In-the-line of Duty Death

SuRervisor of Deceased EmPloyee

b. Notify co-workers of the employee's death.

Department Manager

a

Title:

ORDER.

- a. Notifies the Department Manager of the employee's name, position, time of death and circumstances surrounding death. NOTE: The deceased employee's name will not be released to other parties until the employee's family has been notified of the death.
- a. Notifies the Division Director of the employee's name, position, time of death and circumstances.
- b. Notifies and reports the employee's name, department, position, time of death and

circumstances surrounding the death to the Risk Management Department.

- C. Completes and forwards a Notice of Injury Report to Risk Management. NOTE: Death must be reported to the State of Florida within 24 hours.

NOTE: The deceased employee's name will not be released to the media and/or other parties until the employee's family has been notified of the death.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 95.001

page

2 of 5

d. Coordinates departmental activities as related to monetary -contributions, charitable contributions, flowers, food, etc.

e.

Coordinates/approves with the General Services Department the flying of the County flag at half mast, if desired. NOTE: For in-the-line of duty deaths, the flags can be at half mast for one (1) week at the appropriate County facility. For off-duty or nonwork-related deaths, the flag may fly at half mast for two (2) days at the appropriate County facility.

f. Communicates the funeral arrangements to other County employees. -

9- Coordinates/approves attendance of co-workers at funeral services. NOTE: Leave utilized by employees for attendance of the funeral services will be at the discretion of the Department Manager.

h. Communicates information regarding EAP and Post Trauma Counseling to co-workers.

Division Director/Designee

a. Notifies and reports the employee's name, department, position, time of death and circumstances surrounding the death to:

- (1) Deputy County Administrator;
- (2) Risk Management Department;
- (3) Human Resource Department; and
- (4) Director of Communications.

b. Coordinates notification of family. NOTE: Notification of family shall be attempted in person.

NOTE: The **deceased employee's name will not be released to other parties until the**

employee's family has been notified of the death.

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ORANGE COUNTY
CHAIRMAN
EXECUTIVE ORDER

No: 95.001
page 3 of 5

4. Human Res ource
DeRartment

a. Inform deceased employee's family and beneficiary(ies) of survivor benefits. (Life *insurance, retirement*, accrued leave, etc.) NOTE: The deceased employee's spouse/children are eligible for continued coverage in the County's medical and dental insurance plans. The County will continue to pay the employer's portion of the benefit premiums.

b. Assist the family in processing of paperwork.

c.

completing and

Arranges EAP to provide Post-Trauma *Counseling at* the deceased employee's worksite.

d. Informs deceased employee's family of EAP services.

5. County Administration

a. Informs the County Chairman and the Board of County Commissioners of the death and surrounding circumstances.

b. Communicates with the media.

c. Attend services for the deceased employee.

6. Risk

Management-Department

- a. Notifies the Claim's Administrator.
- b. Reports the employee's death to the Division of Worker's Compensation.
- c. Coordinates with Human Resources to meet with the deceased employee's family for notification of worker's compensation benefits.

B. **RESPONSIBILITIES FOR NONWORK-RELATED**

**1. Supervis-0-r-of deceased
emploMe**

- a. Notifies Department Manager of deceased employee's name, position, time of death and circumstances surrounding the death.
- b. Notifies co-workers of employee's death.

2. Department Manager

- a. Notifies Division Director of deceased employee's name, position, time of death and circumstances surrounding the death.
- b. Coordinates departmental - activities as related to monetary contributions, flowers, food, etc.

c.

Coordinates/approves co-workers' attendance of funeral services. NOTE: Leave utilized by employees for attendance at the funeral services will be at the discretion of the Department Manager.

- d. Coordinates/approves with the General Services Department the flying of the flag at half mast, if desired. For off-duty or nonwork-related deaths, the flag may fly at half mast for two (2) days at the appropriate County facility.

Division Director/Designee

- a. Notifies and reports the employee's name, department, position, time of death and circumstances surrounding the death to:

- (1) Deputy County Administrator; and
- (2) Human Resource Department.

4. County Administration

- a. Informs the County Chairman and the Board of County Commissioners of the death and surrounding circumstances.

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b. Communicates with the media.

c. Attend services for the deceased employee.

5. **Human Resources Department**

a. Informs deceased employee's family and beneficiary(ies) of survivor benefits. (Life insurance, retirement, accrued leave, etc.)

b. Assists family in the completing and processing of paperwork.

c. Notifies department of Grief Counseling provided by the EAP provider.

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Linda W. Chapin
Orange County Chairman

EFFECTIVE DATE: 1995
ORDERED this w-1 day of .1995.

EXECORD13

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ORANGE COUNTY
CHAIRMAN

EXECUTIVE ORDER

No:95.002

Page 1 of 2

EMERGENCY
RELATED RELEASE
OF EMPLOYEES

-Date: 5/26/95

Title:

F

I. PURPOBZ AND BACKGROUND:

The purpose of this Executive Order is to ensure consistent communication and action concerning the dismissal of personnel in the event of an emergency situation.

ii. ORDER:

A. Responsibility for communication:

1. County Administration *shall:*

2. Division Directors *shallu*

3. Department Xanagers *shall:*

a. Advise division directors and constitutional officers of decision to release personnel and other pertinent data.

a. Notify department managers of County Administration's action.

a. Explain the emergency situation to employees.

b. Outline hazards which the emergency situation may create and preparation strategies employees should develop.

c. Communicate the time employees are to be released from the vorksite.

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dMartuents should:

1. Ensure appropriate coverage within the department.

2. Determine the employees to be released. (Departments should identify tentative positions to be released prior to the occurrence of an emergency situation.)

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 95.002
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C. Prior to releasing 2021gZees from the yorkxite:

1. Supervisors should obtain a phone number where each released employee can be reached. (Departments are encouraged to create this list prior to an emergency situation and update the list as necessary.)
2. Supervisors should inform employees:
 - a. of the reason for the early release of employees.
 - b. of the release time.
 - c. that employees may be required to return to work before the end of their scheduled work shift in the event they are needed or the emergency no longer exists.
3. It is also necessary that employees are aware that no compensatory time will be given to employees who are:
 - a. not released due to the emergency,
 - b. on vacation or;
 - c. on a previously scheduled absence from the worksite.

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1995.

Linda W. Chapin
Orange County Chairman

EFFECTXVZ DATZ: , 1995

ORDERZD this -Ck1 day
of

ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 95.003
Date: 10/95

Title:

BOND WAIVER PROCEDURES

Page 1 Of 4

PURPOSE AND

It is in the County's best interest to help assure payment to first-tier sub-contractors and suppliers hired by prime contractors for contracts not covered by a Payment Bond.

In addition, the County's interest is served by providing protection against the abandonment of contracts by prime contractors which are not protected by a Performance Bond.

Orange County Ordinance 92-26 provides for the waiver of the requirement for bid bonds, performance bonds and payment bonds when the value of a construction project is less than \$100,000.

The purpose of this procedure is to provide options available to the County when contracting for construction under the "Bond Waiver* program. These options will help protect the County from claims by sub-contractors and suppliers for payment, and provide a mechanism for completion of projects which have been abandoned by contractors.

Ii. **ORDER:**

- A. No prime contractor shall simultaneously hold multiple contracts for construction under the Bond Waiver program (i.e., contracts for which bonds are not required by County Ordinance) wherein the combined value of the awarded contracts exceeds \$100,000. Therefore, a prime contractor must provide performance bonds and payment bonds for additional contracts held simultaneously exceeding the total award value of \$100,000.
- B. All applications for progress payments shall be accompanied by a statement certifying the names, addresses and scope of work performed by all sub-contractors and suppliers who are due payment from the Prime Contractor for work done or material supplied which are covered by the Prime Contractor's current payment application, and

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C.

subsequent to the first progress payment, the Contractor must provide the County with partial or final release of liens and waiver of claims **from those** sub-contractors and suppliers who have been paid under the immediately preceding progress payment.

No bid bond will be required, as it is at the bidder's discretion to select either the Bond Option or the Joint Check Option, as provided in' Section E below.

D. In base of default by the Contractor, the sub-contractors and suppliers filing written claims for unpaid bills will be paid from the cumulative project retainage on a pro rata basis as follows:

The sum of all valid claims made shall be divided into each individual claim, thereby deriving a percentage value for each claim. The total retainage will then be multiplied by the percentage value and the result shall be the pro rata share of the retainage to be paid to the claimant; however, the payment shall not exceed the amount of the claim.

Defaulting contractors may be suspended or debarred from future contracts with the County as provided for in Procurement Ordinance 92-26.

E. Each solicitation for construction valued between \$25,000 and \$100,000 and publicly bid, shall provide two options from which the bidder must choose. Failure to select one of the two options shall be cause for disqualification. options are as follows:

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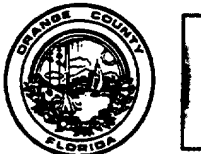
1. "Option A, Bond Option"

This option will provide for the contractor to furnish a Performance Bond and a Payment Bond upon contract award. The total cost of both bonds shall not exceed 3% of the base bid or lump sum bid. The cost of the bonds shall be indicated on the bid proposal form. The surety providing the bonds must be acceptable to the County as defined in the Contract documents.

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

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Evaluation of the bid will be based upon the base bid or lump sum bid only,- exclusive of the cost of the bonds. The cost of the bonds, if this option is selected, shall be added to the Base Bid or Lump Sum Bid and included in the contract award amount. The Contractor must supply written documentation from the surety to the County as to the actual cost of the Performance Bond and Payment Bond prior to award of the Bid.

Payment of the Bond premium may be requested by the Contractor in the first progress pay request.

2. "Option B, Joint Check Option"

Selection of this option requires the execution of joint check agreements (Exhibit "AN) between the prime contractor, the County and each sub-contractor or supplier engaged by the prime contractor for the specific contract on which the prime is bidding. Fully executed Joint Check Agreements with all sub-contractors and suppliers must be submitted with the signed contract with the County. The prime contractor and a specific sub-contractor or supplier shall be named as co-payees on each check issued by the County as payment on the specified contract.

The jointly named sub-contractor or supplier named on each joint check disbursed by the County shall agree to issue a lien release and waiver of claims equivalent to that portion of the money received by way of the joint check for the work furnished and thereby compensated upon receipt of the joint check.

The Prime Contractor shall notify the County Project Manager named in the, Contract Documents of any and all changes to the list of sub-contractors and suppliers utilized on the project. A fully executed Joint Check Agreement with the new sub-contractor or supplier shall be submitted prior to any further application for payment.

- F. The Joint Check Agreement and Bid Terms and Conditions shall serve as standards to effectuate this procedure. The enclosed Instructions to

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ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER

No: 95.003

Page 4 of 4

Bidders and Terms and Conditions shall be included
in the Invitation for Bids under the Bond Waiver
Program.

Linda W. Chapin
Orange County Chairman

EFFECTIVE DATE: 1995
ORDERED this;~---f day of October,
1995.

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ATTENDANCE BY COUNTY STAFF AT ORANGE
COUNTY HOUSING FINANCE AUTHORITY MEETINGS

Page I of

2

Title: Attendance by County staff at Orange County Housing Finance Authority meetings

PURPOSE AND BACKGROUND

The Orange County Housing Finance Authority (the "Authority") was created pursuant to Chapter 159, Florida Statutes and Orange County Code, Section 2-151, *et seq.* Although the Authority operates in many respects as an independent public entity, Orange County appoints the Authority's members, approves its financings for the limited purpose of the federal income tax exemption, and has an interest in monitoring its activities.

Because of the desirability of fostering communications and strengthening the relationship between the Authority and Orange County government, it is in the best interest of the Authority and Orange County to have representatives of the County in attendance at the Authority's meetings.

II. ORDE

As expressly permitted by Section 302(D)(4) of the Orange County Charter, I, Linda W. Chapin, Orange County Chairman, hereby order that Orange County make available the County Administrator (or designee) and the County Attorney (or designee) to attend each of Orange County Housing Finance Authority's regularly and specially scheduled meetings and, in addition, to assist with specific requests by the Authority's Executive Director or General Counsel regarding issues of governmental practice and procedure.

EFFECTIVE DATE: (Day of signing).

ORDERED this ^{is "}z~q&-y of

1997.



ORANGE COUNTY CHAIRMAN
EXECUTIVE ORDER
Orange County, Florida
By: Board of County Commissioners

No: 97.
page 2 of 2

By:

Linda W. Chapin
Orange County Chairman

Attest: Martha O. Haynie, Orange County Comptroller
as Clerk of the Board of County Commissioners

By:

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 1-01

Date: 5-11-87
Approved By:
BCC

Title:

INTRODUCTION

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This book contains the general administrative policies and procedures for Orange County, in the form of Administrative Regulations. The book is intended to serve as a comprehensive guide for action by all administrative personnel and provide policies governing Orange County governmental operations. Observance of the Administrative Regulations is mandatory for all County personnel and violations may result in disciplinary action.

In addition to this manual, it is anticipated that some departments may find it convenient or necessary to promulgate procedure manuals governing internal operations or interdepartmental- manuals, such as the Budget Reference Manual and the Purchasing Procedures Manual. In order to coordinate the application of Administrative Regulations throughout the organization, manuals issued by departments will be subject to approval by the County Administrator prior to issuance. Departments will be responsible for proposing changes to these Regulations when appropriate.

In instances where there appears to be a conflict between a Regulation and a department manual, then the Regulation will govern. Where Regulations may be at variance with provisions of County contracts, ordinances, State or Federal Statutes, the latter will prevail. Such variances shall be brought to the attention of the County Administrator.

It is incumbent upon all County personnel to become familiar with and knowledgeable of the provisions of this manual. Periodically new or revised Regulations will be issued and each recipient of the manual is responsible for maintaining an up-to-date copy. The issuance of a new Regulation automatically supersedes any outstanding policy or procedure governing the same subject or substance.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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No: 1. 02

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 5-11-87

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Approved

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ADMINISTRATIVE REGULATIONS

Page of 2

I. POLICY:

- A. The book of general administrative policies and procedures consists of Administrative Regulations grouped into eleven areas of concern. In addition to this first section containing introductory material, the subject areas covered are:

Administration

County Commission Relations

Intergovernmental Relations

Citizens Communications

Finance and Budget

Employee Relations

Equipment and Facilities

Purchasing

Civil Preparedness and Emergency Operations

Miscellaneous

- B. The Regulations are numbered using a decimal system so that, as the need arises, additional Regulations may be added or modified. For the same reason, the book is in a looseleaf form rather than a bound document.
- C. The Regulations contain two types of information: Policies established by the Board of County Commissioners as, the guidelines under which the County operates; and operating Procedures which may affect many departments and divisions.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: Orange County Charter, Article IV
Section 402B

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 1.02
Page -2 of 2

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II. PROCEDURES:

D. The basic format of the Regulations is as follows:

1. The heading contains the title and decimal index number of the Regulation, the date of original approval or the date of latest revision and the page numbers.
2. The section entitled POLICIES presents the regulations established by the Board of County Commissioners relevant to the subject of the title.
- 3.
- 5.

The section entitled PROCEDURES presents the specific procedures which are necessary to carry out the policies of the County.

Some Regulations may contain only policy and others may contain only procedure.

At the end of each Regulation there is a note indicating where further information is available.

Suggestions regarding development of new Regulations, revisions to existing Regulations, or comments regarding the format of the manual and Regulations should be directed to the County Administrator's Office.

B. The Board of County Commissioners shall approve all Administrative Regulations. The following steps will be followed in proposing or revising Administrative Regulations:

1. A Division Director, Department Manager or member of the County Administrator's staff submits a draft Regulation to the County Administrator's staff designee.
2. The draft Regulation is placed in the appropriate format by the County Administrator's staff designee.
3. The draft Regulation will be reviewed by the County Administrator and submitted to the Board of County Commissioners for review and approval.

C. Divisions and departments are to refrain from communicating via memo or other means items that should be more properly covered by an Administrative Regulation. The purpose of this requirement is to ensure that the Administrative Regulations provide a total authoritative source for regulations and/or policies.

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Title:

GENERAL ORGANIZATION OF COUNTY ADMINISTRATION

No:

2.01

Date: 05/11/87

The Board of County Commissioners is the principal legislative and governing body of the County, responsible for the establishment and adoption of policy. The Board consists of six Commissioners elected from single-member districts and a Chairman elected county-wide on a non-partisan basis by the voters of Orange County for terms of four years each. The County Chairman's position has a limit of two terms.

Orange County's Executive Branch has Jurisdiction over all operations of the County government not assigned to the Legislative Branch or provided otherwise by the Charter. The 'Executive Branch is composed of the elected County Chairman, an appointed County Administrator, the officers and employees of the administrative offices and executive divisions established by the Charter or created by the Board, and the administrative officers and employees of all adjustment, regulatory and advisory boards and commissions, except as other-wise provided in the Charter.

County Administrator

The County Administrator is appointed by the County Chairman and confirmed by the Board and serves at the pleasure of the Chairman. The County Administrator is nominated and selected on the basis of professional training and executive and administrative experience as set forth by Ordinance. The County Administrator is employed on a full-time basis to assist the County Chairman in the daily management of the County. Duties of the County Administrator are enumerated in Articles III and IV of the County Charter and Ordinances 76-6 and 79-20, as well as Resolution 86-M-48.

County Attorney

The County Attorney is the Chief Legal Counsel to the County and is appointed by the County Chairman. The County Attorney employs such assistants as may be deemed necessary, subje& to budget approval. The County Attorney and assistants represent **the County government, the**

FOR MORE INFORMATION CONTACT:

County Administrator's Office
County Attorney's Office

Approved y6CC

Revise 03/26/96

Page 1

Of 3

REFERENCE:

County Ordinance 76-6
County Ordinance 79-20
County Charter, Articles III and IV
County Resolution No. 86-M48

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Chairman, the Board, the County Administrator and the division heads and County officers, all divisions and agencies of the County government, and all adjustment, regulatory and advisory boards and commissions, as well as all Constitutional Officers upon request.

Animal Services

This department provides public safety and health services to citizens of Orange County through the enforcement of the animal control ordinance; and, provides food and shelter, licensing and vaccination activities, spay/neuter services and humane euthanasia of unwanted animals.

Administrative Support Division

This division provides specialized support services to all operating departments and constitutional units of County government.

Convention Center

The Convention Center serves as a multi-purpose building designed for conventions, trade shows, exhibits, and other community activities.

The mission of the Convention Center is economic development. By hosting regional, national, and international conventions, meetings and trade shows the Center infuses the local economy with new money and expanding business opportunities.

Corrections

This division serves and protects the citizens of Orange County by providing for the care, custody and control of legally incarcerated inmates in a safe and secure environment and provides services for those individuals supervised in diversion/community programs. The division provides for the basic human needs of the inmate/client population and offers program and rehabilitative opportunities for those inmates/clients who choose to participate. This division accomplishes these goals in the most cost-effective manner through the development of appropriate division/facility/community programs providing the required level of control to ensure safety of the community.

Fire Rescue Division

This division protects the public health and safety of Orange County's citizens by providing fire prevention and emergency medical services.

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Fiscal & Human Resources Division

This division coordinates all functions associated with budget, purchasing, human resources, equal opportunity and professional standards, risk management, and provides business development assistance to minority/women-owned businesses.

Health & Community Services Division

This division provides services that preserve and enhance the quality of life in the community by protecting and promoting the health and welfare of citizens through the use of effective planning implementation and management of health and community services; and, by providing recreational activities and cultural and historical educational opportunities.

Division of Information Technologies

This division provides support services to operating departments and Constitutional offices in the areas of data processing, data communications, telephone, radio, and Geographic Information Systems (GIS).

Planning & Development Division

This division ensures compliance with State-mandated growth management legislation and County ordinances that are related to growth and development within unincorporated Orange County via building, planning, and zoning codes.

Public Works Division

This division provides for appropriate growth and development for Orange County through proper placement and maintenance of roadway and drainage structures.

Utilities Division

This division provides drinking water, wastewater, recycling services, and solid waste disposal services to protect the health, safety, and welfare of Orange County residents and improve the environment

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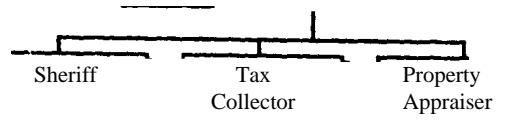
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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Tide: ACTING COUNTY ADMINISTRATOR

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I. POLICY:

Absence or Disabilities. The County Chairman may designate a qualified County administrative officer or County employee to exercise the powers and **perform the duties** of the Administrator during the Administrator's absence or disability. If there is a vacancy in both the offices of County Chairman and the County Administrator, the Board shall designate by resolution a qualified person to perform the duties of Administrator.

PROCEDURES:

A. In the event the County Administrator must be away from his office for a temporary period, the following shall be the order of assumption of the duties and responsibilities of that office:

- Deputy County Administrator
- Assistant County Administrator(s) (in order by time in grade)
- Assistant to the County Administrator(s)

B. If the County Administrator is to be absent for any extended period of time he shall notify the County Chairman of his absence.

C.

In the event of a vacancy in the office of County Administrator, the County Chairman shall designate an interim Administrator and proceed to fill the vacancy in accordance with Section 302 of the County Charter and Ordinance 76-6.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: County Charter, Section 302C
County Ordinance 76-6

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.03
Date: 2-16-87

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Title:

ACTING DEPARTMENT MANAGERS AND DIVISION DIRECTORS-

Approved By:
BCC

Page of 1

POLICY:

Each Division Director and Department Manager shall designate, subject to the approval of the County Administrator, a qualified County administrative officer or County employee to exercise the powers and perform the duties of his office during the Director's or Manager's temporary absence or disability.

II. PROCEDURES:

A. Each designated Acting Division Director -or Department Manager shall be notified of his assignment in writing with a copy to the County Administrator's Office and the Personnel Department.

B .

When such designation is no longer valid, the new designee shall be notified and copies forwarded as in paragraph A above.

C. When a Division Director is to be away from his place of employment due to conferences, training, vacation, etc., he is to seek prior permission from the County Administrator's Office. Such permission should be sought in writing for absences of any extended periods.

D. It shall be the responsibility of each Division Director to establish and administer procedures for absence notifications for each Department Manager and other designated staff.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: County Charter
Article IV, Section 401, 402

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS 2-16-87

Date:

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Approved

By:

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Title:

ISSUANCE AND CONTROL OF FORMS

Page I Of

I. POLICY:

The Office of Management and Budget (OMB) is charged with the responsibility for reviewing and approving all forms to be used by Orange County. The purpose of this review is to ensure suitability for intended use and to validate annual usage requirements.

II. PROCEDURES:

A. New forms or revisions to old forms must be proposed by submitting a Request for New/Revised Form-to OMB (Form 8-21).

B. OMB will review the request, and forward it to Graphi Reproduction if it is approved.

C.

If the request is disapproved, OMB will return the request with an explanation to the appropriate department/division.

D. Graphic Reproduction is responsible for maintaining files of all forms masters and furnishing forms to departments upon request.

Any form to be used for computer input must first be approved by the Data Center prior to submission to OMB.

FOR MORE INFORMATION CONTACT: Office of Management and Budget (OMB)

REFERENCE: OMB Procedural Manual

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No: 2.06

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 9-21-87

Approved

By:

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ACCESS TO PUBLIC RECORDS

Page 1 of 1

I. POLICY:

Orange County adopts Chapter 119, Florida Statutes, including all exemptions to Chapter 119, as presently enacted and hereafter amended, and as construed by the courts and the Attorney General, as the County policy relating to public records.

II. PROCEDURES:

A. If a fee is not prescribed by law, the Board of County Commissioners shall, upon recommendation by the County Administrator, adopt a resolution establishing a set fee for duplication of public records which is reflective of the actual cost of duplication as defined in §119.07(1)(a), Florida Statutes.

B. The Office of Management and Budget shall review the set fee enacted by the Board of County Commissioners on a periodic basis, at least annually, to ensure that such fee remains reflective of the actual cost of duplication. Such fee shall be published in a fee directory by the Office of Management and Budget.

C.

The special service charge authorized by 5119.07(1)(b), Florida Statutes, and all other fees and charges authorized by Chapter 119, Florida Statutes, shall be coordinated with the Office of Management and Budget.

D. The custodian of public records shall be responsible for collection of fees and charges, furnishing copies and receipts, accounting for receipts, and payment of fees and charges collected to the Finance Department of the Comptroller's Office.

E. Any questions relating to applicability of the policy and procedures or Chapter 119, Florida Statutes, shall be referred to the Legal Department for disposition.

FOR MORE INFORMATION CONTACT: Legal Department

REFERENCE: See Above Policy

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.06.01

Date: 2-16-87

Approved By: BCC
Revised 12-10-90

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DISPOSITION OF PUBLIC RECORDS

Page 1 of 5

I. POLICY:

No public official or County employee may mutilate, destroy, sell, loan or otherwise dispose of any public records without the consent of the Bureau of Archives and Records Management (BARM) of the Department of State. Any willful violation is a Florida Statutes misdemeanor carrying a fine of not more than \$500, or incarceration of not more than one (1) year, or both, upon conviction.

PROCEDURES:

A. The Records Center and Warehouse of the Records Management Department, a department under the County Comptroller, was established to combat waste and inefficiency in paper storage. It is designed to provide safe and secure storage for semicurrent records which have been retained because of administrative, legal, or fiscal requirements. Departments are encouraged to transfer their semicurrent records to the Center, so that valuable floor space can be released for more important uses.

B. The Records Center is operated in accordance with Florida Statutes, Chapters 119 and 257, as well as Florida Administrative Code Chapters 1B-24, 1B-26 and 1B-27. The Center operates as an extension of the individual department's record keeping system. Title to records placed in the Center remain in the department transferring the records and records are subject to security and referencing stipulations set by the department.

Each department must designate, in writing to the Records Center, their department's Records Coordinator (RC). That designee will be responsible for the department's records program, coordination with the Center on all records matters, and ensuring compliance with the provisions of this directive.

FOR MORE INFORMATION CONTACT:

Records Center

REFERENCE:

Florida Statutes Chapter 119
Florida Statutes Chapter 257
Florida Administrative Code -
1B-24, 1B-26, 1B-27

Orange County Comptroller's
office
Records Management Department

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.06.01

Page 2 Of 5

D. In addition to semicurrent records storage (conventional paper records), the Center provides for climatically-controlled **storage** for microfilm. The Center furnishes special cartons, labels, designated forms, facsimile services, and pickup service for its customers. A retrieval service is also provided for records accepted for storage. If required, the Center also provides a microfilm service for permanent records.

E. INVENTORY OF RECORDS

1. The initial and subsequent inventory of department records is the responsibility of the Records Center.

2.

The department-designated Records Coordinator will assist with the inventory of the records. -

ESTABLISHING A RECORDS RETENTION SCHEDULE

1. From the inventory listing, each Records Coordinator, with the assistance of the Records Center, is responsible for designating the records which may be combined to form a records series; selecting descriptive nomenclature for the series (if possible, selecting the title from which the series will normally be requested); describing the purpose and content of the series; and suggesting a retention period for each record series held for the department based on administrative, legal or historical requirements.
2. The Records Center will then prepare Form DS-RM 105/106 for submission to BARM. The department manager or designated representative will sign Block 9 (Agency Certification) of the completed form. When approved by BARM, the form becomes the official records retention schedule for the department. Each department will be furnished a copy of its own schedule; the original will be retained by the Records Center.

The approved schedule remains effective until there is a change in series content, title, retention period, or other circumstances. Revisions may be proposed at any time by a department.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

G. OBTAINING RECORDS DISPOSAL AUTHORIZATION

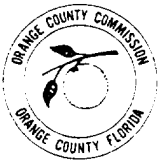
1. Once an official retention period has been established for a record series, records in the series are eligible for disposal when they have met the retention requirements.
2. The Records Center will initiate disposal action by the submission of a Form DS-RM 107/108 to BARM. The Records Center will assign a schedule number. Block 7 (Submitted By) of the completed form will be then signed by the department manager. After approval is secured from BARM, the department's Records Coordinator will be notified.

Normally, the Records Center will then destroy the records for the department, complete Blocks 8g and 10 on Form 107 to certify that the records have been destroyed, and forward a copy of the completed form to the department. If a department manager elects to dispose of their own records, the Records Center will forward the original of Form 107, and the related records, to the department. Upon disposing of the records, the manager will complete Blocks 8g and 10 of the form and will return the original to the Records Center.

3. A one-time disposal authorization may be obtained when a record series becomes obsolete and records are no longer accumulating. The affected Records Coordinator should contact the Records Center for disposal action.
4. Destruction of records shall be accomplished by shredding, maceration, incineration, or any method approved by BARM that does not bring discredit or ridicule upon the Custodian. Recycling of paper by a bonded dealer, or discarding in a normal trash container, are acceptable methods of disposal.

H. MICROFILMING OF RECORDS

1. Records, which have a retention period requiring microfilming (generally ten years or more), will be filmed by the Records Center or the Micrographics Section of the Records Management Department. All other arrangements must be with the approval of the Custodian and the Records Center. All microfilming must be in accordance with the standards of 1B-26.021, Florida Administrative Code. For a copy of this publication, contact the Records Center.



ORANGE COUNTY
ADMINISTRATIVE REGULATIONS 1

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No: 2.06.01

2. Two microfilm copies will be made of all permanent records. The original will be forwarded to BARM and the other to the user. For other-than-permanent records, the second copy of the microfilm will be stored with the Records Center.
3. Records submitted for microfilming should be free of all fasteners and binding materials, such as paper clips, rubber bands, etc.
4. The sequence in which records are received for photographing is the order in which they shall be processed. It is imperative that all microfilmed records be meticulously purged and indexed in order that quick retrieval of the information may be achieved.

III. DEFINITIONS:

- A. BARM: Bureau of Archives and Records Management of the Department of State of the State of Florida.
- B. CUSTODIAN: Elected or appointed State, County or Municipal Officer charged by law with the responsibility of maintaining the office having public records.
- C.

DISPOSAL AUTHORIZATION: Permission by BARM to dispose of scheduled records. (Any disposition of records without proper authority is a misdemeanor of the second degree.)

- D. FORM DS-RM 105 & 106 - "REQUEST FOR RECORDS RETENTION SCHEDULE OR ONE-TIME DISPOSAL AUTHORIZATION": Florida State form to be submitted for approval of a Records Retention Schedule (and revision of same), and one time disposal authorization (when records no longer continue to accumulate and disposal action is requested).
- E. FORM DS-RM 107 & 108 - "NOTICE OF INTENT TO DESTROY SCHEDULED RECORDS": Florida State form submitted to BARM for approval prior to disposal of scheduled records.

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

No: 2.06.01

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F. PUBLIC RECORDS: All documents, papers, letters, maps, books, tapes, photographs, files, sound recordings, or other material, regardless of physical form or characteristics, made or received pursuant to law or ordinance, or in connection with the transaction of official business by the County.

G.

RECORD SERIES: A group of related documents (either as to form or content) which is arranged under a single filing system, or kept together as a unit because they: (1) consist of the same form; (2) relate to the same subject; (3) result from the same activity; or (4) have certain physical characteristics (maps, blueprints, etc.). A record series may contain both forms and correspondence.

H. RECORDS COORDINATOR: Person designated by a Department Manager to be responsible for the department's records program.

I. RETENTION SCHEDULE: A schedule establishing a title for each record series or type of record, describing the records contained under that title, and setting a retention period for the series.

J. SEMICURRENT RECORDS: Records that are referenced once a month or less.

K. PERMANENT RECORDS: Any record that has been determined by BARM to have sufficient historical or other value to warrant its continued preservation.

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No: 2.07.01

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

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UNIFORM STATIONERY REQUIREMENT

Page 1 of

11

I. POLICY:

- A. The use of uniform stationery (paper, envelopes and inter-office memoranda forms) in Orange County is mandatory.
- B. The Board of County Commissioners, the County Administrator and staff, Division Directors and Department Managers may have personalized stationery.

Stationery for departments under the control of the Board of County Commissioners shall be identified by the department name and corresponding address, but personalized stationery shall not be permitted below the department head level.

II. PROCEDURES:

- A. Stationery may be acquired by making a request to the Graphic Reproduction Department
- B. The Graphic Reproduction Department will ensure compliance with the above policy and proceed with the work order.

FOR MORE INFORMATION CONTACT: Graphic Reproduction Department

REFERENCE: None

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.07.02
Date: 2-16-87

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UNIFORM MAILING REQUIREMENTS

Approved
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Page 1 of 1

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I. POLICY:

All departments under the Board of County Commissioners shall utilize the services of a centralized Mail Room, unless they have been granted a specific exemption by the Office of Management and Budget (OMB) to utilize their own postage meter or to have their own stamps for mailing purposes. No County postage shall be placed on mailings that are for other than official County business.

II. PROCEDURES:

- A. Departments interested in obtaining their own postage equipment shall first make a request through the General Services Department. Such request shall be reviewed and a recommendation made through the Division Director to OMB, which shall approve or deny such requests.
- B. The Mail Room shall be responsible for picking up mail from the post office, sorting such mail, and having it available for pickup by various departments. The frequency of mail pickup and delivery to and from departments by Mail Room personnel, if any, shall be determined by the General Services Manager based upon the availability of staff resources.

Mail shall be picked up no less than once daily from the Mail Room by those departments required to do so.

- D. Inter-office mailings will be accomplished electronically, for those departments accessing the office automation system, or through the Mail Room acting as a central repository. Because of the staff resources required, departments shall refrain from hand carrying inter-office mail except in emergency or time critical situations.

FOR MORE INFORMATION CONTACT: Mail Room

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 5-11-87
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Title:

UNIFORM SEAL REQUIREMENT

Page Of 1

I. POLICY:

The Board of County Commissioners has adopted an official seal for use by all departments, divisions, and activities under its jurisdiction. Use of the official seal is mandatory.

II. PROCEDURES:

A. Departments under the Board of County Commissioners are to use the official seal of Orange County on all letterheads, official publications, etc., emanating from their offices.

B. Each department head is responsible for making sure that the official seal is used on any documents originating in his/her office. Copies of the official seal may be obtained from the Planning Department. The Graphics Reproduction Department is responsible for making sure that only the official seal is utilized on any materials printed by Orange County.

C.

If any departments or agencies under the jurisdiction of the Board of County Commissioners wish to use the official seal for legitimate purposes, they should use the seal "as is" and place any other identifying information below it. Under no circumstances may the seal be altered or defaced.

D. Should an external agency not under the jurisdiction of the Board of County Commissioners desire to use the seal, permission must be sought from the County Administrator's Office.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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I. POLICY:

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

FINANCIAL DISCLOSURE

NO: 2.08

Date: 2-16-87

Approved By:
BCC

Page 1 Of 1

F.S. 112.3145 requires that all elected and certain appointed officials of Orange County, as well as members of advisory boards and committees, shall file financial disclosure.

II. PROCEDURES:

- A. The Service and Information Coordinator is responsible for ensuring that all new employees, elected officials, and members of advisory boards are notified of their initial responsibility and provided with the forms for filing financial disclosure in accordance with F.S. 112.3145. Filings are made in the county of residence with the Supervisor of Elections.
- B. Subsequent to the initial filing, the Service and Information Coordinator is responsible for filing annually an updated list of covered persons with the Commission on Ethics. Subsequent disclosure forms are provided to covered persons by the Supervisor of Elections in the county of residence and are mailed back to that same Supervisor.
- C. Any questions concerning whether a person is covered under F.S. 112.3145 should be referred by the Service and Information Coordinator to the County Attorney for response.

**FOR MORE
INFORMATION**

CONTACT: Florida
Statutes,

REFERENCE:
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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No.: 2.08.01

Date: 03/17/98

Approved By:
BCC

Title: **CONTINUING DISCLOSURE FOR DEBT ISSUES**

Page I of 3

I. POLICY:

- A. It is the policy of Orange County to endeavor to provide full and fair disclosure in connection with the initial sale and distribution of its publicly marketed debt instruments and to provide appropriate ongoing secondary market information in compliance with the requirements of applicable federal and state securities laws, rules and regulations, including Securities and Exchange Commission (SEC) Rule 15c 2-12.
- B. This policy shall be implemented through the adoption of the administrative procedures set forth below which provide for assignment of responsibility for information compilation, communication, analysis, response and dissemination.
- C. The Director of Fiscal and Human Resources shall be charged with general authority and responsibility for developing, implementing and overseeing compliance with this

II. PROCEDURES:

- A. The County Comptroller shall provide or cause to be provided, to each nationally recognized municipal securities information repository (NRMSIR) and to the State of Florida information depository (SID), if any, for each fiscal year of the County ending on or after September 30, 1996, not later than the following June 1, the following information:
 - (1) Audited financial statements prepared in accordance with generally accepted accounting principles; and
 - (2) Certain annual financial information required to be provided pursuant to SEC Rule 15c 2-12.
- B. The County shall provide or cause to be provided, in a timely manner, to
 - (1) each NRMSIR or to the Municipal Securities Rulemaking Board (MSRB) and

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No.: 2.08.01

Page 2 of

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the SID, if any, notice of the occurrence of any of the following events as required by SEC Rule 15c 2-12, if such event is material:

principal and interest payment delinquencies;

non-payment related defaults;

unscheduled draws on debt service reserves reflecting financial difficulties;

unscheduled draws on credit enhancements reflecting financial difficulties;

substitution of credit or liquidity providers, or their failure to perform;

adverse tax opinions or events affecting the tax-exempt status of bonds;

modifications to rights of the holders of bonds;

bond calls (other than scheduled mandatory redemption);

bond defeasances;

release, substitution, or sale of property securing repayment of bonds;
and

rating changes.

The County shall provide or cause to be provided, in a timely manner, to (1) each NRMSIR or the MSRB and (2) the SID, if any, notice of a failure by the County to provide the information described in Paragraph II.A. above on or prior to the date set forth therein.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No.: 2.08.01

Page 3 of 3

- D. Each Department Manager shall be responsible for monitoring the County operations within their control as to any possible events required to be disclosed hereunder or other occurrences that may be material with respect to County debt instruments. The Director of Fiscal and Human Resources shall prepare and maintain a list of those Department Managers who are responsible for monitoring particular debt issues. Upon the occurrence of an event, the Department Manager shall immediately compile all relevant information and submit a written description of the event to their Division Director. The written description should be of sufficient detail to allow the reader to gain a thorough understanding of the circumstances surrounding the event.

**FOR MORE INFORMATION
CONTACT:**

REFERENCE:

Fiscal and Human Resources Division

Securities and Exchange Commission

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.09

Date: 2-16-87
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SUNSHINE LAW PROVISIONS

Page 1 Of 1

I.
POLIC
Y:

- A. All meetings of any Board, Commission, or Council at which official acts are to be taken are to be open to the public at all times, and no resolution, rule, regulation, or formal action shall be considered binding except as taken at such an open meeting.
- B. Minutes of such meetings shall be promptly recorded and available for public inspection.

Any gathering of two or more of the members of a Board, Commission or Council with one or more of the County's employees shall be treated as a public meeting, since matters may be discussed on which foreseeable official action will be taken. This type of meeting need not be formally recorded as in "B" above.

- D. The policies described in the above paragraphs are requirements of the Florida Statutes and apply to any and all groups which are a part of the government of Orange County. It is the intent of the County to comply fully with the law.

II.
PROCEDURE
S.:

- A. The County staff member responsible for meeting with a Board, Commission, or Council as discussed above shall notify the Service and Information Coordinator in advance of all such meetings.
- B. The Service and Information Coordinator shall post notices of such meetings in a conspicuous, publicly accessible location.

FOR MORE INFORMATION CONTACT:

County Administrator's Office
Service & Information Coordinator

REFERENCE:

Florida Statutes Chapter 286.011

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No:2.09.01

Date: 9-21-87

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PUBLIC MEETING NOTICES

Page I of 2

I. POLICY:

- A. In accordance with state law, all meetings of the Board of County Commissioners, its advisory boards, and the committees (including public authorities and commissions), will be publicly posted at least one week or five working days in advance of such meetings.
- B. In addition, all special meetings and/or emergency meetings of the County Commissioners and County boards will be publicly posted no less than 24 hours in advance of such meetings.
- C.

II. PROCEDURES:

The County Compliance Officer is responsible for keeping records of such meetings and ensuring that public notice is given prior to all such meetings. If ample notice is not given of a meeting, the County Compliance Officer shall notify the County Attorney who will determine whether cancellation of the meeting may be required.

- A. The regular meetings of the Board of County Commissioners are permanently posted on the 2nd Floor bulletin board. All special meetings of the Board of County Commissioners are posted by the County Compliance Officer (Service and Information Coordinator), or in that person's absence, by the County Administrator's Office. In some instances (as in emergency-called meetings), the Compliance Officer may advise the general public through mail or telephone procedures to the news media in addition to public posting.
- B. Persons responsible for posting public notices of meetings will ensure that the notices contain the following information: name of public body, time, date and place of meeting, An agenda may be furnished but is not an absolute requirement.

FOR MORE INFORMATION CONTACT: Service and Information Coordinator

REFERENCE: Florida Statutes 286.011

Chapter 80-150, Laws of Florida

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

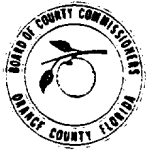
- C. In addition, the following sentence must appear on all meeting notices:

"As required by Chapter 80-150, Laws of Florida, (insert name of county board or agency) hereby notifies all interested persons that if a person decides to appeal any decision made by (insert name of county board or agency) with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

- D. All public notices of meetings will be posted on the 2nd Floor bulletin board. At the time that a notice is posted, a copy of said notice must be taken to the office of the County's Compliance Officer (2nd Floor) for filing.

Upon receipt of each notice, the Compliance Officer will determine whether proper advance notice has been given and whether all pertinent information is included therein. Upon finding the notice in compliance with Florida Statutes and policy of the Board of County Commissioners, the Compliance Officer will date and sign the copy of each notice and retain the copy for a period of not less than six months.

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ADMINISTRATIVE
REGULATIONS**

OFFICIAL COUNTY CEREMONIES

No: 2. 10

Date: 2-16-87

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POLICY:

- A. An official County ceremony is defined as any activity that serves as an announcement or celebration of a County event, i.e., a ground breaking ceremony or the grand opening of a County facility.

II. PROCEDURES:

- A. A request for official County ceremony shall be made by the responsible department head or division director (or member of the public) to the County Administrator.
- B. The County Administrator will place the matter before the Board of County Commissioners for approval on his agenda.
- C.

The Service and Information Coordinator will assist with public notification in coordination with the responsible department head or division director.

FOR MORE INFORMATION CONTACT: County Administrator's Office
Service and Information Coordinator

REFERENCE: None

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.11

[Date: 2-16-87

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Title:

REQUESTS FOR LEGAL STAFF WORK

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Page 1 of

REFERENCE: Charter Section 403

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POLICY:

The Orange County Charter, Section 403, provides for the office of the County Attorney. The County Attorney shall be the Chief Legal Counsel to the County. The County Attorney shall be appointed or removed by a vote of a majority of the full Commission. The County Attorney shall employ such assistant county attorneys and special assistant county attorneys, on either a full-time or part-time basis, as may be deemed necessary, subject to budget approval. The County Attorney and all assistant attorneys shall represent the County government, the Commission, Administrator and the division heads and County officers, all divisions and agencies of County government and all adjustment, regulatory, and advisory boards and commissions in all legal matters affecting the County government. Upon request, they shall represent all Constitutional Officers serving Orange County. The County Attorney and all assistant attorneys shall be licensed to practice law in the State of Florida. The compensation of the County Attorney shall be set by the Commission.

II. PROCEDURES:

- A. Divisions, departments, elected officials or others requesting the services of the County Attorney's office shall make such request in writing to the County Attorney, who will assign the work to his assistant attorneys as appropriate.
- B. The County Attorney will be responsible for the quality of all work emanating from that office.

Every reasonable effort will be made by the County Attorney's office to respond to requests for assistance in a timely manner.

D. All contracts and agreements with the Board of County Commissioners shall first be reviewed by the County Attorney's office prior to their presentation to the Board of County Commissioners.

FOR MORE INFORMATION CONTACT: Legal Department

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ADMINISTRATIVE REGULATIONS

Date: 2-16-87

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SAFETY AND RISK MANAGEMENT

Page 1 Of

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POLICY:

It is the policy of the agencies and elected officials participating in the Intergovernmental Risk Management Program to provide for the protection against the financial consequences of accidental losses, to provide for the preservation of their assets and public service capabilities from loss destruction or depletion, to reduce the total "long-term" cost of all activities related to loss prevention, and to establish, to the the fullest extent possible, an "exposure-free" work environment in which employees, as well as members of the public, can enjoy safety and security in the course of their daily pursuits.

PROCEDURES:

- A. The Risk Management Department is responsible for providing administrative direction and supervision of persons responsible for the identification, evaluation, and reduction of risks and liabilities, administering an effective self-insurance program, directing the safety management and training programs, investigating and administering workers' compensation claims, and acting as liaison to consulting and insurance agencies.
- B. There shall be an Intergovernmental Risk Management Committee charged with the responsibility for monitoring the operations of the program, suggesting program policies, strengthening risk management safety, reviewing claims, and making recommendations to the participants for the operation of the program. Each participant shall be represented on the Committee as follows:
 - a. Two members appointed by the City of Orlando
 - b. Two members appointed by Orange County
 - c.

One member appointed by the Sheriff of Orange County.

Agencies subsequently admitted to the program will be entitled to representation as mutually agreed to upon admission.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk Management and Self Insurance Agreement, dated November 14, 1985, as amended Intergovernmental Insurance and Risk Management Manual Intergovernmental Safety Practices Handbook, Volumes I and II Intergovernmental Safety Plan

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.12.01

Date: 2-16-87

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INTERGOVERNMENTAL SAFETY PROGRAM

Page 1 of 2

I. POLICY:

It is the policy of the participating governmental agencies to provide and maintain safe and healthful working conditions and to follow operating practices that will safeguard employees and citizens. There will be an aggressive accident prevention effort encompassing personnel, equipment, facilities, and related activities. This effort will be accomplished through the Intergovernmental Safety Program and will require the coordinated efforts of all personnel. The Safety Program will include:

1. Development of operational safety controls, procedures, and standards for hazardous working areas.
2. Development of Safety Policies.
3. Development of Safety Operating Procedures (SOP's) for all working areas.
4. Development of Safety Standards and safety criteria for all areas.
5. Development of accident investigation and reporting procedures.
6. Evaluation of accident and injury cause and analysis data.

Planning, training and promotional activities to improve and recommend corrective action.

8. Creation of safety committees to ensure compliance with good safety practices and recommend corrective action.

Development and preparation of the Intergovernmental Safety Plan.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk Management
Insurance Agreement, dated November 14, 1985, as amended
Intergovernmental Insurance and Risk Management Manual
Intergovernmental Safety Practices Handbook, Volumes I and II
Intergovernmental Safety Plan

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II. PROCEDURES:

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.12.01

Page 2 Of 2

- A. The manager, Risk Management Department, will be responsible for directing the overall Safety Program and implementing the Safety Plan.
- B. The Intergovernmental Agencies' Personnel Officials, will be responsible for:
1. Rendering advice and assistance to supervisors and managers regarding proposed disciplinary action.

Reviewing recommended actions and ensuring that they conform to prescribed regulatory requirements.

Processing adverse personnel actions resulting from safety violations.
- C. Supervisory personnel will be responsible for:
1. Actively supporting and participating in the Safety Program.

Taking necessary action to ensure the participation and support of their personnel.

Ensuring that appropriate disciplinary action is taken when safety violations are reported.
- D. Employees will be responsible for:
1. Reporting all unsafe conditions or practices to their supervisors.
 2.

Complying with all Safety Standards and Safety Operating Procedures.
 3. Reporting all injuries, no matter how minor, to their supervisors.

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: **2.12.02**

Date: 2-16-87

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COST ALLOCATION SYSTEM

SELF INSURANCE PROGRAM

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FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk Management
Insurance Agreement, dated November 14, 1985, as amended
Intergovernmental Insurance and Risk Management Manual
Intergovernmental Safety Practices Handbook, Volumes I and II
Intergovernmental Safety Plan

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I. POLICY:

It is the policy of the Board of County Commissioners to provide an incentive to improve loss experience by establishing a Cost Allocation System which considers differences in hazard and experience. The Cost Allocation System will also act as a management information system and serve several purposes, such as:
program budgeting, program costing, program evaluation and accountability.

The Cost Allocation System will be equitable⁷ - reflecting actual hazards and costs - based on easily ascertained and quantified data, and adjustable for units having widely disparate financial size. The insurance budget is the sum of: (1) the Loss Fund, (2) the total of purchased excess insurance policies that protect the Loss Fund, and (3) other expenses. "Add-On" insurance policies will be charged to the particular unit. An Experience Rating Plan, using an "experience modification" factor, will be developed for application to the Cost Allocation System.

II. PROCEDURES:

A. For Composite -Rating, the Risk Management Department will:

1. Use the RCI-611 Workers' Compensation Payroll Report as the basic document to rate elected officials and departments.

2.

3.

Rate each elected official and department for individual premiums.

Add the individual premiums to establish the total premium.

4. Divide the individual premium by the total premium to establish a composite rate expressed as a percentage..

Apply the composite rate to the total cost for individual charges.



ORANGE COUNTY
ADMINISTRATIVE REGULATION

No: 2.12.02

Page 2 Of 2

6. Prepare and send billings to all operating units.
- B. For Experience Rating, the Risk Management Department will:
1. Use the Loss and Claim Experience Report as the basic document to determine loss experience.

Establish an experience rating formula which will be used with the Loss and Experience Report.
 3. Apply the flexperience modification" factor to , each operating unit.
 4. Use the modified composite rate to determine individual charges.

**ORANGE COUNTY
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No: 2.12.03

Date: 2-16-87

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DEFENSIVE DRIVING COURSE (DDC)

Revised 9-18-89

Page I of 2

I. POLICY
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It is the policy of the Participating Intergovernmental Agencies and Elected Officials that all personnel who operate motor vehicles owned or furnished by these agencies and officials, or operate their privately owned vehicles on agency business, will, as soon as practicable after they are employed, successfully complete the DDC taught under the auspices of the National Safety Council.

II. PROCEDURES:

A. Th
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3.

Safety Office will:

1. Make arrangements for the classroom facilities.

Secure and issue all material necessary for the successful completion of the course.

Furnish instructors certified by the National Safety Council.

Upon completion, issue Certificates of Appreciation to the attendee with a COPY to the respective Personnel Department, and an entry in each individual's Safety Training Record.

Secure and maintain a driver transcript file on all agency motor vehicle operators.

6. Update the driver transcript file as necessary in order to sustain current records.

B. Department Managers and/or Supervisors will:

1. Submit to the Safety Office a list of personnel from their respective departments who require DDC training.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk Management

Insurance Agreement, dated November 14, 1985, as amended
Intergovernmental Insurance and Risk Management Manual
Intergovernmental Safety Practices Handbook, Volumes I and II
Intergovernmental Safety Plan

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RANGE COUNTY
ADMINISTRATIVE
REGULATIONS

2. Ensure that all personnel under their supervision, who operate vehicles owned or furnished by the Participating Intergovernmental Agencies, will be scheduled for, and successfully complete, the DDC at least every five (5) years.
3. Ensure that personnel under their supervision who miss any part of the required training make it up as soon as possible in subsequent classes.

C. Personnel Departments will:

Furnish the Safety Officer with a completed Driver *Information Form* on all personnel who are newly employed as motor vehicle operators, so that they may be scheduled for DDC.

File a copy of the Certificate of Appreciation in each attendee's folder.

1. When scheduled, attend all sessions so that they might satisfactorily complete the DDC and receive a certificate.
2. Upon completion, put into practice all the fundamentals of Defensive Driving.
3. Will, immediately upon any change in the status of his/her driver's license, such as *upgrading from* operator to chauffeur, cancellation, revocation or suspension, notify both his/her Department Manager and Safety Officer.

D. Employees
will:

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.12.04

Date: 2-16-87

Approved

By:

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COUNTY MOTOR VEHICLE OPERATIONS

Page I Of 3

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POLICY:

It is the policy of the Orange County Board of Commissioners that every effort will be made to prevent motor vehicle accidents. This effort will be accomplished by complying with all safety laws and regulations which apply to motor vehicles in the State of Florida. All personnel - from top management, through all ranks of employees - shall comply with this policy.

County vehicles shall be operated in strict compliance with all laws which apply to motor vehicles in the State of Florida. This includes the new "Florida Safety Belt Law" which went into effect on July 1, 1986. Additionally, this includes the prevention of any person to drive a County vehicle when he or she possesses any mental or physical disability affecting the ability of this person to safely operate a motor vehicle, in accordance with Florida Statute Chapter 322.126. Vehicle operators who receive citations for any violation of Florida Statute shall be personally responsible for payment of incurred fines and court costs. The Self Insurance Program covers County employees while driving a County vehicle only within the scope of their employment with the County. Personal use of a County vehicle is not permitted. No employee will operate a County vehicle without a valid Florida Driver's License. Violators are subject to disciplinary action and possible termination.

II. PROCEDURES:

A. The Safety Office will:

1. Maintain a Transcript of Driver Record on all County drivers on which they receive a Driver Information Form.
2. Update the Driver Record file as necessary to maintain current records.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk Management Insurance Agreement, dated November 14, 1985, as amended
Intergovernmental Insurance and Risk Management Manual

Intergovernmental Safety Practices Handbook, Volumes I and II
Intergovernmental Safety Plan
Florida Statute 316.613
Florida Statute 316.614

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ORANGE COUNTY
ADMINISTRATIVE REGULATION ;

No:	2.12.04
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C.

Furnish the Department Manager with a Transcript of Driver Record on all drivers under his/her supervision.

B. Department Managers will:

Furnish the Safety Office with a Driver Information Form on all of his/her personnel who drive vehicles owned or furnished by Orange County. A copy of the form is attached as a part of this policy.

2. Ensure that all supervisors of his/her department are made aware of the contents of this policy.

Supervisors will:

1. Conduct a driver license survey at least semi-annually on all drivers under their supervision. (Forms are available from the Safety Office.)
2. Furnish driver license survey information to the Safety Office.
3. Ensure that all vehicle operators under his/her supervision who operate vehicles owned or furnished by the Board of County Commissioners are made aware of the contents of this policy.

Advise and assist all County drivers under his/her supervision in the prompt correction of vehicle deficiencies which are to be corrected by the Vehicle Maintenance Department.

D. Employees who operate vehicles owned or furnished by the Orange County Board of Commissioners shall:

1.

Maintain a valid Florida Driver's License.

2. Notify both his/her Department Manager and the Safety Office immediately upon any change in the status of their drivers' license. For Example: upgrading from **driver** to chauffeur, cancellation, revocation, or suspension.

3. Inspect their assigned vehicles prior to operation. Inspection will include, but not be limited to, these safety items:

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

- a. Foot brakes
- b. Emergency brakes
- c. Lights
- d. Turn signals
- e. Windshield wipers/washers
- f. Tire condition and pressure
- g. Mirror and glass
- h. Exhaust system
- i. Oil level
- j. Automatic transmission fluid level (if applicable)
- k. Brake fluid level
- l. Radiator fluid level
- m. Windshield fluid level

Not operate a motor vehicle in this state unless the employee is restrained by a safety belt.

Ensure that each front seat passenger is restrained by a safety belt prior to putting the vehicle in motion.

6. Report deficiencies discovered through operator's inspection, which are beyond their capability to correct, to their immediate supervisor. No vehicle should be operated with a known safety deficiency.
7. Not temporarily install, nor allow to be temporarily installed in any County vehicle, any additional electronic equipment such as stereo tape decks and/or speakers. Additional equipment of this type is not allowed in County vehicles unless it is permanently installed by the vehicle manufacturer or the County Radio Technician.
8. Not operate a motor vehicle while consuming alcoholic beverages or controlled substances or while under the influence of same.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 2-16-87

No: 2.12.05

Approved By:
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CITIZEN INJURY IN COUNTY BUILDINGS

Page of

I. **POLICY**

:

It is the policy of the Board of County Commissioners, Orange County, to provide a safe environment for citizens who visit buildings which are under the supervision of Orange County personnel.

II. PROCEDURE

S:

A. Department Managers will make personnel under their supervision aware of the contents of this policy.

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C.

The Risk Management Department will ensure that the Safety Office thoroughly investigates all incidents of citizen injury in the County's buildings as soon as possible after their occurrence.

The Manager, Facilities Management Department, will ensure that his janitorial personnel are made aware of the contents of this policy and of their responsibility toward good housekeeping throughout all County buildings.

D. Serious Injury or Condition: In the event the citizen experiences a stroke, seizure or similar condition, the County would not be responsible for medical expenses. However, the emergency number 911 should be called for prompt medical attention.

E. Non-Serious Injury: If the citizen sustains an injury from a slip, trip, fall or similar situation, the County would not be responsible for medical expenses unless negligence on the County's part is proven by the injured party.

Any County employee who witnesses, or has knowledge of a citizen injury will, if the condition is of a serious nature, call the emergency number 911 and also notify the Safety Office immediately after the occurrence of such an injury.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Interlocal Risk
Management

Insurance Agreement, dated November 14, 1985, as amended
Intergovernmental Insurance and Risk Management Manual
Intergovernmental Safety Practices Handbook, Volumes I and II
Intergovernmental Safety Plan

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

NO: 2.12.05

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If the injury is of a non-serious nature, the Safety Office will be called immediately to expedite the investigation of the incident.

- H. Any Orange County employee who witnesses or is the first person to have knowledge of either a serious or non-serious injury sustained by a citizen will complete a yellow Public Accident Report, Form 36-2 in accordance with paragraph 8.2.8 of the Orange County Safety Plan and send it to Risk Management.

Orange County employees who witness the citizen injury, or assist the injured citizen in any way after the injury, should not admit County responsibility relative to the injury to either the injured party or to anyone else assisting or attending the injured party.

The Risk Management Department and the Service Agency will coordinate to determine the payment of medical expenses.

- K. The two major determinations to be examined are:

- Whether or not the County was negligent in maintaining a safe area or had prior knowledge of an existing hazard.

- 2. Whether or not the situation was caused by a natural occurrence such as an Act of God.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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FLORIDA RIGHT TO KNOW LAW

POLICY:

No: 2.12.06

Date: 5 - 11 - 87

Approved

By.

BCC

Page 1 of 2

It is the policy of the Participating Intergovernmental Agencies and Elected Officials that all personnel who are subject to exposure of any degree to the toxic substances which are found on the toxic substance list, in the performance of their duties, be thoroughly and completely trained in the use and safe handling of these substances.

PROCEDURES:

- A. Division Directors/Department Managers will ensure that all personnel under their jurisdiction are made aware of the contents of this section and that compliance with the Florida Right to Know Law is given top priority by all employees under their direction.
- B. Department Managers and/or Supervisors will:
 1. Compile an inventory of all toxic chemicals used in their departments. This inventory, along with Material Safety Data Sheets (MSDS) covering all toxic chemicals used in the departments, must be maintained in the workplace and updated as required to ensure compliance with Chapter 442, Florida Statutes.
 2. Ensure that new employees who handle or are subject to exposure to toxic substances in the course of their employment be trained in these substances within the first thirty (30) days of hiring. Assign the best qualified personnel under their jurisdiction who work with toxic substances as trainers.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Intergovernmental Safety Plan
Section XVII
Chapter 442, Florida Statutes

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

4. Ensure that the Fire Departments under whose jurisdiction their workplaces exist are made aware of the characteristics and location of each toxic substance regularly present in the workplace.

Assume the responsibility to see that all necessary personal protective equipment is procured and worn in each and every case when their employees are handling or are subject to exposure to these toxic substances.

6. Ensure that all toxic substances brought into the workplace are properly labeled in accordance with Chapter 442, F.S.

Ensure that the poster concerning the Right to Know Law is mounted in all workplaces under their-jurisdiction in which toxic substances are utilized or stored.

8. Assign trainers to conduct the training in conjunction with the Risk Management Department.

- C. The Risk Management Department should be contacted to provide advice and assistance in implementing these procedures.

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Date: 9 - 21- 8 7
Approved By:
BCC

Title: **PERSONAL PROPERTY INSURANCE COVERAGE**

Page 1 of 1

I. POLICY:

It is the policy of the participating Intergovernmental Agencies and Elected Officials to provide Property Insurance for buildings, business personal property and personal property of others in their care, custody or control.

- A. The building coverage includes all buildings or structures and their completed additions that are owned by the insured.
- B. The contents coverage includes all equipment and stock owned by the insured.

-furniture, fixtures,

- C. The personal property coverage is only for property in the insured's care, custody or control. Some examples are:

Tools located and kept in the Vehicle Maintenance Tool Crib, under lock and key.

Personal property of prisoners turned into the Corrections Division for safe-keeping.

- D. Employee's personal property is not covered under the Property Insurance policy of the insured.

The procedures for filing property damage claims are outlined in the Intergovernmental Safety Plan.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: U.S. Fire Property Insurance Policy and Hartford Steam Boiler, Boiler and Machinery Policy; Intergovernmental Safety Plan

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.12.08

Date: 5-02-88

Approved
By:

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AUTOMOBILE LIABILITY INSURANCE

Page 1 of

2

POLICY:

It is the policy of the participating Intergovernmental Agencies and elected officials to provide Automobile Liability coverage and Automobile Physical Damage coverage on owned, replacement, hired or borrowed automobiles and trucks.

A. Owned, Replacement and Leased Vehicles

The Intergovernmental Agency will provide protection to its insured for bodily injury or property damage to others while the insured is on official business. There will be a \$2, 500 internal deductible on damage to our owned vehicles.

Automobiles rented by an employee should always be rented in the County's name with the employee's name following. This protects the employee's personal insurance from applying. The County's liability coverage will be secondary.

2. The "Collision Damage Waiver" (CDW) shall not be declined by the employee. The County can red-uce its exposure for rental car physical damage by having the employees accept the CDW.
3. The "Personal Accident and Death" (PAD) coverage shall be declined by the employee. The employee is covered for-this exposure under the Worker's Compensation Law.
4. The rental contract should be read very carefully.,with respect to restrictions. Often, they will allow only the renter to drive. Failure to follow their rules can void any insurance they provide.

FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: The "Defender" Insurance Policy; Inter governmental Safety Plan

II. PROCEDURES:

B. Rental Vehicles

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ORANGE
COUNTY
ADMINISTRATIVE
REGULATIONS

5. The rental automobile will be used for official County business only.

C. Personal
Automobiles

1. Employee automobiles are automobiles owned by the employee. Those who drive their personal automobiles on official business are not covered by County insurance.
 2. The County assumes that the employee carries his/her own automobile liability coverage to adequate limits. Each employee should decide what limit is adequate for him/her, but it should be no less than \$100,000 Combined Single Limit (CSL) or its equivalent.
- D. The procedures for filing automobile liability claims are outlined in the Intergovernmental Safety Plan.

No: 2.12.0
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ADMINISTRATIVE REGULATIONS

Date:

9-21-87

Approved
By:

Title:

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**CIVIL SUMMONS, COMPLAINT, OR LAW SUIT AGAINST A
COUNTY EMPLOYEE**

Page 1 of
2

I.
POLIC
Y:

- A. Orange County will (to the fullest extent allowed by law), defend its employees from liability incurred in the performance of the employee's duties. The County will provide a defense in any action against the County employee if the employee agrees and consents to such representation in writing. A County employee named as a defendant in a civil action may retain private counsel and undertake his or her own defense at such employee's sole expense.
- B. If the employee is accused of bad faith, malicious purpose or wanton and willful disregard of human rights, safety or property, Orange County may elect not to provide a defense. If Orange County does agree to provide a defense in such a case, the employee, shall agree to reimburse Orange County for costs and attorneys fees as provided in C.
- C. Defending County employees shall not be construed as any waiver of immunity otherwise available to Orange County. If a final judgment is entered in a civil action finding that an act or omission of a County employee was committed in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety or property, or was committed while acting outside the course and scope of such employee's employment, Orange County shall not be liable for such acts or omissions and such employee shall be liable to Orange County for all costs and fees expended in defending such employee.

II.
PROCEDURE
S:

- A. Any County employee served with a civil summons, complaint or other notice naming such employee as a defendant in a civil action, which action resulted from performance of the employee's duties as an employee of Orange County, shall within

FOR MORE INFORMATION CONTACT:

Department

Management

Legal

Risk

REFERENCE :

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

24 hours after being served deliver all papers served upon the employee, or copies of all such papers, to the County Attorney and simultaneously provide a copy to the Risk Management Department.

- B. The employee shall include a written statement describing the date and time that such papers were served, by whom the papers were served (if known to the employee), and whether the papers were served upon the employee personally or upon some other person. If the papers were served upon some person other than the employee, for delivery to the employee, the employee shall state the relationship of such person to the employee. The employee shall also supply a written description of the incident upon which the action is based.

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2. 12. 10

Date: 9 - 18 - 89
Approved By: BCC

Title:
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FUEL AND CHEMICAL SPILLS

Page 1 of 1

POLICY:

- A. It is the policy of the Board of County Commissioners that the Highway Department assist the Environmental Protection Department (EPD) and/or the Fire/Rescue Division in emergency response for fuel and chemical spills.

PROCEDURES:

Under normal conditions, response to a spill will come through the 911 system to the Fire/Rescue Division. Upon responding to the scene, the Fire/Rescue Division will determine whether or not to notify the Environmental Protection Department, depending upon the nature and size of the spill. In the event the Fire/Rescue Division or EPD feels it necessary, assistance will be requested from the Highway Department.

Upon notification by the Fire/Rescue Division or Environmental Protection Department, the Highway Department will provide equipment, supplies, and personnel as needed by the requesting agency. All possible precautions will be taken to prevent exposures to all personnel as well as the public.

The County is not responsible for the disposal of any spilled or released fuels and or chemicals.

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FOR MORE INFORMATION CONTACT: Risk Management Department

REFERENCE: Florida Statutes 403.182
Orange County Code, Chapter 24

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: **2. 13**

Date: 2-16-87

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Approved By:
BCC

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TELEPHONE SYSTEMS CONTROL

Page 1 of 1

I. POLICY:

- A. The Telecommunications Department will be responsible for monitoring all of the County's telephone systems to provide adequate service commensurate with need, budgetary limitations, and efficient operation.

II. PROCEDURES:

- A. Departments requesting new or upgraded service should prepare a written request that details the department's needs. The Division Director for the requesting department will review and sign the request.
- B. The request will be forwarded to the Administrative Support Division Director for review and approval, and routing to the Telecommunications Department.
- C. The Telecommunications Department will analyze the request, developing cost/savings information and justification for their recommendation. If the cost of these changes exceeds \$5,000, OMB's approval is required to verify funding availability. Also, the County Administrator's office will coordinate and approve the request, to ensure that no change in the department's location is planned and to establish necessary priorities.
- D. If the request is approved by OMB and the County Administrator's Office, it will be returned to the Telecommunications Department for scheduling.
- E. Procedures for routine telephone service will be handled by the Telecommunications Department.

FOR MORE INFORMATION CONTACT: Telecommunications Department

REFERENCE: None

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Date: 2-16-87
Approved By:
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EQUAL EMPLOYMENT OPPORTUNITY

Page 1 of 2

REFERENCE: See following page

1 11

POLICY:

Orange County shall not discriminate against any applicant or employee on the basis of race, color, religion, sex, age, national origin, political affiliation or belief, marital status, physical handicap or any other reason prohibited by law.

II. PROCEDURES:

- A. The Equal Employment Opportunity Department shall be responsible for ensuring compliance with this policy

FOR MORE INFORMATION CONTACT: Equal Employment Opportunity Office

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REGULATIONS

Executive Order
11375, dated
October 13, 1967

Executive Order
11598 and Florida
Statute 295.085

REFERENCE:

	No: 2.14	Revised Order Number 4, dated October 4, 1971	State and Local Fiscal Assistance Act of 1972
A .	Page 2 Of 2		
B.	112.042, 112.043,	Rehabilitation Act of 1973	Title 29, Code of Federal Regulations
D .	Section 2 of the Constitution of the State of Florida and Chapter 112.042, 043 and Chapter 760.10, Florida Statutes	Sections 503, 504, and Subpart E - Section 51.55 of the Office of Revenue Sharing Regulations	Florida Statutes, Chapters 110.112, 112.011, 116.111, 295, 413.08, 448.09, 553 Part V, 760.
F.			
G .			
H.			
I . J. K. L.	The 1972 Equal Employment Act	Age Discrimination in Employment Act of 1967	1965, as amended by
ORANGE COUNTY	Executive Order 11246, date September 24,	Equal Pay Act of 1963	

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ADMINISTRATIVE REGULATIONS

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Date:
02/16/87

INVESTIGATION OF-COMPLAINTS OF DISCRIMINATION -

Page I Of
5

I.

POLICY

:

orange County shall investigate all charges filed by applicants or employees who allege that they have been denied equal employment opportunities or services based on race, color, religion, sex, age, national origin, political affiliation or belief, marital status, disability or any other reason prohibited by law. All charges received in Orange County, initiated by County employees, prospective employees and applicants for Orange County employment will be submitted to the Equal Employment Opportunity/Professional Standards Department. Other County entities who have signed a Policy Statement and elected to be covered by, and participate in this program will have charges investigated in accordance with this policy. The conduct of the investigation and the ultimate disposition of each such complaint will be in accordance with the procedures contained herein.

DEFINITION OF DISCRIMINATION

Discrimination under Title VII may be proven under either of two basic theories:

- o Disparate treatment theory (which involves intentional discrimination) - or -
- o Disparate (or adverse) impact theory (which involves practices whose effects fall more harshly against members of some protected groups, even if there is no intent to discriminate).

Disparate treatment

Disparate treatment occurs when an employer treats some individuals less favorably than other similarly situated individuals because of their race, color, religion, sex, or national origin. The concept of "similarly situated" can best be defined for our purposes as persons who are being compared, are so situated that it is reasonable to expect that they would receive the same treatment in the context of a particular employment decision.

**FOR MORE INFORMATION
CONTACT:**

REFERENCE
:

EEO/Professional Standards
Department

Approved By. BCC

Revised: 06/18/91 and

08/24/93

Section 2 of the Constitution of the
State of Florida and Chapter 112 and
Chapter 760, Florida Statutes.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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Adverse Impact

II. PROCEDURES:

Adverse impact discrimination results from neutral employment policies and practices which are applied evenhandedly to all employees and applicants, but which have the effect of disproportionately excluding women and/or minorities.

A. Filing Formal Charges: Charges of discrimination against Orange County must be forwarded, in writing, to the Equal Employment Opportunity/Professional Standards Department or the appropriate EEO Counselor within one hundred eighty (180) days after such alleged violation(s) occurrence(s). An Equal Employment opportunity Questionnaire and/or Equal Employment opportunity Form-2, Formal Charge of Discrimination should be used to make such a charge. All charges must include the following items of information:

1. The charging party will provide his/her name, social security number, address (job site), and telephone number.

2.

Basis for the alleged discrimination, e.g., race, color, sex, age, religion, national origin, marital status, political affiliation or belief, physical handicap or any other reason prohibited by law.

3. Where known, the law, policy or regulation believed to have been violated.

4. Name, address, title, and office of respondent responsible for the alleged act(s) of discrimination.

5. Date, location, and circumstances surrounding the alleged discriminatory act(s), including name(s) and address(es) of any witness(es).

6. EEO Form-2 (Formal Charge of Discrimination) must be signed by the charging party and notarized. Notaries are available at the EEO/Professional Standards Department during normal operating hours.

B. Agency investigation: Within ten (10) working days of receipt of a charge of discriminatory action(s), the Equal Employment opportunity/Professional Standards Department

shall acknowledge such receipt in writing and notify the respondent. The charging party, at this time, will also be advised of his/her rights, and the charge will be acted upon in accordance with applicable laws and regulations.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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- C. Equal Employment Opportunity/Professional Standards Fact-Finding Meeting: Within fifteen (15) working days of receipt of a charge of discriminatory action(s), the Equal Employment Opportunity/Professional Standards Department will conduct a fact-finding meeting with the complainant and the respondent, if applicable. The purpose of the fact-finding meeting is to determine if the alleged discriminatory action can be resolved between the parties prior to an investigation.
- D. Equal Employment Opportunity/Professional Standards Investigation: Within forty-five (45) working days after receipt of a formal charge, the Equal Employment Opportunity/Professional Standards Department will be responsible for conducting and completing the investigation. Upon request, the Equal Employment Opportunity/Professional Standards Investigator of Record is authorized to require the responding department to answer in writing to charges of discrimination. The responding department will have ten (10) days, from date of receipt, to respond in writing to a formal document information request.
- 2.
- 3.
- E. Investigation Reports: The Equal Employment Opportunity/Professional Standards report will consist of a background and investigative report, findings, and conclusions. All affidavits, statements of position, and gathered evidence will be used in tab form for clarification and reference. The report will include, but not be limited to the following:

An affidavit taken from the charging party stating the factual allegations of specific acts and circumstances involved in the charge.

Affidavits by any witnesses testifying on behalf of the charging party.

Affidavits by individual(s) named in the charges to the facts of the issue. k

Affidavits by any witnesses testifying on behalf of the respondent.

Statement of position by the respondent together with any documents in support of the position (accompanying documents may include staffing reports presenting breakdown by race, sex and age, personnel records, memorandums, employment selection procedures, office policies, etc.).

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.01

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6. Records and documents gathered in -evidence from the respondent. When the charge is filed by:

a.

An applicant, such documents must include employment application, examination results or ratings, correspondence related to the selection instead of the charging party.

b. An employee, a copy of those portions of the employee's personnel file that are relevant to the charge and any record that relates to the issues cited and charge must be included.

(Note: If the above mentioned document(s) no longer exist, an affidavit as to why the document(s)/ information is not available must be provided by the respondent.)

7. The Equal Employment Opportunity/Professional Standards Department's final report will cite its findings and conclusions based on the evidence presented/discovered during the investigatory process. The summary of findings and conclusions will address only the alleged acts of discrimination, which formed the basis of the charging party's allegation. The Equal Employment Opportunity/Professional Standards Department may also report, by separate document, any finding arising from the result of the investigation which do not signify discriminatory behavior, but which the department may feel are both relevant and important to sound management practices.

F. Post Investigative Report Meeting: Within forty-eight (48) hours of delivering the investigative report, based on the investigation's findings and conclusions, the Equal Employment Opportunity/Professional Standards Department may meet with the appropriate Division Director or designee to discuss the basis of the recommendations. If no additional investigative actions result from this meeting, the final report will be submitted to the County Administrator (or designee).

G.

County Administrator's Disposition of Charge: The County Administrator or designee will have ten (10) working days to review the investigative report, its findings and make a determination as to the merits of the charge.

H. Notification to Charging Party and Respondent: Within ten (10) working days after receipt of the report from the County Administrator, the Equal Employment Opportunity/Professional Standards Department shall notify the charging party and respondent of the determination.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.01
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J.

Appeal R44s: If the charging party is-not satisfied with the decision of the County Administrator, he/she may exercise his/her right to file through the state (Florida Commission on Human Relations) or federal (Equal Employment Opportunity commission) agency. The charging party's decision to file an internal administrative charge is not intended to inhibit the charging party's right to file his/her charge with the State of Florida or federal government. The charging party's decision to file an internal administrative charge will in no way affect the time periods established for filing with any state or federal agency or in the appropriate state or federal court. Filing a charge with the Equal Employment Opportunity/Professional Standards Department will not toll or extend the limited time period for filing charges with a state or federal agency or bringing an action in court.

Right to File Charges with State and Federal Agencies: Charging party has the right to file charges of discrimination with state and federal agencies such as the Florida commission on Human Relations (FCHR), Equal Employment Opportunity Commission (EEOC), and the Orlando Human Relations Division (OHRD). Specific time limitations apply to charges filed with these agencies.

**ORANGE COUNTY
ADYUNISTRATIVE REGULATIONS**

Date: 2-16-87

Approved

By:

BCC

Title:

ESTABLISHING AFFIRMATIVE ACTION OBJECTIVES AND

TIMETABLES

Page 1 of 3

I. POLICY:

The Board of County Commissioners shall establish an Annual Affirmative Action Program in accordance with the procedures outlined below.

II. PROCEDURES:

A. The EEO Department shall prepare the Orange County Affirmative Action Program under the direction of the County Administrator in accordance with the legal requirements cited in the Reference Section below. The program will consist of the following:

1. Top Level Support: Official adoption by the County Commission of a formal commitment of the existing policy of Orange County to provide Equal Employment Opportunity (EEO) for all current and prospective qualified employees of the County.
2. The County Administrator shall communicate the County Commission's position related to EEO to all employees and through briefings at Department Head meetings as required.
3. Analysis of Employment Practices: Departmental EEO Counselors in coordination with their respective department managers will analyze on a quarterly basis their entire employment procedures to identify and remove barriers to equal employment opportunity. This will include a review of:

FOR MORE INFORMATION CONTACT: Equal Employment Opportunity Department

REFERENCE: Executive Order 11246, dated September 24, 1965 as amended by Executive Order 11375, dated October 13, 1967
 The 1972 Equal Employment Act
 Revised Order Number 4, dated October 4, 1971
 Rehabilitation Act of 1973
 Sections 503, 504, and Subpart E - Section 51.55 of the Office of Revenue Sharing Regulations
 Age Discrimination in Employment Act of 1967
 Equal Pay Act of 1963 -
 Executive Order 11598 and Florida Statute 295.08
 State and Local Fiscal Assistance Act of 1972

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.02

Page 2 of 3

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The recruitment and selection process which includes pre-employment practices, and interviewing based on valid job requirements.

Upward mobility system which includes assignments, job progressions, transfers, seniority, promotions and training.

Benefits and working conditions of employment.

d. Layoff, recall, termination, disciplinary action, and discharge procedures.

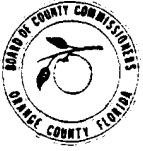
The EEO Department in coordination with the Personnel Department will provide necessary training and technical assistance upon request.

Establishment of Realistic Objectives and Timetables: The primary responsibility for implementing affirmative action lies with each department manager, his respective EEO Counselors and designated members of his staff in coordination with his division director. Realistic objectives and timetables should be established quantitatively and qualitatively to attain equal employment opportunity through good faith effort. The EEO Department shall provide technical assistance to the department managers upon request.

Evaluation of Program Results: Reporting of affirmative action objectives and results will be conducted throughout Orange County in order to provide a factual basis for planning, evaluating, and implementing corrective action. The reporting process will follow these guidelines:

Projected vacancies and objectives from each division/department for the next fiscal year will be submitted to the EEO Department which will consolidate all reports. The

consolidated reports will be forwarded to the County Administrator or his designated representative no later than October of each fiscal year. These reports will be submitted on EEO Form-1 (Data for Orange County EEO Staffing Plan/Staff Replacement Projections and Affirmative Action Objectives). The form is a two (2) sided form. The front of the form is used to report the current breakdown of ethnic classifications and position categories. The back side of the form is for the projection of vacancies and objectives for the upcoming fiscal year.



ORANGE
COUNTY
ADMINISTRATIVE REGULATIONS

- B. Compliance review has as its purpose the identification and evaluation of strengths and weaknesses of individual affirmative action programs and the recommendations for corrective actions. Compliance of each program shall be determined by reviewing the content of the program, the extent of adherence and the good faith efforts to achieve the goals of the program within the established timetable for the purpose of ensuring equal employment opportunity. The following guidelines shall apply:
- C. The EEO Form-1, Data for Orange County EEO Staffing Plan/Staff Replacement Projections and Affirmative Action Objectives, may be obtained from the EEO Department or the respective EEO Counselor.

Data for EEO Staffing Plan should include full-time employees only (do not **report part-time** employees). September 30 of the preceding fiscal year will be used as the cut-off date.

1. County Administrator: The County Administrator has the authority to request "special" compliance reviews by the EEO Department when necessary.
2. Equal Employment Opportunity Department: EEO Department shall conduct compliance reviews as deemed necessary and appropriate by the County Administrator.

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Date: 02/16/87

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Approved By:

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**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)-
CHARGE(S)**

Page 1 of 3

I. POLICY:

orange County shall ensure the proper handling and disposition of all charges received from the Equal Employment Commission (EEOC) which are filed against any department under the jurisdiction of the Board of County commissioners. The Equal Employment Opportunity/Professional Standards Department (EEO/PS) shall respond promptly to such charges and cooperate fully with EEOC in the investigation of such charges. The procedures as outlined herein will be adhered to in processing charges received from the EEOC. This regulation will also apply to other entities elected to be covered by this program. Internal charges of discrimination filed with Orange County will be handled in accordance with EEO/PS Administrative Regulation Number 2.14.01.

The EEO/PS Department will be responsible for the coordination and disposition of all charges received from the Equal Employment Opportunity Commission (EEOC).

The following procedures shall apply to all complaints of discrimination filed against orange County with the EEOC:

- A. Within five (5) working days after receipt of each notice of charge from the County Administrator, or from the division/department concerned, the EEO/PS Department will acknowledge receipt of the charge and initiate an investigation of fact-finding to determine the merit of the alleged charge(s).

Within five (5) working days after receipt of the alleged complaints, the investigator shall summarize the complaint and forward a copy of the summary together with a copy of the alleged complaint to the respondent. %

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Equal Employment opportunity/Professional Standards Department

REFERENCE: Title 29, Code of Federal Regulations

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.03

Page 2 of 3

C

The respondent, within ten (10) working days after receipt of the alleged charge, shall submit to the EEO/PS Department a **written response stating the results of** the inquiry concerning the alleged charge. The position summary from the respondent shall include, but not be limited to, the following:

1. A statement conceding or denying the validity of the charge(s).
2. All pertinent evidence supporting the statement of position.
3. Any other supportive documentation as the respondent deems appropriate. Accompanying documents will include staffing reports presenting breakdowns of race, sex, personnel records, memoranda, employee selection procedures, and office policies.

- D. Within thirty (30) calendar days after receipt of the notice of the alleged charge the EEO/PS Department shall submit a report to the County Administrator. The report will include, where practical, but not be limited to the following:

An explanatory affidavit taken from the complainant to identify specific issues involved in the complaint.

Affidavits by any witnesses testifying on behalf of the complainant.

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Affidavits by the respondent as to the facts at issue.

4. Affidavits by any witnesses testifying on behalf of the charged respondent.

Statement of position by the charged respondent, together with any documents in support of that position.

Records and documents gathered in evidence from the respondent. When the complaint is filed by:

- a. An applicant,
application,

such documents must include employment examination results or ratings, correspondence related to the selection process and justification of the person selected instead of the complainant.

- b. An employee, a copy of those portions of the employee's personnel file that are relevant to the alleged charge, and any records that relate to the issues cited in the alleged charge.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

- c. A person applying for or receiving service provided by Orange County, all documents or forms relating to those services addressed by the allegations.

7.

(NOTE: If the above mentioned documents no longer exist, an affidavit must be provided to the Department, signed by the respondent, stating why that information is not available.)

The summary and recommendations to the County Administrator.

- E. Within five (5) working days after receipt of the report, the County Administrator or designee will render a decision of concurrence or non-concurrence as to the action(s) recommended by the Department for resolving the charge. Upon receipt of the County Administrator's decision, the report will be forwarded to the EEOC and/or to the Commission on EEO/PS. The results of the investigation will be forwarded to all other parties concerned.

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 2.14.04

Date: 2-16-87

Approved

By:

BCC

Tide:

EQUAL EMPLOYMENT OPPORTUNITY (EEO) COUNSELORS

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Page 1

Of 1

POLICY:

Orange County shall ensure the proper handling and disposition of all grievances and charges of discrimination received by the departmental EEO Counselor which are filed against any department or person under the counselor's jurisdiction. It is the policy of Orange County to respond promptly to any grievances or charges and to cooperate with all persons involved in such grievance or charge.

- A. Disposition of Grievance and/or Complaint: Within five (5) working days after receipt of the EEO Counselor's summary report, the EEO Department shall render a decision as to the action(s) proposed by the EEO Counselor for resolving the grievance and/or charge of discrimination to the County Administrator.
- B. Grantees and Grant-Projects: Grievance and complaint procedures for grantees and grant-projects will be in accordance with the applicable federal and state regulations and guidelines.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Equal Employment Opportunity Department

REFERENCE: EEO Counselor's Guide for Handling Complaints-

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.05

Date: 08/24/93

Approved By: BCC

Title:

INVESTIGATION OF CHARGES OF SEXUAL HARASSMENT

Page I Of 4

I. POLICY:

The County Chairman and the Board of County Commissioners affirms its commitment to ensuring an environment for all employees, applicants, clients and vendors which is fair, and in which performance will be evaluated on the basis of relevant considerations such as ability and effort. Behaviors which inappropriately assert sexuality as relevant to performance are damaging to this environment.

DEFINITION OF SEXUAL HARASSMENT

There are two types of sexual harassment: "quid pro quo" and "hostile work environment." "Quid pro quo" means something for something. A promise of employment or employment benefit (such as a promotion) for sexual favors. A "hostile work environment" exists when verbal or physical conduct of a sexual nature interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitutes sexual harassment when:

1. submission to the conduct is an explicit or implicit term or condition of employment,
2. submission to or rejection of the conduct is used as the basis for an employment decision, or
the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

II. PROCEDURES:

- A. Filing of Charges: Charges of sexual harassment against Orange County should be forwarded, in writing (when possible), to the Equal Employment Opportunity/Professional Standards Department

FOR MORE INFORMATION CONTACT: EEO/Professional Standards Department

REFERENCE: Section 2 of the Constitution of the State
of Florida and Chapter 112 and Chapter
760, Florida Statutes.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.14.05
Page 2 of 4

B.

or the appropriate EEO Counselor within 180 days after such alleged violation(s) occurred. An EEO Questionnaire and/or EEO Form 2, Formal Charge of Discrimination, should be used to make such a charge. If the charging party prefers not to put the **initial** charge in writing, he/she may verbally report their allegations to their EEO counselor, supervisor, Department Manager, Division Director, or Manager of the Equal Employment Opportunity/Professional Standards Department. The initial complaint may be given orally, but the charging party will be required to give a sworn notarized statement if a formal investigative process is deemed necessary.

Filing of Formal Charges: Formal charges of sexual harassment must be filed in writing with the Equal Employment Opportunity/Professional Standards Department or appropriate EEO Counselor within 180 days after such alleged violation(s) occurred. An EEO Questionnaire and/or EEO Form 2 will be used to make such a charge. All formal charges of sexual harassment must include the following:

1. The charging party will provide his/her name, social security number, address (job site), and telephone number.
- 2.
- 3.

Basis for the allegation of sexual harassment, (e.g., "Quid pro quo" (something for something), or hostile work environment).

Name, address, title, and office of respondent responsible for the alleged act(s) of sexual harassment.

4. Date, location, and circumstances surrounding the alleged discriminator act(s), including name(s) and address(es) of any witness(es).
 5. EEO Form-2 (Formal Charge form) must be signed by the charging party and notarized. Notaries are available during normal business hours at the Equal Employment Opportunity/Professional Standards Department. %
- C. Agency Investigation: Within ten (10) working days of receipt of a charge of sexual harassment, the Equal Employment Opportunity/Professional Standards Department shall acknowledge such receipt in writing and notify the respondent. The charging party, at this time, will also be advised of his/her rights, and the charge will be acted upon in accordance with applicable laws and regulations.

ORANGE COUNTY
ADNNISTRATFVE REGULATIONS

D. Ecrual Employment --OvportunitylProfessional Standards

Investigation: Within forty-five (45) working days after receipt of a formal charge of sexual harassment, the Equal Employment opportunity/Professional Standards Department will be responsible for conducting and completing the investigation. Upon request, the Equal Employment Opportunity/Professional Standards Investigator of Record is authorized to require the responding department to answer in writing to charges of sexual harassment. The responding department will have ten (10) days, from the date of receipt, to respond in writing to a formal information request.

E. Investigative Reports: The Equal Employment opportunity/ Professional Standards Department report will consist of a background and investigative report, findings, and conclusions. All affidavits, statements of position, and gathered evidence will be used in tab form for clarification and reference. The report will include, but not be limited to the following:

1. An affidavit taken from the charging party stating the factual allegations of specific acts and circumstances involved in the charge.
2. Affidavits by any witnesses testifying on behalf of the charging party.

Affidavits by individual(s) named in the charge as to the facts of the issue.
4. Affidavits by any witnesses testifying on behalf of the respondent.
5. Statement of position by the respondent together with any documents in support of the position.
6. Records and documents gathered in evidence from the respondent.
- 7.

The Equal Employment Opportunity/Professional Standards Department's final report will cite its findings and conclusions based on the evidence presented/discovered

during the investigatory process. The summary of finding and conclusions will address only the alleged acts of sexual harassment, which formed the basis of the charging party's allegation. The Equal Employment Opportunity/Professional Standards Department may also report, by separate document, any finding arising from the result of the investigation which does not signify discriminatory behavior, but which the department may feel are both relevant and important to sound management practice.

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COUNTY
ADMINISTRATIVE
REGULATIONS

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Post Investigative ReRort Meetin : Within forty-eight (48) hours of delivering the investigative report, based on the investigation's findings and conclusions, the Equal Employment opportunity/Professional Standards Department may meet with the appropriate Division Director or designee to discuss the basis of the recommendations. If no additional investigative actions result from this meeting, the final report will be submitted to the County Administrator (or designee).

County Administrator's Disposition of Charge: The County Administrator or designee will have ten (10) working days to review the investigative report, its findings and make a determination as to the merits of the charge.

- H. Notification to Charging Party and ResRo-ndent: Within ten (10) working days after receipt of the report from the County Administrator or designee, the Equal Employment Opportunity/Professional Standards Department shall notify the charging party and respondent of the determination.
- I. Appeal Rights: If the charging party is not satisfied with the decision of the County Administrator or designee, he/she may exercise his/her right to file through the State (Florida Commission on Human Relations) or federal (Equal Employment opportunity Commission) agency. The charging party's decision to file an internal administrative charge is not intended to inhibit the charging party's right to file his/her charge with the State of Florida or federal government. The charging party's decision to file an internal administrative charge will in no way affect the time periods established for filing with any state or federal agency or in the appropriate state or federal court. Filing a charge with the Equal Employment Opportunity/Professional Standards Department will not toll or extend the limited time period for filing charges with the state or federal agency or bringing an action in court.
- J. Ricfht to File Charges with State and Federal Agencies: Charging party has the right to file charges of -sexual harassment with state and federal agencies such as the Florida commission on Human Relations (FCHR), Equal

Employment Opportunity Commission (EEOC), and the Orlando Human Relations Division (OHRD). Specific time limitations apply to charges filed with these agencies.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 9-18-89
Approved BY: BCC

Title:

HOME SOLICITATION SALE PERMIT

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I. POLICY:

Any person wishing to conduct any home solicitation sale, as defined in Section 501.021(2), Florida Statutes, or to supervise excluded minors conducting such sales provided in Section 501.022(b)5, Florida Statutes, must obtain a home solicitation sale permit from the Orange County General Services Department.

II. PROCEDURES:

Contents of Application

Applicants for home solicitation sale permits shall file sworn applications in writing with the General Services Department. Each application shall contain the following information as a minimum:

- 1. Full name of applicant
- 2. Date of birth of applicant
- 3. Race and sex of applicant
- 4. Permanent residence address of applicant
- 5. Local residence address of applicant
- 6. Telephone number of applicant
- 7. Name and address of applicant's employer
- 8. Two recent photographs of applicant
- 9. A statement as to whether or not the applicant has, been convicted of or has pleaded guilty or nolo contendere to any crime, the nature of the offense, and the punishment or penalty assessed therefor.

FOR MORE INFORMATION CONTACT:

General Services Department

REFERENCE: Florida Statutes, Sections 501.021 and 501.022

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ORANGE COUNTY

- 10. A complete set of fingerprints taken by the Orange County Sheriff's Office

B. Application
Fee

Each application for a permit shall be accompanied by a non-refundable fee of thirty-five dollars (\$35). The fee shall be paid by money order or cashiers check to The Clerk of the Circuit Court.

,Investigation of Application

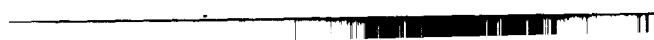
Upon receipt of a sworn application for a home solicitation sale permit and upon payment of the non-refundable application fee, the General Services Department- shall submit the applicant's fingerprints and a copy of the application to the Sheriff for state processing and for a local criminal background investigation. The Sheriff shall report any criminal justice information to the General Services Department within sixty (60) days after receipt of the fingerprints and copy of application.

D. Revocation/Suspension or Denial of a
Permit

The General Services Department shall notify each applicant or permitholder of a decision to deny, suspend, or revoke a permit by certified mail sent to any one of the last addresses submitted by the applicant or permitholder.

The General Services Department may revoke, suspend, or deny the issuance of any home solicitation sale permit if it is determined that an applicant or permitholder has:

- 1. Been convicted of, or entered a plea of guilty or nolo contendere to, a crime involving moral turpitude, fraudulent or dishonest dealing, or the illegal use or sale of a controlled substance, or been convicted of, or entered a plea of guilty or nolo contendere to, a violation of the provisions of Florida State Statutes 501.021-501.055.~'
- 2. Has obtained a permit by fraud, false statement, misrepresentation, or failure to truthfully answer any question in the required permit application.
- 3. Has failed to obtain required county or muni occupational licenses.
- 4. Has failed in any material respect to comply with the provisions of Florida State Statutes 501.021-501-055.



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E. Issuance of a Home Solicitation Sale Permit

If the investigation provided for in Section C reveals no grounds for denial of a home solicitation sale permit, the General Services Department shall issue said permit in the form of a laminated identification card which shall contain the following:

2.

1. The permittee's photograph

The permittee's full name

3. The permittee's date of birth

4. The permittee's race and sex

5. The name and address of the permittee's employer or the statement "self-employed"

The signature of the permittee

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A permit number, an expiration date, and the telephone number of the General Services Department which consumers may call to verify the validity of the permit.

A permit issued under these conditions shall be valid for a period of one year from the date of issuance.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 9 - 18- 89

Approved By: BCC

TjUe:

ADULT ENTERTAINMENT PERMIT

Page 1 of 6

REFERENCE: orange county Ordinance No. 87-38

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I. POLICY:

The intent of the Board of County Commissioners in adopting the Adult Entertainment Code is to establish reasonable and uniform regulations that will protect the health, safety, morals and general welfare of the people of Orange County, Florida. Any individual desiring to work in an adult entertainment establishment shall file with the General Services Department a sworn permit application on a standard application form supplied by the General Services Department.

Ii. PROCEDURES:

A. Contents of Application

The completed application shall contain the following information and shall be accompanied by the following documents:

1. The applicant shall state his/her legal name and any aliases.
2. The applicant shall submit satisfactory proof that he/she is at least eighteen (18) years of age, and a photocopy of such proof shall be retained by the General Services Department.

The applicant shall furnish a set of his/her fingerprints which have been taken by the Sheriff.

The applicant shall present a recent color photograph of himself which has been taken by the General Services Department.

The applicant shall state his/her mailing address and, if different, his/her address of residence.

FOR MORE INFORMATION CONTACT: General Services Department

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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6.

The applicant shall reveal his/her driver's license number.

The applicant shall state whether he/she has, within the five (5) year period immediately preceding the date of the application, been convicted of a specified criminal act, and, if so, the specified criminal act involved, the date of conviction, and the place of conviction.

The applicant shall indicate whether he or she has had a previous permit which has been suspended or revoked, and, if so, the date of the suspension or revocation.

- 9 Any additional information which the General Services Department deems necessary to effectuate the language and purposes of the Orange County Adult Entertainment Code.

B. Application Fee

Each application for a permit shall be accompanied by a non-refundable fee of fifty dollars (\$50) which shall be made payable to the Board of County Commissioners.

Rejection of Incomplete Application

In the event the General Services Department determines or learns at any time that the applicant has not properly completed the application for a permit, he/she shall promptly notify the applicant of such fact, and shall automatically reject the application.

Consent

By applying for a permit, the applicant shall be deemed to have consented to the provisions of the Adult Entertainment Code and to the exercise by the General Services Department, the Sheriff and, if applicable, the Health Department, of their respective responsibilities under this Code.

E. Temporary Permit

The General Services Department shall issue a temporary permit to an applicant on the date that the applicant properly files an application. The temporary permit shall automatically expire after fourteen (14) days.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2. 15. 02

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F. Investigation of Application

Upon receipt of an application properly filed with the General Services Department and upon payment of the non-refundable General Services Department shall application as received and shall card to the Sheriff,

application fee, the immediately stamp the immediately thereafter send a fingerprint and, if the applicant has indicated an intention to work in an adult dancing establishment, notify the Health Department of the applicant's name and address. The General Services Department, and, if applicable, the Health Department, shall promptly conduct an investigation of the applicant in accordance with their respective responsibilities under Section 1A-21 of the Adult Entertainment Code.

G. Grant/Denial of Application

1. Time Period for Granting or Denying Permit

The General Services Department shall grant or deny an application within fourteen (14) days from the date of its proper filing.

2. Granting of Permit

If the Sheriff, the General Services Department, and, if applicable, the Health Department, have each approved of the application, the General Services Department shall grant the application, notify the **applicant** of the granting, and issue a permit to the applicant.

Denying of Permit

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- a. The General Services Department shall deny the application for any of the following reasons:

The applicant is less than eighteen (18) years of age.

The application *contains false* information.

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The applicant has had a previous permit under the Adult Entertainment Code which has been suspended or revoked.

4. The granting of the application would violate a statute or ordinance or an order from a court of law which prohibits the applicant from obtaining an adult entertainment permit.

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ORANGE COUNTY
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No: 2.15. 02

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- b. If the General Services Department denies the application, it shall notify the applicant of the denial, and state the reasons for the denial.

The permittee's residential address

The permittee's sex

- 4. The permittee's birth date
- 6. The color photograph of the permittee which was taken by the General Services Department

All permits issued under the Adult Entertainment Code shall remain valid for two (2) years from the date of issuance.

Permits shall be renewed on or before two (2) years from the date of issuance. A permittee shall be entitled to a renewal of his/her permit, as a matter of course, upon payment of a fifty dollar (\$50.00) fee.

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H. Contents of an Adult Entertainment Permit

The permit shall contain the following information:

- 1. The permittee's legal name and any aliases

7. The expiration date of the permit

8. The signature of the Manager of the General Services
Department

I. Scope

The permit shall entitle the permittee to work in any adult
entertainment establishment.

Term

K. Renewal

5. The permittee's signature

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ADMINISTRATIVE REGULATIONS

No: 2.15.02

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Expiration

A permit that is not renewed on or before two (2) years from the date of issuance shall expire. An expired permit may be renewed within thirty (30) days upon presentment of an affidavit by the **permittee stating that** he/she has not engaged in any work at any adult entertainment establishment subsequent to expiration, upon payment of the permit fee of fifty dollars (\$50.00), and upon payment of a penalty fee of ten dollars (\$10.00).

M. Cancellation

All expired permits not renewed within thirty (30) days shall be canceled summarily by the General Services Department.

N. suspension of Permit.

1. Conviction for Violation of the Adult Entertainment Code

In the event a permittee commits one (1) or more violations of the Criminal Provisions Section (Part VI) of the Adult Entertainment Code, and a conviction results from at least one (1) of the violations, the General services Department shall, upon the date of the conviction, suspend the permit, and notify the permittee of the suspension. The suspension shall remain in effect for a period of ninety (90) days.

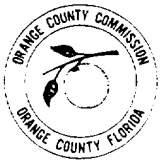
2. Effective Date of Suspension

The period of suspension shall begin sixteen (16) days after the date the General Services Department mails the notice of suspension to the permittee or on the date the permittee delivers his/her permit to the General Services Department, whichever happens first.

O. Revocation of Permit

1. Conviction for Violation of the Adult Entertainment Code

In the event a permittee commits one (1) or more violations of Part VI of the Adult Entertainment Code within a period of two (2) years from the date of the violation from which the conviction resulted for which the permit was suspended under Section 1A-38(a) of said Code, but not including any time during which the permit was suspended, and a conviction results from one (1) or more of the violations, the General Services Department shall, upon the date of the first conviction, revoke the permit, and notify the permittee of the revocation.



ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.
Page 6

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3.

Effect of Revocation

If a permit is revoked, the permittee shall not be allowed to obtain another adult entertainment permit for a period of five (5) years.

Effective Date of Revocation

The revocation shall take effect sixteen (16) days after the date that the General Services Department mails the notice of revocation to the permittee or on the date the permittee delivers his/her license to the General Services Department, whichever happens first.

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ADMINISTRATIVE REGULATIONS

Date: 11-19-90

Approved By:
BCC

Title:

USE OF COUNTY PARKS BY COUNTY DEPARTMENTS

Page 1 of 2

I. POLICY:

To encourage and promote the use of all county parks and their facilities for the enjoyment and benefit of all Orange County employees.

II. PROCEDURES:

A. County departments desiring to use a county park for their outdoor activities will be granted use of the outdoor facilities (pavilions, equipment, etc.) free of charge provided the facility is available for the requested time of use and the intended use is for a department-wide function. Park entrance fees, where applicable, must be paid.

1. A county department function is described as any event promoted and conducted by an entire department for the enjoyment of their employees and families.

Use of park facilities shall be during normal park operating hours.

3. Employees and their families will be expected to abide by all rules and regulations governing Orange County Parks, County ordinances or any other rules established by the Parks and Recreation Department Manager or his designee.

B. Requests for facility use shall be made in writing by the Department Manager of the requesting department and addressed to the Department Manager of the Parks and Recreation Department. Upon receipt of the request, the Parks and Recreation Department Manager or his designee will determine whether such facility is available for use and notify the requesting department of approval of intended use.

FOR MORE INFORMATION CONTACT: Parks & Recreation Department

REFERENCE: None

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ORANGE COUNTY
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No: 2.16.01

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- C. A county department wishing to cancel any scheduled use shall notify the Parks and Recreation Department Manager as soon as possible of the intended cancellation so the facility may be made available for public use.
- D. The above benefit applies to the rental fee of outdoor facilities only and does not grant any other special privileges to the requesting department.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.16.02
Date: 11/02/93

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Approved By.

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REPORTING ALLEGATIONS OF FRAUD

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I. POLICY:

- A. It is the policy of the Board of County Commissioners, Orange County, to ensure compliance with the principles of right and wrong which govern the conduct of employees. Orange County's policies communicate the desire to eliminate unethical practices while creating an environment in which employees and/or citizens are encouraged and comfortable in the reporting of suspicions of fraud.

The term fraud refers to, but is not limited to, any dishonest or fraudulent act to include forgery of alteration of any document, misappropriation of funds, supplies, etc., improper handling or reporting of money or financial transactions, profiting by self or others as a result of inside knowledge, destruction or intentional disappearance of records, furniture, fixtures or equipment, accepting or seeking anything of material value from vendors or persons providing services or materials to the County for personal benefit (exception: gift items in accordance with the Code of Conduct Policy), and/or any similar or related irregularity.

To ensure ethical conduct of its employees, Orange County's Code of Conduct policy governs the personal use of County equipment, materials, tools, supplies, etc. Infractions of this policy, may constitute disciplinary action up to and including termination and/or criminal charges. It is the County's desire to prosecute all employees that commit a criminal act regardless of the wrong-doer's length of service, title or relationship. In addition, the County desires to terminate all employees convicted in a Court of Law of committing a fraud against or for the County.

Employees are required to sign a statement, upon employment, acknowledging the County's fraud policy and regulations and agreeing to abide in accordance with such. Through policies and regulations, employees are made responsible for the immediate reporting, to their supervisor or higher authority, any and all suspected violations of these ethical practices.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 2.16.02
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It is management's responsibility to establish systems and controls to provide reasonable assurance of the prevention and detection of fraud. Members of the management team should be familiar with the types of improprieties that might occur within his or her area of responsibility and be alert for any indication of irregularity.

- B. The County makes every attempt to protect employees from retaliatory action due to reports of suspected fraud in accordance with section 112.3187, Florida Statutes (Whistle-blower Act of 1986). The Act protects an employee from retaliatory action by an organization against an employee who reports to an appropriate agency violation of law on the part of a public employer or independent contractor that creates a substantial and specific danger to the public's health, safety, or welfare. Additionally, the act protects employees reporting improper use of a government office, gross waste of funds, or any other abuse or neglect of duty on the part of an agency, public officer, or employee.

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II. PROCEDURES:

The County Audit Division will keep the name of the person who reports a fraud confidential if desired by the reporting person in accordance with Florida Statutes Section 112.3188, as amended.

- A. The employee, suspecting fraud, will:
1. Report the suspected fraud to the County Comptroller's Audit Division Fraud, Waste and Abuse Hot Line (836-5775).
 2. Furnish a written statement, under oath, outlining the suspected fraud if requested.
- Cooperate with the investigative process through the furnishing of written statements, hearing attendance,, etc.

- B. A member of the public suspecting fraud may:

Contact the County Comptroller's Audit Division Fraud, Waste and Abuse Hot Line (836-5775) with information regarding the suspected fraudulent conduct.

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- C. A County employee or member of the public, suspecting fraud, who wishes to remain anonymous will:

Contact the County Comptroller's Audit Division Fraud, Waste and Abuse Hot Line with information regarding the suspected fraudulent conduct.

The caller, though anonymous, must be willing to share specific information regarding the suspected fraudulent conduct.

- D. The supervisor or higher authority receiving a fraud allegation will:

1. Compile all information relayed by the reporting individual.

Contact the County Comptroller's Audit Division with all compiled information.

3. Cooperate with the investigation process.
2. E. The Equal Opportunity/Professional Standards Department will:

3. 1. Refer fraud allegations received to the County Comptroller's Audit Division.

2. Cooperate with the investigative process when requested.

- F. The Orange County Comptroller's Audit Division will:

1. Maintain a Fraud, Waste and Abuse Hot Line, attempting to secure as much information as possible from the reporting individual.

5.

6.

Investigate reported fraudulent conduct for all departments under the Board of County Commissioners.

Notify the County Administrator or designee of a reported allegation of fraudulent conduct upon initiation of an investigation.

4. Report investigative findings to the County Administrator, or designee, as soon as possible through an interim report.

Report any finding of fraud to the Board of County Commissioners in a final report.

Work with Law Enforcement-Authorities as deemed necessary during the course of investigation, and refer findings to appropriate Authorities upon completion.

7. In those instances in which the Director of County Audit believes it to be in the best interests of the audit, members of County **Audit have the authority** and duty, after consulting with the **appropriate** custodian of the records and department/division personnel (manager or director) to:
 - i. take control/limit employee access, and/or gain full access to, all County premises, whether owned or rented; AND

examine, copy, and/or remove all or any portion of the contents of any public document.

Management Responsibilities:

1. Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

All inquiries from the suspected individual and his or her attorney or representative should be directed to the County Audit Division. Proper response to such an inquiry is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "what you jid,11 "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

Management/employees should not contact the suspected individual in an effort to determine facts or demand restitution.

3. Management/employees are encouraged not to discuss the case, facts, suspicions, or allegations with anyone outside unless specifically asked to do so by the County Audit Division.

4.

Management/employees are encouraged not to discuss the case with anyone inside the county other than a representative of the County Audit Division or individuals within the department/division who have a legitimate need to know.

5. Management/employees are to cooperate with the investigation process through answering questions, furnishing of written statements, volunteering information important to the investigation, etc.

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H. County Administrator or designee will:

1. Determine disciplinary action necessitated upon completion of the investigation.
2. Report interim results of investigative findings to the Board of County Commissioners as determined necessary.

III. FRAUD REPORTING REWARD:

Employees and members of the general public may be rewarded for their conscientious observation and reporting of fraudulent conduct.

Upon completion of the investigation the reporting individual may be eligible for a reward. The investigative findings must determine conclusive evidence of fraudulent activity. Anonymous reports are not eligible for reward. Fraudulent reports recouping a monetary loss of over one thousand dollars (\$1,000) may receive a reward of up to one hundred dollars (\$100). A fraudulent report which results in substantial and/or wide spread financial impact may receive a reward in excess of one hundred dollars (\$100) if directed by the Board of county Commissioners.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

USE OF ALCOHOL IN COUNTY PARKS AND FACILITIES

The consumption of beer, wine, or champagne shall be allowed at designated locations and when specifically authorized by the Parks and Recreation Manager or his designee and under such terms as the Parks and Recreation Department or his designee may impose. The waiver does not allow the sale of alcoholic beverages. Alcohol may be served for a four (4) hour time frame only. Acquisition of \$1,000,000 minimum liability insurance is a condition precedent to final approval. Orange County must be a named insured. The -insurance policy must specifically include host liquor liability coverage.

A. Locations for Alcohol Waiver Application:

2.

1. Clarcona Horseman's - Concession building only
Magnolia Park - Lakeside pavilion only
Moss Park - Pavilion W5 and 6
Barnett Park - Pavilion #1, 2, 3, and 4
Downey Park -Pavilion #1 (south)

1. Orlo Vista Community Center
2. Marks Street Senior center
3. Fort Gatlin Community Center only
4. Cypress Grove Estate House, Grounds and Community Center

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4. Blanchard Park
5. Trimble Park
6. Lake Cane-Marsha Park

FOR MORE INFORMATION CONTACT: Parks & Recreation Department

I. POLICY

Facilities

No: 2.16.04

Date: 10/20/92
Approved By BCC

Page 1 Of 2

II. PROCEDURES

Alcohol Waivers

Kelly Park
Warren Park
Christmas Park

REFERENCE: None

Parks

B. No

1-IF

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No:

2.16.

Page 2

Of 2

C. New parks and facilities to be addressed as they become operational.

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

NO: 2.18

Date: 10/20/92

Approved BY: BCC

Revised: 06/27/95

Tide:

STATE OF THE COUNTY MESSAGE

Page 1 Of 1

I. POLICY:

The Orange County Charter, Article III, Section 302. D. 8., requires that the County Chairman "Present annually at a time designated by the Board, a State of the County message, setting forth programs and recommendations to the Board." In order to establish an appropriate time frame for this message, the Board hereby designates the time period between Labor Day and Thanksgiving Day of each year, except as provided below, for the County Chairman to deliver the State of the County message.

II. PROCEDURES:

- A. Not later than August 1 of each year, the County Chairman will communicate to the Board a date, time, and location, for delivery of the State of the County message. The date and time shall occur during the period between Labor Day and Thanksgiving Day, except as provided below.
- B. The County Chairman shall communicate to the public the date, time, and location of the State of the County message.
- C. In time of emergencies, or for other reasons, the County Chairman may request from the Board a waiver of this regulation.
- D. In the first year of a term of office, the County Chairman may deliver the State of the County address during the months of March, April, or May, at the County Chairman's option, for the purpose of setting forth the County Chairman's goals, programs and priorities during the term. In that case, the County Chairman will notify the Board of the date, time and place no less than thirty calendar days in advance and shall give suitable notice to the public.

FOR MORE INFORMATION CONTACT:

County Chairman's Office

REFERENCE:

ADMREG20 01/17/95

Orange County
Charter
Article III
Section 302. D. 8

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 5-11-87
Approved By.
BCC

TjUe:

PREPARATION OF COMMISSION AGENDA ITEMS

I. POLICY:

- A. The Administrative Assistant, County Administrator's office, is responsible for the following:
 - 1. Scheduling appearances before the Board of County Commissioners for persons wishing to address the Board during the public discussion periods of official County Commission meetings.
 - 2. Preparing and distributing the agendas for public meetings and work sessions of the Board of County Commissioners.

Scheduling all staff reports and work session items to be presented to the Board of County Commissioners.
- B. The Clerk to the Board of County Commissioners is responsible for scheduling and placing legal advertisements for all public hearings of the Board of County Commissioners and for distributing long-range agendas regarding those advertised public hearings.

II. PROCEDURE:

- A. Persons wishing to appear before the Board of County Commissioners during public discussion periods of official County Commission meetings shall be directed to the Administrative Assistant, County Administrator's office, for scheduling. At the time of contact, the Administrative Assistant may determine the proper forum for the request.
- B. Matters pertaining to scheduling of staff reports to the Board of County Commissioners and requests for scheduling times on the Commission work session agendas will be referred to the Administrative Assistant for assignment.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 3.01
Page 2 Of 2

Division Directors shall furnish the Administrative Assistant with a total of four copies of agendas **and reports to** be presented to the County Commission for public hearings and or work sessions. The Administrative Assistant will disseminate the information to the media.

Division Directors shall furnish the Legal Department and the Office of Management and Budget with one copy of the Division Consent/Discussion Report not later than noon the Friday preceding the Monday County Commission meeting.

Reports are reviewed by OMB to ensure that all items with potential or actual budgetary impacts receive proper treatment. Problems or areas of concern will be discussed with the County Administrator. Wherever possible, the Division Director is to identify (by detailed account number) the funding source for any proposed budget impact. Where no such source can be identified, the item should be discussed with OMB prior to being placed on the agenda.

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

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I. POLICY:

ADVISORY BOARDS

- A As directed by the County Administrator and in coordination with the Clerk of the Board of County Commissioners, the Service and Information Coordinator will maintain an up-to-date listing of all advisory boards of the Board of County Commissioners and all appointments thereto.

The Service and Information Coordinator shall keep the County Administrator informed of resignations, expiration dates, and other matters pertinent to membership - on advisory boards, including attendance records.

- C. Correspondence regarding advisory boards, such as appointments, acceptance of resignations, reappointments, etc., will be handled by the Service and Information Coordinator.

II. PROCEDURE:

- A. All matters pertaining to advisory board appointments and official records will be furnished to the Service and Information Coordinator for action to be taken.
- B. Any resignations, attendance records, or minutes of advisory boards in which recommendations are made to the Board of County Commissioners shall be sent to the Service and Information Coordinator for proper disposition.
- C.

Attendance records shall be provided to the Service and Information Coordinator on a quarterly basis--March 15, June 15, September 15, and December 15 each year. Non-attendance for a quarterly period will be brought to the attention of the Board of County Commissioners for possible remedial action.

FOR MORE INFORMATION CONTACT: Service and Information Office

REFERENCE: None

a

No: 3.02

Date: 5-11-87

BCC

Page of 2

Approved By.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 1-09,
Page 2 Of 2

- D. Advisory Board appointments will be made during the third week of November in each year to ensure that new appointments are made prior to the expiration of terms.
- E. For purposes of this Regulation, Advisory Board is used to describe Boards, Commissions, Authorities, Ad Hoc Committees, and Councils to which the Board of County Commissioners may make appointments.

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ADMINISTRATIVE REGULATIONS

Date: 11/23/87
Revised

8,116,19

Approved By.

BCC

Title:

RULES OF PROCEDURE FOR
THE BOARD OF COUNTY COMMISSIONERS

Page I Of 4A

I. POLICY:

The Rules of Procedure dictate the manner in which meetings of the Orange County Board of County Commissioners shall be conducted.

II. PROCEDURES:

The following pages outline the rules of procedure which are to be followed by the Orange County Board of County Commissioners while conducting public meetings. The table of contents is provided as a quick and convenient reference.

FOR MORE INFORMATION CONTACT: County Attorney's Office

REFERENCE: County Charter, Sections 208 and 209
Florida Statutes, Chapter 112.3143
Robert's Rules of Order

ADMREG15 09/19/94

RULES
OF
PROCEDURE

BOARD OF COUNTY COMMISSIONERS
OF
ORANGE COUNTY, FLORIDA

Approved:
November 23, 1987

Revised:
August 16, 1994

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RULES OF PROCEDURE

**BOARD OF COUNTY COMMISSIONERS
OF
ORANGE COUNTY**

ARTICLE I

GENERAL

Section 1.01 Purpose and Scope.

A. Pursuant to Section 209 of the Orange County Charter (the "Charter"), these Rules of Procedure ("Rules") are approved by the Orange County Board of County Commissioners (the "Board") and shall govern all proceedings of the Board except to the extent they may be inconsistent with the Charter, the Orange County Code or Florida law, in which case the Charter, the County Code or Florida law shall govern. Any procedural issues not addressed by these Rules, the Charter, the County Code, or Florida law shall be governed by Robert's Rule of Order.

B. The purpose of these Rules is to provide for the smooth and orderly functioning of the business of the Board of County Commissioners and to facilitate an open exchange of ideas among Board members and between Board members and the public.

These rules shall not grant additional grounds or standing to challenge the County or the Board other than those grounds already existing in constitutional, statutory or case law.

Section 1.02 Parliamentary.

The County Attorney, or his/her designee in his/her absence, shall serve as parliamentarian and shall advise and assist the Presiding Officer and the Board in matters of parliamentary law.

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Section 1.03 Suspension of Rules.

These Rules may be suspended at any time with respect to any single matter before the Board, but- only upon the unanimous vote of the Board members present at the meeting, and only if at least 5 members are present.

ARTICLE

II

OPERATIONAL PROCEDURE

Section 2.01 Meetings.

A. Regular meetings of the Board shall be held each Tuesday, except the fifth Tuesday of any month, at 9:00 A.M. in the Board's chambers on the first floor of the Orange County Administration Center, 201 S. Rosalind Avenue, Orlando, Florida. Also, from time to time the Orange County Chairman may (i) schedule work sessions on Monday afternoons, starting on or after 1:30 P.M., (ii) cancel or otherwise refrain from scheduling all or any part of any Board meeting on any Tuesday when the business to come before the Board is not substantial and (iii) schedule Board meetings at such other locations in the County and at such time of day as may be conducive to public attendance and participation.

B. Special meetings for matters or specified items which need to be discussed, and on which Board action may need to be taken, prior to the next regularly scheduled meeting may be called by the County Chairman, but only upon written notice to each Board member no less than 12 hours before the meeting. Any other Board member may call a special meeting, but only after the following:

1 . each other Board member or his or her aide must receive ' a written request for concurrence in the need for the special meeting;

2. no fewer than two other Board members must respond to the requesting member in writing, with copies to all other members, that they concur in the need for the special meeting, and

3. each member must then receive written notice from the requesting member that the special meeting is called, and such notice shall be effected no less than 12 hours before the meeting.

The notices of calling a special meeting, whether by the County Chairman or three other members, as well as the written request for concurrence described above, shall all state the subject to be discussed, the Board action to be 'proposed, and the date, time and place of the meeting. Notice shall be effected only when served personally on the Board member or his/her aide, or delivered to the Board member's residence, or delivered during normal working hours to the Board member's usual place of business or employment.

Other business or action **shall not be discussed or** taken at the special meeting. Furthermore, copies of requests for concurrence and all notices of special meetings shall be placed in the Board's reading file, and notices of such meetings shall be posted as may be required by law or county custom.

C. Emergency meetings may be called in the same manner as special meetings, when immediate action is required because of an imminent threat to public health, safety, or welfare. Notices shall be given within a reasonable time, which may or may not be a minimum of 12 hours, as circumstances may determine. Furthermore, whether an emergency exists shall ultimately be determined by the Board at the meeting based on the circumstances. If at the meeting the Board determines that an emergency does not exist, the meeting shall be adjourned immediately.

In accordance with Section 210 of the Charter, any ordinances enacted under emergency provisions will be effective for a limited period of thirty days. However, at the Board's discretion, the ordinance may be reenacted in the manner provided by law.

D. An adjourned meeting shall be a continuation of the previous meeting, whether a regular or special.

1. If due to time constraint, the Board is unable in a regular or special meeting to hear all the business due to come before it, the meeting may be adjourned by the Presiding Officer to a day and time specified at the meeting by the Presiding officer with the concurrence of the Board, to allow for the completion of pending business.

2. In an adjourned meeting, business which would have been proper to consider at the original meeting may be considered and acted on. Nothing may be considered at an adjourned meeting unless it could have been considered and acted on at the original meeting.

3. Adjourned meetings resume business under the same rules, limitations and rights as the original meeting from which it was adjourned.

Section 2.02 Quorum.

A. Four members shall constitute a quorum for any meeting of the Board.

B. If a quorum is not present thirty minutes following the appointed hour of the meeting, the County Chairman, the

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Vice-chairman, or in their absence the County Administrator his/her designee) may adjourn the meeting until the next or by unanimous agreement those present may select another and day.

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C . If in the process of a meeting, it is determined that a quorum is not present, all business shall immediately stop. The Presiding Officer may:

1. fix another day at which to reconvene;
2. adj

ourn
regular meeting; or

the meeting and return at the
next

3. Recess the meeting to determine if a quorum will be present within a short period of time.

The names of those members present and the decision shall be recorded in the minutes, stating a quorum was -not present and the time set for another meeting.

Section 2.03 County Chairman.

A. Meetings of the Board shall be chaired by the Orange County Chairman, who when fulfilling this function is referred to in these Rules as the "Presiding officer."

B. In addition to the duties listed in Section 302 of the Charter, the County Chairman shall:

1. Call the meeting to order at the hour appointed for the meeting.
2. Determine whether a quorum is present.
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Preserve decorum and order at all meetings.

4. Make the members aware of the substance of each motion and call for the vote and announce the results of each matter that is decided by the Board, including "no" votes, if any.

5. Determine the seating arrangements for the Board Members and staff.

6. Call a recess at such times as deemed advisable.

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7. Have all rights and privileges while he/she is presiding (e.g., the right to make motions, second motions, speak and vote), without relinquishing the chair.

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RATIONALE:

Section 2.04 Vice-chairman.

A. The Board shall annually elect a Vice-chairman from among its members by majority vote. The election shall occur during the month of December, and each Vice-chairman shall serve until his/her successor is elected. If for any reason the Vice-chairman's position becomes vacant, the Board shall promptly elect a successor.

B. The duties of the Vice-chairman shall be as described in the Charter. Any part of these Rules that describe the duties and powers of the County Chairman during meetings of the Board shall apply to the Vice-chairman in the absence of the County Chairman.

Section 2.05 Absence of County Chairman and Vice-chairman.

In the absence of both the County Chairman and the Vice-chairman, at a meeting of the Board, the County Administrator shall determine whether a quorum is present and, if a quorum is present, shall call for the election of a Presiding Officer. The Presiding Officer shall preside over that meeting or until the County Chairman or the Vice-chairman arrives. The Presiding Officer shall relinquish the chair upon the arrival of either the County Chairman or the Vice-chairman upon conclusion of the business immediately before the Board.

Section 2.06 Minutes of the Meetings.

A. All actions of the Board shall be accurately recorded in the minutes.

B. The clerk to the Board shall record and prepare the minutes and shall be responsible for maintaining the official record and minutes of each meeting of the Board. The minutes shall include all the actions of the Board. The record shall include the names of the mover and seconder and the vote of each member of the Board. The record shall state whether the vote was by voice vote or by roll call.

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Since each member of the Board is elected by the voters of Orange County, the County Chairman shall not be deprived of representation on their behalf; therefore, the County Chairman has the same right to make motions, second motions, speak and vote without relinquishing the chair.

C . The clerk to the Board shall not be responsible for maintaining a written record of the discussion or comments of the members or of comments made by members of the public. The clerk shall make an electronic tape recording -of each entire meeting.

D. A member of the Board may request to have her/his comments printed as part of the record. If there are no objections by any member of the Board, the comments shall be included. If there is an objection to such printing of the comments, the Board shall decide the matter by majority vote.

E. The responsibility for correcting and approving the minutes shall be vested only in the Board, and the minutes shall indicate its approval.

F. The right to challenge procedural defects in the minutes shall be deemed waived by individual Board members once they have voted to approve the minutes.

G. The minutes shall be attested by the County Chairman or Vice-chairman.

PUTIONALE:

All actions taken by governmental organizations must be fully and accurately recorded in their minutes. The minutes are the primary evidence of actions taken by the body. The final legal responsibility for correcting the minutes rests solely with the members of the body. (Ref. Sturgis, page 239, with related court cases.)

Section 2.07 Agenda.

The official agenda of the Board shall be prepared by the County Chairman in four parts:

A. The Morning Agenda.

The morning agenda shall include:

- a. Constitutional Officers' Reports, if any
- b. Report of the County Chairman
- c. Reports of the Commissioners
- d. Staff reports

e . Such other items as may be requested f rom time to time and approved by the County Chairman.

2. Some of these items may be a consent item as per Section 2.08 of these Rules.

B. Work Session agenda.

1. Work Session agendas shall be scheduled by the County Chairman on an "as needed" basis.

2. Unless special notice is required, the Board may take official action on any work session issue which is properly placed on the agenda. When Board action is foreseeable, public comment shall be allowed. Time limits shall be at the discretion of the Board.

C. Recess.

A Recess shall afternoon agenda.

D. The Afternoon Agenda.

be called between the morning and

1. The afternoon agenda shall include:

- a. Call to order
- b. Invocation
- c .

Public Discussion

NOTE: The County Administrator shall prescribe forms by which any member of the public may request to be heard during the public discussion period. However, at the discretion of the Presiding Officer or upon a majority vote of the Board, a person may be allowed to address the Board during this period without having submitted the required form or having been placed on the agenda.

d. Recommendations of the Planning and Zoning Commission and Board of Zoning Adjustment, when applicable

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Public Hearings

(1) Public hearings shall be scheduled by the Clerk of the Board and the notification of such hearings shall be sent by the Clerk to the person(s) involved and to the media.

f . Such recesses as the Presiding Officer may deem necessary or desirable.

2. The agenda shall be a timed agenda, except that it will state that the public discussion and public hearings will be held at the time shown or as soon thereafter as time permits.

E. Agenda Preparation and Deadlines.

1 . The Agenda for each regular Board meeting shall be delivered to all Board members no later than noon on the third business day preceding the day of the Board meeting. Supplemental agendas may be issued by the County Chairman from time to time, but only if (i) the supplemental agenda is delivered to each Board member on or before noon of the business day immediately preceding the Board meeting and (ii) the item or items on the supplemental agenda are subject to deadlines, time constraints, or urgency of some type requiring Board action without delay.

2. Any Board member with an item to be placed on an agenda shall provide the item in writing, together with any backup information, to the Office of the County Chairman, with a copy to the County Administrator, no later than 12:00 Noon on the fourth business day preceding the Board meeting. Such items shall be placed on the agenda as soon as possible, unless, on further consultation, the Board member agrees to a postponement or to withdraw the item. Items to be placed on supplemental agendas shall be urgent in nature and shall be delivered in writing, with backup, no later than 9:00 A.M. on the business day preceding the Board meeting.

Section 2.08 Consent Agenda.

A. A portion of the agenda may be designated as a consent agenda, and all items contained therein may be voted on with one motion.

B. The County Chairman or any other Board member may withdraw an item from the consent agenda, and it shall be voted on individually. To avoid the need for County staff to attend Board meetings merely to be available for discussion of consent agenda items, the County Chairman may defer any withdrawn item to a later meeting.

Section 2.09 Nonagenda Items.

A. A nonagenda item shall be defined as any item that is not on the printed agenda or any printed supplemental agenda. Nonagenda items shall be introduced only when deemed by the

County Chairman or another Board member to attention.

require urgent

B. - Adequate information shall be given -to the Board members on nonagenda items that are being requested.

C. A vote of 5 members of the Board shall be required to pass a nonagenda item.

Section 2.10 Voting by the Board.

A. Except as provided otherwise in this Section, all votes shall be taken by an "aye" or "no" vote (voice vote) unless it is determined by the Presiding officer or a Board member that a roll call vote would be in order.

1. A roll call vote shall be taken by numerical order of districts, with the Presiding Officer voting last.

2. When a roll call vote is called, after the Presiding Officer has made clear the motion, the clerk shall be directed to call the roll; no member shall be entitled to speak on the motion, nor shall any motion be in order until such roll call is completed and the result announced by the Presiding Officer.

3. Instead of either a voice vote or a roll call vote, the Presiding Officer may at any time call for a vote by the raising of hands, in which case the vote of each Board member shall be announced publicly by the Presiding Officer.

B. All voice votes shall be taken requesting those in favor to say "aye" and those opposed to say "no." A vote requesting those in favor to say "aye" and those opposed "like sign" (meaning "aye") shall not be used.

RATIONALE:

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A vote that calls for those in favor to say "aye" and those opposed "like sign" in a voice vote is not only out of order in procedure, but also is confusing. In order for the public, the Clerk, and other Board members to be assured that the Board member is voting in the negative, it is important that "no" be used. A person may not vote "aye" when his/her vote is in the negative.

C . A . tie vote shall cause the motion to be defeated. However, on all matters involving application to the Board which require findings of fact and/or conclusions of law, the tie vote shall keep the motion as pending before the Board, and the motion shall be rescheduled to another time or a time certain.

RATIONALE:

Zoning Appeals Board, after notice and hearing and having deadlocked at a 2 to 2 vote to deny application for an unusual or special use, was entitled to continue hearing by setting it over to another date without further notice. See, Shaughnessy v. Metropolitan Dade County, App., 238 So.2d 466 (1970).

D. Neither the County Chairman nor any other Board member who is present at any meeting of the Board at which an official decision, ruling or other official act is to be taken or adopted may abstain from voting in regard to any decision, ruling, or act, and a vote shall be recorded for each such Board member present, except when, with respect to any such member, there is or appears to be a possible conflict of interest, in which case the Board member shall comply with Section 112.3143 of Florida Statutes or other applicable law.

E. When the Board appoints persons to its various boards and authorities, it may deviate from the normal procedure of motions and votes and, instead, allow any Board member to nominate a prospective appointee. Nominations need no second, and each Board member may offer one nomination for each vacancy.

After nominations have ceased, the Presiding Officer will announce each nominee, and Board members shall vote for nominees by a show of hands, with each Board member casting one vote for each vacancy. Appointments shall occur only when a nominee receives a vote of a majority of the Board members present.

Section 2.11 Public Participation in Meetings, Hearings and Appeals.

A. General.

1. These rules seek to balance the opportunity for all citizens to participate in the local government process

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with the responsibility of the Board to conduct orderly and efficient meetings and to complete the County's business in a timely manner. Citizens are encouraged to follow the rules on public participation. Citizens are also encouraged to make initial inquiries through county staff when such inquiries are practical.

2. When legislative Board action is foreseeable, public comment should be allowed. At meetings or workshops, public commentary is not required by the Sunshine Law. The Sunshine Law requires only that those meetings be open for public attendance. Therefore, any public commentary at meetings and workshops should be kept brief and shall be according to any time limits set by the Board.

3. The person shall limit his/her remarks to the time limits set by these Rules or otherwise by the Presiding Officer or the Board, except that such time limits are not applicable to county staff.

4. Speakers must focus on relevant facts and issues. The Presiding Officer may curtail irrelevant or repetitious comments. The Presiding Officer may also declare an end to one side of a debate when that viewpoint has been adequately repeated and no new information is being offered.

5. All persons, other than salaried members of the county staff, shall address the Board, whether in public hearing or otherwise, in the following manner:

a. State his/her name and address.

If requested by the Board, state:

whether he/she speaks for himself/herself or for another.

v. whether he/she or any member of his/her immediate family has a personal interest i

iii. whether he/she is being compensated by the person(s) for whom he/she speaks.

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e pending matter.

whether the person represents an organization or represents a policy established by the organization or governing body.

6. All remarks shall be made to the Board as a body and to the Presiding **Officer and not to a particular member of** the Board, unless permission has been given by the Presiding Officer.

7. No person, other than salaried County staff and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without permission of the Presiding Officer.

8. Speakers must be courteous and non-disruptive. If a person continues disruptive behavior after being asked to stop, these results may apply:

a. The Presiding Officer may declare the person's conduct to be out of order and the Presiding Officer, with a concurrence of a majority of the Board, may refuse to permit the person from further speaking before the Board for the remainder of that meeting.

b. A person, once denied the floor due to such improper conduct, shall not be permitted to continue or again address the Board in that meeting unless a majority vote of the Board allows.

c. The Presiding Officer may order ejected from the meeting any person whose conduct is hostile or threatening. He or she may be readmitted only by a majority vote of the Board.

9. When a court reporter is present, whether in a public hearing or otherwise, and if requested, the court reporter shall give his/her name, identify his or her court reporting company, and identify the person or entity by whom he or she is retained.

B. Public Hearings - Adoption of Budgets, Ordinances, Resolutions, and Other Matters of General Applicability.

Any person addressing the Board in a public hearing in connection with the adoption of a budget, an ordinance, a resolution, or other matter of general applicability shall limit his or her remarks to 3 minutes. One person may speak on behalf of others in attendance at the hearing, and under those circumstances the Presiding Officer may grant additional time, up to a total of ten minutes, or as otherwise has been set by the Presiding Officer.

C. Public Hearings -- Applications for or Appeals from Specific County Approvals or Decisions.

A public hearing arising out of any application for a specific county approval, whether a land use approval or otherwise, and regardless of whether the hearing has been called by the Board or requested by the applicant or a third-party appellant, shall be conducted as follows:

1 . The applicant or his or her agent is entitled to make a presentation to the Board, and the presentation shall be the first made (after opening remarks, if any, by Board members and staff) unless the applicant waives the privilege. The applicant's presentation plus any rebuttal to opponents shall not exceed, in the aggregate, 15 minutes, unless the applicant has notified the County Administrator or his/her designee prior to the meeting of the amount of time he or she deems necessary to present his or her application and the administrator has approved an increase in time.

2. If the hearing has occurred because of an appeal by someone other than the applicant, the appellant shall then be heard, and the appellant's presentation and rebuttal, if any, shall not exceed, in the aggregate, 15 minutes unless the appellant has notified the County Administrator or his/her designee prior to the meeting of the amount of time he or she needs to present the appeal and the administrator has approved the increase in time.

3. For purposes of the foregoing, any remarks made at the hearing by any family members, business partners or associates, consultants, attorneys, agents, employees, employers, co-workers or other associates of the applicant or the appellant shall be deemed part of the applicant's or the appellant's presentation.

4. Any persons speaking in favor of the application and not part of the applicant's presentation shall then be heard and shall be limited to one minute each.

5. Any persons speaking in opposition to the application shall then be heard and shall be limited to 2 minutes each. Any opponent may speak on behalf of others in attendance, and under those circumstances the Presiding Officer may grant up to an additional minute for each such person.

6. The applicant shall then be permitted rebuttal, so long as his/her aggregate time does not exceed the maximum allowed above.

7. The appellant, rebuttal, likewise subject described above.

if any, shall then be allowed to
the aggregate time limit

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8. Exhibits and written statements submitted at the hearing must be received by the Clerk before the Presiding Officer closes the hearing. If a court reporter is present, all documents submitted at the hearing shall be identified and numbered sequentially (Exhibit 1, Exhibit 2, etc.) and announced for purposes of the record.

9. The Board shall then discuss and vote on the matter unless a motion to refer or a motion to defer under

Section 4.05 or 4.06 of these rules is passed. A Board member may discuss the matter with staff after the hearing is closed, but when fairness demands, the Presiding Officer may reopen the hearing for the limited purpose of allowing- the applicant and/or the appellant, and no one else, to respond to the discussion.

10. The Presiding Officer, or the Board by majority vote, may expand or contract any time limits described above.

Section 2.12 Committees of the Board.

A. Whenever the Board deems it necessary or desirable that the Board be represented at meetings, conferences or other occasions involving other governmental organizations, or departments, agencies or officials of the county government, the Board may appoint through the chair or through election, a member or members to represent the Board at such meetings, or other occasions, with the consent of the member appointed or elected.

1. A representative for or on behalf of the Board shall vote on particular matters as the Board shall have instructed him/her in that regard and may not make any commitment or binding obligation on behalf of the Board without the approval of the Board.

2. A representative for or on behalf of the Board shall report in writing to the Board, when requested.

B. The Board may establish special committees as specific needs arrive. The Board shall appoint or elect persons to these committees with consent of the persons appointed or elected.

C. Any special committee may be abolished by the Board.

D. Any person appointed or elected by the Board to represent it may be removed for non-attendance or non-participation by a majority vote of the Board.

ARTICLE III

DECORUM OF DEBATE

The following practices shall be followed in the discussions/debate on motions and matters presented to the Board of County Commissioners.

A. In discussion, the remarks made by the Board members shall be confined to the motion or matter immediately before the body.'

B. In discussion, a member may condemn the nature or likely consequences of the proposed measure in strong terms, but must avoid personalities, and under no circumstances may he/she attack or question the motives of another member. The issue, and not a person, shall be the item under discussion.

"For example, if a member disagrees with a statement by another in regard to an event which both witnessed, he cannot state in debate that the other's statement is 'false.' But he/she might say, 'I believe there is strong evidence that the member is mistaken'."
(Robert's Rules of Order Newly Revised, page 332.)

C. The Presiding Officer shall immediately call as "out of order" any remarks outside the issue being addressed, or another member may call to the attention of the Presiding officer and other members this breach of procedure, and the member shall immediately cease the breach of decorum and continue with his/her remarks confined to the issue.

D. All discussion shall be made through the Presiding Officer, and one member may not interrogate another member or a person speaking from the public, except through the Presiding Officer.

E. After a member has spoken or asked questions on a matter before the Board, other members shall be given the opportunity to speak. If no other member wishes to speak to the issue, the member may continue speaking to the issue.

F. During discussion or voting, a member shall not disturb the other members in any way that may be considered disruptive to the proceedings or hamper the transaction of business.

G . The Presiding officer may rule as "out of order" any action deemed inappropriate or dilatory and may interrupt a speaker for reasons he or she deems necessary.

H. If a member of the Board refuses to comply with these Rules, the following procedure shall be used:

1. The member shall be 'called to order" by the Presiding Officer or by a majority of the members present.

2. If a member refuses throughout the meeting to abide by the Rules, the members present, by majority vote, may censure the member and have it entered in the official minutes of the meeting.

RATIONALE:

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Persons, organizations, and governmental bodies receive respect from others to the degree that they respect themselves. if respect for the procedure at meetings is demonstrated by the members, it shows not only respect for the individual, but also respect by those persons who elected them and whom they represent.

No body, regardless of its size, can accomplish its objective if the person elected to lead the meeting (i.e.,- the chair) is not given the authority to do so. All matters must be directed through the chair, otherwise the procedure is out of order.

As to the County Chairman or the board following through on a member refusing to abide by the Rules, it must be remembered here that these rules need to cover not only the Board as it now exists, but also those that will follow. While there is no concern as to any members, as the Board now exists, following these Rules as adopted, these Rules need to be written so as to protect the Board should any future member not adhere to the Rules.

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ARTICLE IV

MOTIONS

Section 4.01 Motion To Be Stated by the Presiding Officer.

No motion or resolution shall be adopted until the motion or resolution, in substance, is stated by the Presiding Officer.

Section 4.02 Precedence of Motions.

These motions shall take precedence in the order in which they are listed below:

A.

B.

Fix a time of the next meeting

Adjourn

C. Recess

D.

E.

Call the question (end debate)

Defer to a time certain

F. Refer back to a committee or staff or refer to a committee or staff

G . Amend

H. main motion

I . The motions to reconsider, rescind and amend something previously adopted shall have the same rank as a main motion.

J. All incidental motions listed in this section shall be decided immediately before business can proceed.

Section 4.03 Main Motion.

A main motion shall be a motion whose introduction brings business before the Board. A second is required.

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NOTE: A second made by any member shall imply that the member wishes the matter to be discussed, but it does not necessarily mean that the member is for or against the motion.

Section 4.04 Motion to Amend.

If a member feels that the main motion might be more acceptable in another way, other than the way-presented, the member may amend in either of the two ways presented:

A. By consent of the members: The Presiding Officer, or another member through the Presiding Officer, may ask if certain changes may be made to the motion. If there are no objections from the members, the motion will stand as changed (amended). If there are no objections, the second shall remain. ("No objection" implies that the person seconding the motion agrees.) The main motion shall then be as it was changed (or amended by general consent). If there is an objection from any member, a second to the amendment shall be required and a vote taken. There may be discussion to the amendment at that time, and a majority vote shall be required to pass the amendment.

B. An amendment may be presented formally by moving to amend the motion in some way (e.g., insert, add words or paragraph, strike out words or paragraph, or strike out and insert words or paragraphs). If it is in the form of a formal motion to amend, a second shall be required and discussion shall follow on the amendment. If an amendment passes, the main motion shall be the motion as amended. If it fails, the motion shall be the motion as it was before the amendment was presented.

C. An amendment must be germane (relating to the substance of the main motion). An amendment cannot introduce an independent question, but an amendment can be hostile to, or defeat the spirit of the original motion and still be germane. (See example in the appendix.)

D. Improper Amendments shall be:

1. One that is not germane (see examples)

2. One that would make the adoption of the motion equivalent to a rejection of the motion. Thus, moved that "we approve," it could not be amended to say "not" approve because that could be accomplished by voting against the motion.

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3. One that would strike out such words as "Resolved" or other enacting words.

4. One that is frivolous or absurd.

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5. **One** that would leave incoherent wording or a wording containing no rational proposition.

6. one that would have the effect of- converting one parliamentary motion into another. (see examples)

Section 4.05 Motion to refer.

If Board members feel that adequate information has not been given, a Board member may move to refer the matter back to a certain person(s) or agency for more information. A time certain may be included in the motion or it may be open-ended. A motion to refer back is only debatable as to whether or not, or to whom, it shall be referred and the Board's directions in connection with the referral; a second is required, and a majority vote of the Board shall be required to pass the motion to refer. If the motion fails, the motion pending shall then be the motion that was on the floor prior to the motion to refer.

Section 4.06 Motion to Defer to Time Certain (Postpone).

A motion to defer to a time certain (postpone) may be used if the Board feels that the motion before it should be considered at a more convenient time or if the discussion shows that a final decision should be made at a later time or date. This motion is used if the Board members themselves feel that they may obtain the information that is needed or that the facts as presented are not adequate for their final vote. Discussion may follow as to the reason for the motion to be deferred. A second is required. A majority vote is required to pass a motion to defer.

NOTE: It is important to note that the Board acts in its official capacity as a unit, and if a matter is asked to be deferred, it is done by a majority vote of the Board and not by a member acting independently. All action taken by the Board must reflect the wishes of the Board and not one member individually.

Section 4.07 Motion to limit Discussion or Debate.

If a member of the Board feels that time for discussion of a motion should be limited, either as to time for the motion as a whole or as to time given to any individual, the member may move to "limit discussion (or debate)." This time limit may be moved before the start of a public hearing or after the Presiding Officer has closed the public hearing.

There shall be no discussion to this motion and a vote of a majority plus one of the members present shall be the vote to limit discussion either on an individual basis or on the motion as a whole. (FOR LIMITED DEBATE OF THE PUBLIC-- PLEASE REFER TO SECTION 2.11 OF THESE RULES.)

Section 4.08 Call the Question (Previous Question) or Motion to End Discussion/Debate.

A member of the Board may "call the question" (a motion to end debate) when it is clear that further discussion is unnecessary. A second is required, and no discussion may be allowed on this motion. A vote of a majority plus one of the members present shall be required to pass this motion.

Section 4.09 The Motions to Table (lay on the table) and Postpone Indefinitely.

Motions to table or to postpone indefinitely shall not be used by the Board.

RATIONALE:

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The motion to table may not be used to kill a motion.

The motion to table (perhaps the most abused motion) is used to set a motion aside temporarily when something else of immediate urgency has arisen. The motion to defer to a time certain may be used by the Board if this occurs. The only way a tabled motion can be brought back is through the motion to "take from the table;" it may not be placed on the agenda. Because of the nature of the business of the Board, it is necessary to dispose of, in some way, the matters on the agenda that are public. The public would not know when it would be taken from the table, and public notice would not have been given.

The motion to postpone indefinitely is another motion that should not be used by the Board as it is used as a motion to kill. It is used as a motion that "says" that the body declines to take a position on the main question and avoids a direct vote. The Board is charged with making decisions at their meetings and should not sidestep an

issue. The Board may "kill" a motion by voting it down.

Cushing states in his manual on Parliamentary Law that Ila motion to reconsider may be made at any time or by any member, precisely like any other motion."

If a Board member wishes to bring back to the Board those matters that have been adopted for a change, in part or in total, the motions described in sections 4.11 through 4.13 of these Rules shall be used. Except for a motion under Section 4.12, the Board member's intention to reopen the matter shall be noticed to the public at least three business days before the meeting at which the issue will be considered. However, failure to provide such notice shall not affect the validity of any such motion or the vote taken thereon.

Section 4.11 Motion to Amend Something Previously Adopted.

This motion shall be used in what can be referred to as routine matters, that being a matter that was adopted by the Board but because of time or circumstances a part of the matter needs to be amended. (e.g., change in speed limit or signs in general and other such matters.)

The Board member shall move to amend that part of the motion that had been previously adopted. A second is required. Discussion may follow on the subject. The vote taken shall be: Majority if the item is on the official agenda, a vote of 5 members of the Board if the item is not on the official agenda.

Section 4.12 Motion to Reconsider.

If in the same meeting new information or changed situations make it appear that a different result might reflect the will of the Board, a member may move to reconsider the vote. A motion to reconsider may be applied to a vote that was either affirmative or negative and shall propose no specific change in a decision, but simply propose that the motion be reopened for discussion and re-vote. The motion to reconsider may be made by any member, regardless of how he/she voted on the matter. A second shall be required, and there may be discussion as to the reasons for reconsidering. The vote shall be a majority.

RATIONALE:

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Section 4.10 Motions Used to Bring Back an Issue.

The law validates Cushing's statement. To deny any member the right to propose any motion, regardless of how he/she voted is discriminatory." Sturgis, pg. 41. .

Section 4.13 Motion to Rescind.

if a Board member wishes to annul an action taken at a previous meeting, the motion to rescind may be used. The motion to rescind shall require prior notice at a regular meeting of the Board member's intent to move to rescind the previous action at the next regular meeting. The motion to rescind shall not be in order if:

1. The motion to reconsider can be made (i.e., at the same meeting).
2. The motion to reconsider was taken- and lost.

the vote.

3. The matter is routine and only part of the action needs to be changed, in which case the motion "amend something previously adopted" shall be used.

4. Irrevocable action has been taken as a result of

5. The action taken was the granting of an application for a regulatory approval, and the applicant or his or her principal has taken substantial action in justifiable reliance on the Board's vote.

The motion to rescind shall be placed on the agenda for the following meeting, a second is required, and discussion can go into the merits of the motion involved in rescinding. A majority shall be required to pass the motion. Once the previous action is rescinded, the question of whether a further motion and vote is needed will depend on the circumstances.

Section 4.14 Incidental Motions.

Incidental motions have no rank and may be used throughout the meeting as described in sections 4.15 through 4.19 in these Rules.

Section 4.15 Point of Order.

A member may call for a point of order if he/she believes that the Presiding Officer has failed to notice a

made:

breach in the Rules. This point of order shall require the Presiding Officer to make a ruling on the question involved.

Section 4.16 Appeal from the Presiding Officer's Decision.

Whenever a member believes that the Presiding Officer is mistaken in his/her ruling, a Board member may appeal from the Presiding Officer's decision. It requires a second and is debatable, with the Presiding Officer speaking first explaining his or her ruling, and the County Chairman may close out the debate by a statement at the end defending the ruling. (see examples)

An appeal can be made on a ruling only and cannot be

A. In response to a parliamentary inquiry or a point of information.

B. In areas that challenge verifiable rulings of factual nature.

The vote shall be taken on sustaining the Presiding officer's decision, and a tie vote shall act to sustain the Presiding Officer.

Section 4.17 Motion to Divide a Motion.

If the motion presented contains two or more parts capable of standing as separate questions, the Presiding Officer or another Board member may move to "divide the motion." The motion requires a second, and discussion is allowed as to why it should be divided. The vote to pass shall be a majority.

Section 4.18 Notion to Consider Seriatim (by paragraph).

If a main motion is in the form of a resolution or document containing several paragraphs or sections or parts, which are not the subject of separate motions but could be discussed more efficiently if discussed in sections or parts, the motion to discuss "seriatim" (by paragraph or sections or parts) may be made. A second is required and discussion shall be brief as to the necessity for the action. A majority vote shall be required to pass.

Section 4.19 Withdrawing a Motion.

Once a motion has been moved and seconded, it belongs to the entire Board and not the maker of the motion; therefore,

if a member wishes to withdraw a motion that is officially before the Board, action of the Board must be taken in either of the following ways:

A. The Presiding Officer may simply ask the Board if there are any objections to the motion being withdrawn. If there are no objections, the motion shall be withdrawn. The person that has seconded it does not need to withdraw his/her second. If there is objection to it being withdrawn, then an official vote shall be taken.

B. A member may move to withdraw the motion. A second is required and brief discussion on the desire to withdraw may be given. A majority vote is required.

NOTE: Once a motion is withdrawn, either by general consent or by vote, it is struck from the record and is not recorded in the official minutes.

Section 4.20 Privileged Motions.

Privileged motions shall be the highest ranking motions and shall be ranked in the order outlined in Section 4.02 of these Rules and shall consist of the motions described in sections 4.21 through 4.23 of these Rules.

Section 4.21 Motion to Adjourn.

The highest ranking motion shall be the motion to adjourn, which requires a second and is not debatable, except that the motion shall contain a date and time to hear any non-completed items on the agenda. A majority vote is required.

Section 4.22 Question of Privilege.

If anything occurs to cause a member of the Board to not be able to attend to the business before him or her (i.e., too much noise, the microphone not working or matters that affect the safety, orderliness, or comfort of the members, or that affects the honor of an individual member), the member may state to the Presiding Officer that he/she has a question of privilege, and the matter must be addressed before the pending business of the Board continues. No vote is required unless a motion arises out of the privilege.

Section 4.23 Recess.

A recess may be taken as it appears on the agenda or by the Presiding Officer when he/she deems it advisable or by a motion from a member. If the motion is made by a member, a second shall be required and a majority vote taken.

ARTICLE V

AMENDMENTS AND
REVISIONS

Section 5.01 These rules may be amended or revised by a vote of 5 or more members of the Board at a regular or special meeting, provided notice of any proposed amendment or revision has been given to all Board members at the regular meeting no less than 5 working days prior to the vote on the amendment(s) or revision.

Section 5.02 The Board shall institute a review of the rules at least every four years.

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APPENDICES

APPENDIX A
EXAMPLES OF MOTIONS

Main Motion:

"Mr. Chairman," "I move

"

Requires a second - is debatable

Subsidiary Motions:

2. Amend:

a. "Mr. Chairman," "I move to amend the motion."

OR

b. "Mr. Chairman," "I move to strike the word(s)."

"Mr. Chairman," "I move to insert the word(s) and strike the word(s)."

Requires a second - majority vote necessary for approval.

C. Germane Amendment: Example of a germane amendment: On page 114 of *Roberts Rules of Order Newly Revised* states:

"By these rules, if a proposed amendment is related to the main motion in such a way that, after the adoption, rejection, or temporary disposal of the present main motion, the essential idea of the amendment could not be introduced as an independent resolution or main motion at least during the same session, the amendment is germane and should be admitted, since there will not, or may not, be any opportunity to present it later. This test cannot be reliably used to determine if an amendment is "out of order," since it is sometimes possible for an amendment to be germane even if, regardless of action on the present main motion, the idea embodied in the amendment could be introduced independently later in the meeting."

Page 114 of *Robert's Rules of order Newly Revised* continued states these examples:

"As an example of a germane amendment, assume that a motion is pending . . . to purchase a new desk A-1

for the Secretary. It would be germane and in order to amend by inserting after "desk" the words "and matching chair," since both relate to providing the secretary with -the necessary furniture. On the other hand, an amendment to add to the motion the words "and the payment of the President's expenses to the State Convention," is not germane.

poor assume that the following is the pending motion: "that the council commend Officer for his action in An amendment to strike out "commend" and insert "censure" although antagonistic to the original intent, is germane and in order because both ideas deal with the council's opinion of the officer's action. Also, since a motion to censure the officer to the same act could not be introduced independently in the same meeting after the adoption of a motion to commend him, the amendment to change commend to censure is germane "It should be noted that censure is different from "not commend." "Not commend" would be an improper amendment.

3. Ref er:

"Mr. Chairman,"

I move we refer the question to

Requires a second - majority vote passage - limited debate.

4. Defer to a time certain (postpone):

necessary
fo
r

"Mr. Chairman," I move we postpone the question until (stating a specific time) . . . "

Requires a second - majority vote necessary for passage - limited debate.

Limit Discussion or Debate:

"Mr. Chairman," I move we limit debate (or discussion) to (stating a specific limit of time)"

Requires a second - A vote of a majority plus one of the members present shall be required to pass. The motion is not debatable.

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6. Call the
Question:

"Mr. Chairman," "I call the question." OR
"I move to close discussion"

Second is required - A vote of a majority plus one of the members present shall be required to pass. The motion is not debatable, but must be voted upon.

Amend Something Previously Adopted:

"Mr. Chairman," "I move to amend the motion adopted at our last meeting by

Second is required - is debatable - majority if it is an official agenda item - 5 members of the Board if it is not an official agenda item.

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Recons

ider:

"Mr. Chairman," "I move we reconsider the (previously adopted motion)."

Second is required - majority vote necessary for passage - is debatable as to the reasons for reconsideration.

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Rescind:

"Mr. Chairman," "I move to rescind the .

to

Second is required - majority vote with previous notice.

Discussion on motion allowed.

Incidental Motions:

1. Point of
Order:

"Mr. Chairman, Point of Order."

After recognition by the County Chairman, the member states his/her objection. There can be no discussion on the Point of Order. No vote, unless a motion arises out of the Point of Order.

Divide a Motion:

"Mr. Chairman," "I move to divide the motion so as to consider separately

(stating the issues to be considered)

Second is required majority vote necessary for passage.

Discussions shall be allowed on why it should be divided.

Consider by paragraph or seriatim:

"Mr. Chairman," "I move that the motion be considered by paragraph (or seriatim)

Second is required - majority vote necessary for passage. Discussion shall be brief on the necessity for the action.

Withdrawing a Motion:

"Mr. Chairman," "I withdraw the motion."

The motion is only necessary if there is an objection to the withdrawal.

Second is required - majority vote necessary for passage. Brief discussion on the reason to withdraw may be given.

5. Appeal the decision (of the chair):

"I appeal from the decision of the chair:

Second is required - a majority or tie vote upholds the chair's decision.

Debate on motion to appeal is allowed with the chair speaking first and last.

Privileged Motions:

Adjourn:

"Mr. Chairman," I move to adjourn."

Requires a second - majority vote necessary for
passage. There can be no discussion.

Chair may adjourn if the agenda is completed.

2. Motions of
Privilege:

"I rise to a question of privilege affecting
the meeting." OR

"I rise to a question of personal privilege." The chair will
then request the member state his/her question of privilege.

There is no discussion on the question.

3. Recess:

"Mr. Chairman," "I move to recess until-
(stating exact limit of recess)

Second is required - majority vote necessary for
passage.

There is no discussion on the motion.

The chair may call for a recess, when necessary.

APPENDIX B

DEFINITIONS OF PARLIAMENTARY TERMS

Adhere:

To be attached to and dependent on; pending amendments adhere to the motion to which they are applied.

Ad-hoc Committee:

only

A special committee chosen to do a particular task of work

Adjourn:

To officially terminate a meeting.

Adjourned meeting:

A meeting that is a continuation at a later specified time of an earlier regular or special meeting. The continuation is always a part of the earlier meeting.

Adopt:

To approve by vote.
the motion.

Affirmative Vote:

To pass by whatever vote required for

The "aye" or "yes" vote supporting a motion as stated.

Agenda:

The official list of items of business planned for consideration during a meeting.

Approval of Minutes:

Formal acceptance of the record of a meeting thus making the record the official minutes of the Board.

Chair:

The Orange County Chairman or, in his or her absence, the Vice-chairman or other Board member elected to pkeside.

Charter:

The right to operate as an incorporated body. In Orange County, "charter means the charter as it was adopted by the electorate in 1986, as revised and amended by the electorate in 1988 and -1992, and as it may be further revised or amended in the future.

Common Parliamentary Law:

The body of rules and principles that is applied by the courts in deciding litigation involving the procedure of any organization. It does not include statutory law or particular rules adopted by any organization or board.

Convene:

To open a meeting.

Debate:

Formal discussion of a motion under the rules of parliamentary law. (More often in these rules referred to as discussion.)

Defer or Commit:

To not take action by either referring it to a committee, back to a committee for another time certain.

Delegation of Authority:

Authority given by the Board in certain matters to act for the Commission that are lawful and capable of being delegated.

**Deman
d:**

An assertion of a parliamentary right by a member of the Commission.

**Dilatory motions or
Tactics:**

Misuse of procedures or motions that are out of order or would delay or prevent progress in a meeting.

Discretionary Duty:

A duty that usually cannot be delegated to another because of the special intelligence, skill, or ability_ of the person chosen to perform the duty.

Ex-officio:

A person who is assigned to a board or committee by virtue of the office they hold. All rights are given the ex-officio member as the other members on the committee or board, except that they are not counted in the quorum. These rules apply unless the rules of the board state differently.

Floor (as in "have the floor"):

When a member receives formal recognition from the chair, he "has the floor" and is the only member entitled to make a motion or to speak.

General Consent:

An informal method of disposing of routine motions by assuming unanimous approval unless objection is raised. Method: Are there any objections? Hearing none, the motion has passed.

Germane Amendment:

An amendment relating directly to the motion to which it is applied.

Germane Discussion:

Discussion relating directly to the matter involved.

Hearing:

A meeting of the Commission for the purpose of listening to the views of an individual or of a particular group on a particular subject.

Hostile Amendment:

An amendment that is opposed to the spirit or purpose of the motion to which it is applied.

In Order:

Permissible and right from a parliamentary standpoint.

Invariable in Wording:

When a motion can be worded one way only and so is not subject to amendment, it is said to be invariable-in wording.

Majority Vote:

More than half of the number of legal votes cast for a motion.

Minutes:

The legal record of the action of the Board (or any body) that has been approved by vote of the body.

Motion:

A proposal
decision; it
is

Objection:

s

ubmitted to the Board for its consideration and introduced by the words, "I move-...."

The formal expression of opposition to a proposed action.

Order of Business:

The adopted order in which the business is presented to the meeting of the Board.

Out of Order:

Not correct, from a particular time.

Parliamentary Authority:

parliamentary standpoint, at the

The code of procedure adopted by the board as its parliamentary guide and governing in all parliamentary situations not otherwise provided for in the charter or in the Board's rules.

Pending Motion:

Sometimes referred to as Pending Question. Any motion that has been proposed and stated by the chair for the Board's consideration and that is awaiting decision by vote.

Precedence:

The rank or priority governing the motion.

Precedent:

A course of action that may serve as a guide or rule for future similar situations.

Proposal or Proposition:

A statement of a motion of any kind for consideration and action.

Quorum:

The number of persons that must be present at a meeting of the Board to enable it to act legally on business.

Recognition:

Acknowledgment by the chair, giving a member sole right to speak.

Reconsider:

To review again a matter previously disposed of, and to vote on it again.

Must be made on the same day of business.

Request:

A statement to the chair asking a question or some "right"

Rescind:

To nullify or cancel out a previous action. A Motion to rescind cannot be made if action has already been taken to implement the motion it wishes to rescind.

Resolution:

A formal motion, usually in writing, and introduced by the word "Resolved", that is presented to the Board for a decision.

Resolution of Thanks:

A formal resolution given to a person(s) for a special service(s) from the Board.



Restricted Discussion:

Roll Call

Vote:

in which discussion
is

A recorded vote taken by calling the roll of the Board.

Ruling:

An pronouncement of the chair that relates to the procedure of the Board.

Second:

After a motion has been proposed, the s~atement "I second the motion" by another member who thus indicates his willingness to have the motion considered.

Seriatim:

Consideration by sections or paragraphs.

Special Committee:

A committee that is selected to do a particular piece of work and that ceases to exist when its work is completed.

Standing Committees or Boards:

A committee that has a fixed term and that performs any work in its field assigned to it by the county or the Commissioners.

Statute:

A law passed by the legislature.

Tie Vote:

A vote in which the affirmative and negative votes are equal on a motion. A motion receiving a tie vote is lost, since a majority vote is required to take action. (See exceptions, Section 2.10 and 4.16.)

Unanimous Consent:

Deciding a routine motion without voting on it. objects, a vote must be taken.

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scussion on certain motions
restricted to a few specified points.

Unfinished Business:

Any business that is postponed definitely to a time certain.

Voice Vote:

A vote taken by asking for the "ayes" and "noes." A person voting "aye" shall be those persons in favor and a person voting "no" shall be those in opposition. "Aye" may never be used to vote in opposition.

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No: 3.04

Approved By:
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AIR AND RAIL TRAVEL POLICY

Page Of

I. POLICY:

It is in the preferred interest of Orange County to ensure the Board of County Commissioners maintains a substantial number of members necessary to convene and conduct County business as called upon. With respect to air and rail travel, this preferred interest is best served by prohibiting a majority of the County Commissioners from booking passage on the same air flight or rail line.

This regulation seeks to protect against the loss of a full Board of County Commissioners due to a tragedy involving an air flight or rail line upon which County Commissioners are-traveling.

II. PROCEDURES:

A No more than three Commissioners, or two Commissioners and the County Chairman, may book passage on the same air flight or rail line.

B. The County Chairman and Vice-chairman shall not book passage on the same air flight or rail line if a majority of the members of the Board of County Commissioners are traveling to the same destination.

C.

Administrative Assistants to the Commissioners shall notify and coordinate air or rail travel arrangements with the County Administrator for events which may potentially attract a majority of the members of the Board of County Commissioners.

FOR MORE INFORMATION CONTACT: County Chairman's Office

REFERENCE:

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10/29/90

No: 4.01

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INTERGOVERNMENTAL RELATIONS

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POLICY:

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ii. PROCEDURES:

- A. County departments shall strive to cooperate with other governmental agencies in developing and implementing programs of benefit to the citizens of Orange County.

The County Administrator or his designee shall initiate or give prior approval to such requests for assistance from other agencies.

The Board of County Commissioners -is responsible for interaction with the local legislative delegation, and with state and federal elected officials. Staff persons are to refrain from interacting with such officials unless specifically directed to do so by the County Administrator or as outlined as part of job duties and responsibilities.

- A. If a county employee is contacted by another governmental body which requests assistance, the following steps should be taken:
1. Refer the request to the appropriate department manager.
 2. The department manager may approve/deny routine service request for assistance without the recommendation of a division director, unless it is the policy of the Division to have such determination made by the division director.

3. If a request is not for service that is normally provided, the department manager will evaluate the request and make a handling recommendation to the division director. The division director will evaluate the request and make a handling recommendation to the County Administrator. The County Administrator will approve/deny or refer to the Board of County Commissioners as appropriate.
- B. Employees shall not formally or informally request assistance from other governmental bodies without following the procedure outlined in A1 and A2 above.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

**ORANGE COUNTY
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BCC

COMMUNICATING WITH CITIZENS

Page 1 Of 2

POLICY:

- A. All County employees shall strive to be courteous, efficient and fair in dealing with the general public.
- B. Employees should address the citizen with a professional attitude, demonstrating their aim to serve the citizen's needs.
- C.

Employees shall treat all citizens with respect, regardless of race, color, religion, sex, national ori- gin, age or physical handicap.

- D. Citizens' complaints will be handled promptly and courteously.
- E. The Board of County Commissioners will not tolerate discourteous County employees. Discourtesy may be a cause for disciplinary action under the County's Personnel Policies.

II. PROCEDURE:

- A. If a citizen states that he has a problem, it should be accepted as a problem needing attention. Employees should listen completely to the citizen's problem before attempting to analyze or offer a solution.
- B. When a citizen's request must be handled by another department, the first employee contacted should attempt to find out the information for the citizen immediately or ascertain when and by whom it will be provided and relay this information to the citizen.
- C.

If a citizen's telephone request requires a transfer, the first receiving employee is to ascertain, prior to making the transfer that the correct department has been reached. Telephone "shuffling" without a concerted effort to solve the, problem is expressly prohibited.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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RANGE COUNTY
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D. Written complaints or requests from citizens should receive a written response.

Verbal or telephone complaints or requests may be handled in a like manner unless a written response is requested or warranted by the specific circumstance.

ORANGE COUNTY
MINISTRATWE REGULATIONS
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Date: 10 / 29 /

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PREPARATION AND PRESENTATION OF SPEECHES

Page 1 of 2

I. POLICY:

- A. Division Directors shall be informed of all speeches and presentations given by County employees under their jurisdiction. This notification should be well in advance of the presentation, and in memorandum form.
- B. If the Division Director deems the subject matter of a politically sensitive nature, he/she should forward the request to the Office of the County Administrator for approval or denial.

Ii. PROCEDURES:

- A. The notification memorandum shall be sent to the Division Director by the Department Manager prior to the employee's acceptance of the speaking engagement.
- B. The memorandum should contain the following information:
 - 1. Topic of discussion
 - 2. Group to whom it will be given
 - 3. Name of the employee who will give the presentation
 - 4. Time and place of presentation
 - 5. Assessment of the sensitivity of the subject.

C.

If a determination is made that it would be in the best interest of the County not to allow the presentation, this information will be conveyed by the office of the County Administrator via memorandum.

Acceptance of remuneration for speeches or presentation givev on behalf of orange County is expressly prohibited. This excludes small token of appreciation not exceeding a value of **\$25.00**. The Code of Conduct Section of the Personnel Policies (Administrative Regulation No. 7.01) applies.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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E. If the speech requires travel, lodging, or other expenses, a travel request form must be submitted and approved in accordance with the Administrative Regulation *concerning* travel. If reimbursement or prepayment of travel expenses is offered, the Code of Conduct Section of the Personnel Policies (Administrative Regulation No. 7.01) applies.

**ORANGE COUNTY
ADMINISTRATIVE
REGULATIONS**

No: 5.02

Date:
5-11-87

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I. POLICY:

NEWS RELEASES

Approved
By
BCC

- A. The Service and Information Office shall be responsible for coordinating the release to the news media of all information on matters pertaining to departments and activities under the jurisdiction of the Board of County Commissioners.
- B. News articles and information pertaining to the activities of elected officials, other than the Board of County Commissioners will be handled by those respective offices.
- C. Because of the unique nature of the services and activities provided by the Orange County Civic/ Convention Center, news releases for that facility are not subject to this policy.

II. PROCEDURES:

- A. Prior to the release of any information to the news media by any department under jurisdiction of the Board of County Commissioners, the Service and Information Office shall be consulted to determine the proper means for disseminating such information.
- B. No news item shall be sent to the Service and Information Office for distribution to the media unless the information has been reviewed and approved by the department head and division director.
- C.

The Service and Information Office will disseminate news to the general public, through various media sources, at the direction of the County Administrator. In such cases as the County Administrator or the Service and Information Office deem appropriate, information shall be made available as a formal news release.

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FOR MORE INFORMATION CONTACT: Service and Information Office

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 5-11- 87

No: 5.02.01

Approved By:

Tide: **NEWSLETTERS, PUBLIC INFORMATION AND/OR**
PUBLIC RELATIONS PUBLICATIONS

BCC
Page 1 Of 2

I. POLICY:

- A. The Orange Spiel shall be the primary media for publishing and disseminating county employee news, and shall be the responsibility of the Service and Information Coordinator.
- B. A newsletter may be published by a department for distribution within the department to disseminate news concerning its employees.
- C. All other brochures or publications of a promotional nature shall be reviewed and approved as to content and distribution by the County Administrator or designated staff prior to duplication or printing.
- D. All public information bulletins or newsletters shall be processed by the Service and Information Coordinator.

II. PROCEDURES:

- A. Any employee who has an item of county employee news may have such information considered for inclusion in the Orange Spiel by contacting his department reporter or by submitting information to the newsletter editor.
- B. Any newsworthy article or information of general employee interest may be sent to the newsletter editor for consideration for inclusion in the Orange Spiel; however, information or materials relating to administrative or departmental policy or management must have prior approval of the department head to be considered for publication.

All newsletters within a department must have the approval, initially, of the County Administrator; and, they must have approval of the department head prior to each distribution.

FOR MORE INFORMATION CONTACT: Service and Information Office

REFERENCE: None



ORANGE COUNTY
ADMINISTRATIVE

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Page 2 of 2

Copies of all newsletters shall be provided to the Service and Information Office, which will maintain a master file and monitor policy compliance.

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**ORANGE COUNTY
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COUNTY BULLETIN BOARDS

POLICY

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The bulletin boards located in the Orange County Administration Center are used for posting of public meeting notices, purchasing items and pertinent employee information. Prior approval must be obtained from the relevant personnel before posting any items.

Ii.

PROCEDURES

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- A. The bulletin boards on the first and second floors of the Administration Center, with the exception of the Personnel Department's bulletin board, are used for-posting of all public meeting notices and news releases. Any items, except purchasing items, should be cleared through the Service and Information office before being posted on these bulletin boards with a copy provided to that office for filing.
- B. The Purchasing Department regulates a separate bulletin board on the second floor of the Administration Center. This is used for the posting of request for proposals, contract bids and purchasing requisitions.
- C. Employee bulletin boards are located on the first and third floors of the Administration Center and are maintained by the Personnel Department. Employee personal requests must be submitted on a 311 x 511 card to the Personnel Department. if the request is approved, a notice will be posted for a period of one month.

FOR MORE INFORMATION CONTACT: Service and Information Office
 Personnel Department
 Purchasing Department

REFERENCE:

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

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I. POLICY:

GENERAL FISCAL POLICY

No: 6.01

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A. The fiscal policy of the Board of County Commissioners, Orange County, Florida, is as follows:

1. The raising of public funds through fees, taxation, borrowing and other legal means, and the expenditure of such funds, shall reflect consideration of the needs of the community, the ability of the citizens to afford those needs, and a financial condition which permits reasonable response to unforeseen emergencies. -
2. An important fiscal policy objective of the Board of County Commissioners is the ability to provide services to the public which will improve the quality of life and result in a community which all county citizens can enjoy within legal and reasonable financial constraints.

Date: 5 - 11 - 87

Approved

By:

BCC

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.01.01
Date: 5-11-87
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OPERATING REVENUES AND EXPENDITURES

Page 1 Cf 3

POLICY:

- A. Annual Budget: The annual operating budget prepared by the County Administrator and approved by the Board of County Commissioners is the basis for all expenditures necessary for the conduct of daily County business. The budget is a fund budget structured to provide departmental sub-object/code (line item) appropriations in conformance with Chapter 129, Florida Statutes, the Uniform Accounting System prescribed by the State Comptroller's Office and generally accepted accounting principles for governments. The County shall operate under a unified and uniform budget system. The County Administrator shall be responsible for developing appropriate budgetary procedures consistent with Statutes which shall be followed by all departments or activities submitting budgets to the Board of County Commissioners for approval.
- B. Budget Control: The Office of Management and Budget has staff responsibility for budgetary control. However, department heads, directors and elected officials working in coordination with the Office of Management and Budget shall ensure that funds are available in the budget to meet planned expenditures. No expenditures or commitment of County funds will be permitted which will over-expend an appropriation.
- C. Balanced Budget: The aforementioned annual budget will be a balanced budget as prescribed by Chapter 129, Florida Statutes, i.e., appropriations shall not exceed revenues anticipated to be available in each fund during the fiscal year as contained in annual revenue estimates.
- D. Budget Amendments: Fund budgets may be amended during the fiscal year under circumstances permitted by Chapter 129, Florida Statutes. The Office of Management and Budget will initiate or approve all budget amendments prior to submission to the Board of County Commissioners for approval.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Florida Statutes, Chapter 129

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Amendments Not Requiring Public Hearing: Amendments to the annual budget which are to be funded by revenues from a source not anticipated in the approved budget may be enacted by approval of the Board of County Commissioners and entry in the official Board minutes.

- 2. Amendments Requiring Public Hearing: Amendments appropriating revenues in excess of the amount estimated in the annual budget require advertisement and a public hearing. Such amendments are expensive to process and will be approved only with complete justification, and whenever possible, will be processed in groups.

Procurement: Except for utilities, telephone, and similar services routinely furnished under monthly billings, all supplies and services required by County, Departments will be procured by purchase requisition, field purchase order, purchase order, release order, or contract approved by the Board of County Commissioners or its designee as set forth in the County Purchasing Procedures.

- F. County comptroller to Pre-audit all Disbursements of County Funds: In compliance with Chapter 129, Florida Statutes, the County Comptroller will perform pre-audit examination of all financial transactions prior to their consummation for the purpose of determining (1) propriety of the transaction, (2) compliance with purchasing procedures, (3) conformance to budget. As County Auditor, the Comptroller is required by law to refuse to sign or deliver a **County warrant for unlawful purposes**.

- G. Types of Fund: To provide proper accountability for the different kinds of resources, "funds" are established. Each fund is a separate entity with its own resources, liabilities and residual balance, and its own self-balancing accounting system. Funds with similar objectives, activities and legal restrictions are, for reporting purposes, placed in one of three groups:

Governmental Funds: Governmental Funds account for general governmental activities, such as law enforcement, which are largely supported by taxes and fees. They are accounted for on a "spending" or financial flow basis.

Governmental Funds include the following:

- a. The General Fund accounts for all resources not reported in other funds. Most county-wide activities are accounted for in this fund.

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b

Special Revenue Funds account for resources received from special sources, dedicated or restricted to specific uses.

Debt Service Funds account for the accumulation of resources for, and the payment of, interest, principal and other costs of long-term debt.

d. Capital Projects Funds account for the accumulation and use of resources for the acquisition of major buildings and other capital facilities where a specific project is designated or required.

2. Proprietary Funds: Proprietary Funds account for those activities, such as water and sewer service, which are provided on a basis consistent with private enterprise. They are accounted for on a cost of service or "capital maintenance" basis.

Proprietary Funds fall into two groups:

Enterprise Funds account for activities, such as water and sewer service, which are similar to those provided by private enterprise and whose costs are paid from user charges or from revenue sources other than general governmental revenue.

Internal Service Funds account for operations through which the County provides itself with data processing and other essential services, which would otherwise be purchased from commercial suppliers. Costs of operation of these funds are paid by the governmental departments using the services.

3. Fiduciary Funds: Fiduciary Funds account for assets belonging to others, such as escrow deposits, which are under County control for administration. **Agency** and expendable trust funds are accounted for **like governmental** funds. Nonexpendable trust funds are accounted for like proprietary fund types.

Fiduciary Funds consist of two groups:

a.

Expendable Trust Funds account for assets held by the County in trust for administration and disbursement for specific purposes.

- b. Agency Funds account for assets belonging to others which are held pending disposition.

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CAPITAL REVENUES AND EXPENDITURES

POLICY:

The Orange County Fiscal Policies with respect to capital expenditures will be compatible with the capital improvement budget policies adopted by the Board of County Commissioners on April 2, 1981.

A. To the maximum extent financially and legally possible, capital improvement projects will be financed with Gas Tax Funds, Enterprise Funds, Federal and State Grant Funds, Special Assessments, Impact Fees, or the one half mill ad valorem tax dedicated to capital improvements. When these or other pay-as-you-go sources are not available, consideration will be given to debt financing.

B. Capital projects to be financed primarily with debt proceeds will be budgeted and accounted for in separate funds established for each project and balances will be reappropriated each year until the project is completed. This permits ready identification of residual debt proceeds when they are required to be transferred to sinking funds by bond resolutions.

C.

Projects involving the use of gas tax funds for the construction or reconstruction of highways will be handled in accordance with applicable Florida Statutes.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

Approved By.
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REFERENCE: Florida Statutes, Chapters 335.075 and 336.41

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 6-8-87

Approved By
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GENERAL OPERATING BUDGET
Page of 3

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I. POLICY:

A. The budget shall be balanced; that is, total revenues, including balances brought forward shall equal total appropriations (expenditures) and reserves. Provisions for contingency reserves may not exceed 10-0, of budgeted total. Provisions for cash carryover may not exceed 20-16 of budgeted total. The Office of Management and Budget, under the direction of the Administrator, shall be responsible for ensuring compliance with this policy.

B. It is unlawful for the Board of County Commissioners to expend or contract for the expenditure of more than the amount budgeted in any fund's total budget for any fiscal year. An exception may be made for multi-year construction contracts where:

C.

II. PROCEDURES:

1. The contract contains a funding clause stating that ad valorem tax revenues are not obligated, and

2. Budget review by OMB and the affected division indicates that sufficient monies are available in the current year's budget to meet the progress payments within the current fiscal year.

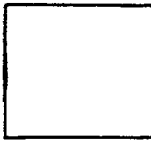
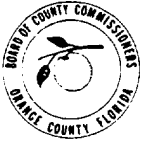
The fiscal year of Orange County shall commence October 1 and end September 30 in accordance with Florida Statutes.

A. The preparation of the Annual Budget proceeds according to the following calendar:

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: OMB Procedures OMB Annual Budget Reference Manual County Attorney's Legal Opinion, December 29, 1986, Subject: Contracts for Capital Projects which Extend Past Current Fiscal Year

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date Activity

January-February Development of the budget manual and the design and printing of budget forms.

March Distribution of budget packages to operating units and elected officials.

April-May

May 1

May-June

June

July 1

Statutory deadline for submission of budgets for the Sheriff, Clerk of the Courts, Comptroller and Supervisor of Elections.

Certification of Tax Roll by Property Appraiser.

Board budget review worksessions.

July 31

September

October 1

Implementation of the adopted budget.

County Administrator meets with Division Directors to communicate budget policies and priorities for the budget year.

Office of Management and Budget review and tabulation of operating budgets; and capital improvement projects and completion of revenue projections.

Compilation of the budgets - operating and capital improvement. -

Division budget hearings with the County Administrator and/or designated Assistant County Administrator.

July Distribution of proposed budget to the Board.

Board certifies proposed millage rates to the Property Appraiser.

Two public hearings on proposed budget and millage rates.

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ORANGE COUNTY
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Page 3 of 3

B. The County adopts budgets for all Government Funds and Expendable Trust Funds on a modified accrual basis. The budgets for Proprietary Funds are adopted on an accrual basis.

Depreciation or amortization expense is not normally budgeted; however, expenditures for capital outlays are budgeted. These outlays are capitalized into fixed assets and eliminated from the results of operations on a generally accepted accounting principles (GAAP) basis.

Retained earnings allocations (residual unappropriated liquid assets resulting from prior operations) are budgeted and included as revenue on a budgetary basis but are eliminated on a GAAP basis for financial reporting.

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 6-8-87

Approved By.

Title: BCC

GENERAL CAPITAL BUDGET

Page 1 Of 2

I. POLICY:

A. The Capital Improvements Budget and Program provide the means through which Orange County Government takes a planned and programmed approach to utilize its financial resources in the most responsible and efficient manner, to meet the service and facility needs of the County.

B. All County capital improvements will be made substantially in accordance with the adopted Capital Improvements Program, and as outlined in the Growth Management Policy. A multi-year plan for capital improvements will be developed and updated annually.

C.

The County will enact an annual capital budget based on the multi-year capital improvements plan. Future capital expenditures necessitated by changes in population, changes in real estate development, or changes in economic base will be calculated and included in capital budget projections.

D. The County will coordinate development of the capital improvement budget and development of the operating budget. Future operating costs associated with new capital improvement will be projected and included in operating budget forecasts.

E. The County will use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvements Program and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts.

F.

The County will attempt to maintain all its assets at a level adequate to protect the County's capital investment, and to minimize future maintenance and replacement costs. The maintenance of existing assets is the County's primary capital expenditure consideration.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: OMB Annual Budget Reference Manual

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The County will project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection a maintenance and replacement schedule will be developed and followed.

H. The County will identify the estimated costs and potential *funding sources* for each capital project proposal before it is submitted for approval. The County will determine the least costly financing method for all new projects.

II. PROCEDURES:

A. Project requests will be reviewed and prioritized by the County Administrator after review by OMB.

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 6-8-87

Approved By:

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IMPLEMENTATION OF CAPITAL IMPROVEMENTS PROGRAM

Page I Of 1

POLICY:

A. The Capital Improvements Budget will be adopted by the Count Commission and incorporated into the Orange County Budget.

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B. The Orange County Capital Improvements Program will be adopted by the Board of County Commissioners by resolution. Deviations from the adopted Capital Improvements Program will require approval by the Board of County Commissioners.

II. PROCEDURES:

A. Detailed procedures for preparation of the Capital Improvements Budget and Program are outlined in the OMB Annual Budget Reference Manual.

B. Capital Improvements Program amendments will be handled through the Office of Management and Budget. Forms and instructions are available from that office.

C. Quarterly CIP reports will be prepared by the Office of Management and Budget and furnished to the County Commission, County Administrator, participating divisions/ departments and other agencies as requested.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: OMB Annual Budget Reference Manual

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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BUDGET TRANSFERS AND AMENDMENTS

I. POLICY:

No: 6.02.03

Date: 06/08/87

Approved By. BCC
Revised '68/04/92

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A budget is a plan. As such, it must be dynamic and flexible enough to meet the changing needs of the County throughout the fiscal year. A means must be provided through which these changing needs can be accommodated within the framework of federal law, applicable Florida Statutes and local ordinances and resolutions. Changes may be made to the budget at any time throughout the fiscal year in accordance with the procedures outlined in this Regulation.

II. PROCEDURES:

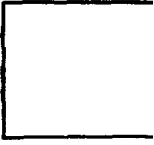
A. Budget Amendments - Fund revenue and expenditure amounts may be increased or decreased by formal action of the Board of County Commissioners (BCC) following proper public notice and hearing as specified in Chapter 129.03(a) of the Florida Statutes and any applicable federal laws. Amendments to adopted budgets normally result from either the desire to recognize an unanticipated excess amount of an anticipated revenue or the unanticipated decrease of an unanticipated revenue. Fund revenue and expenditure amounts may be increased by the BCC without public notification in the event of unanticipated revenue from an unanticipated source, or in the enterprise funds.

The purpose of the amendment process is to adjust fund amounts to reflect the level of revenues reasonably anticipated to be received and to balance expenditures to these revenues in accordance with applicable law and sound financial practices.

B. Budget Transfers - operating unit budgets may be amended by formal transfer action. Budget transfers which are intradepartmental in nature may be approved by the Office of Management and Budget. An on-going list of such intradepartmental transfers is maintained in the Office of Management and Budget. Budget transfers which are interdepartmental in nature, or which involve fund reserve distributions, must be reviewed and formally approved by the BCC prior to execution.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Florida Statute, Chapter 129.03(a)
Florida Statute, Chapter 129.06



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Forms for budget transfers are available from the office of Management and Budget.

Detailed procedures for completing these forms including samples of completed transfer requests, are available from the office of Management and Budget. Any questions regarding preparation or routing of a budget transfer or amendment should be directed to that office.

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ADMINISTRATIVE REGULATIONS Date:

Approved By:

Tide: BCC on 02/22/94

ISSUANCE OF REVENUE BONDS

Page 1 of 3

I. POLICY:

A orange County has the authority to issue revenue bonds or general obligation bonds pursuant to a competitive bid process or a negotiated sale.

B. It is the policy of Orange County to sell its bonds in the manner which will result in the lowest overall cost to the County while meeting the County's operational and program needs and deadlines.

C.

Ii. PROCEDURES:

The competitive bid process should be utilized in the sale of bonds unless otherwise recommended by the County Administrator or the Orange County Comptroller, or both, and approved by the Board of County Commissioners.

A. The County's revenue bonds and general obligation bonds shall be sold by a competitive bid process except as otherwise authorized by this administrative regulation.

B. The County's bonds may be sold by a negotiated transaction only if:

(1) Such negotiated sale is recommended by the County Administrator or the County Comptroller, or both; and

(2)

Such recommendation is set forth in writing and contains the specific **reasons** why a competitive bid process would not be in the best interests of the County; and

(3) Such reasons include one or more of the reasons set forth in Paragraph C, below; and

(4)

C.

The Board approves the recommendation by majority vote of the members present.

The County Administrator or the County Comptroller, or both, may recommend that a particular issue of



ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

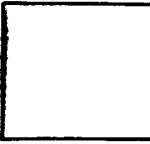
No: 6.02.04

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the County's bonds be sold pursuant-to a negotiated sale only if at least one of the following criteria exists:

- (1) The primary security or source of payment for the bonds is new or untested in the market;
- (2) The particular structure of the bond issue is highly complex or is new and untested;
- (3) The bond transaction involves innovative financing techniques or "derivative products";
- (4) Market conditions are unstable or chaotic;
- (5) A sudden or dramatic - credit rating deterioration has occurred for the County, the State of Florida, or the surrounding region;
- (6) The particular source of revenue pledged to the proposed bond issue has experienced a sudden or dramatic deterioration in its credit rating or marketability or is otherwise a weak credit;
- (7) The size of the bond issue is considerably larger than the County has previously brought to market for that particular revenue source or is otherwise of such size that it would be difficult to sell the bonds through competitive bids.
- (8) There is evidence or reason to conclude that a competitive bid process will result in higher borrowing costs for the County;
- (9) There is reason to conclude that a competitive bid process will not meet the County's operational or program needs or deadlines, and a negotiated sale will.
- (10) The County wants to ensure participation by minority- and women-owned investment banking firms and/or by local and regional firms.

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

D When a negotiated sale is approved by the Board, underwriters will be selected pursuant to the applicable County procurement ordinance and administrative regulations.

E Nothing in this regulation shall prohibit the use of set asides, auctions, and other devices which will encourage or ensure the participation of minority- and/or women-owned businesses and/or local or regional underwriting firms in competitively bid bond sales, all as may be approved from time to time by the Board.

F. This regulation applies only to bonds issued by Orange County, Florida, and does not apply to any special districts within the -County, either dependent or independent.

G. Failure to comply, in whole or in part, with this regulation pertaining to the method of sale of Orange County bonds shall have no effect whatsoever on the validity of any such bonds. Furthermore, nothing in this regulation shall create either a cause of action or standing to sue for or on the part of any person or firm.

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**ORMGE COUNTY
ADMINISTRATIVE REGULATIONS** Date: 9-21-87

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Tide: BCC

GENERAL ACCOUNTING

Page I of 1

I. POLICY:

A. The Orange County Comptroller, as County Auditor and Clerk to the Board of County Commissioners, serves as County Treasurer and provides general *accounting for* all Board of County Commissioners activities.

B. The Uniform Chart of Accounts for local governments as developed by the State of Florida is utilized in the accounting for all Board of County Commissioners activities. The *accounting system* and procedures will follow generally accepted accounting principles.

C. Annual audits of the Board of County Commissioners' financial records will be performed as part of the county-wide annual audit by a certified public accounting firm recommended by the Audit Selection Committee and selected by the Board of County Commissioners in accordance with Chapter 11, Florida Statutes and applicable rules of the Florida Administrative Code. The County Comptroller or his representative serves as Chairman of the Audit Selection Committee.

PROCEDURES:

A. The County Comptroller's Office is responsible for the preparation and distribution of the following:

1. Monthly interim *financial reports* for all County funds.
- 2.
- 3.

Annual Financial Reports to the State Comptroller's Office.

A Comprehensive Annual Financial Report at the close of the fiscal year.

Individual financial reports for federal, state, and local grant programs in accordance with requirements of the applicable grantor agency.

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office

REFERENCE: Chapter 11, Florida Statutes
Uniform Chart of Accounts

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Approved By: BCC

Tide: Revised 9-18-89

PETTY CASH

Page 1 of 3

I. POLICY:

Petty cash funds will be established as necessary for the purpose of handling cash expenditures for merchandise or services of a minor, immediate nature, when it is not feasible or practical to issue a purchase order.

ii. PROCEDURES:

A. Establishment:

The establishment of petty cash funds will be by written request from the department head, through the division director, to the office of Management and Budget. The request must fully justify the fund, describe the security given to protect the funds, and name the individual who will be responsible for the fund. The Office of Management and Budget will provide a recommendation as to the establishment of the fund to the Finance Department, Comptroller's Office. When approved by the Comptroller's Office, a check will be issued to the responsible individual and appropriate-receipt form will be completed.

B. Custody and authorization:

1. Each petty cash fund is the responsibility of one individual, usually a department head or other supervisor. The custodian signs a "revolving fund" receipt upon receipt or change of the petty cash fund. This is done in Finance and the original is maintained in Finance. A copy of the receipt should also be maintained by the custodian.

The responsible custodian may designate custody of the fund. This is usually done in large departments when the responsible custodian cannot maintain the petty cash fund. The custodian signs a designation form obtained from Finance stating to whom the fund is designated. The original designation form is maintained in Finance. Changes in designation must be reported to Finance followed by a new designation form signed by the responsible custodian and sent to Finance.

FOR MORE INFORMATION CONTACT:

REFERENCE: None

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office of Management and Budget Comptroller's Office

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No: 6.03.01

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

C. Expenditures:

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The department must keep records of individuals responsible for petty cash and the appropriate fund amount. Changes in custodians must be reported to Finance followed by the custodian signing a new "revolving fund" receipt in Finance.

4. Petty cash should be kept in a locked box or safe and kept separate from all other activities (i.e., coffee funds, etc.).

1. A petty cash fund is to be used for small incidental or emergency items for Orange County purposes only. Each department should set a limit and other parameters in order to avoid abuse of the fund. Petty cash is not to be used for:

a. Purchase of equipment or other capital items

b. Loans to employees

c.

2.

Cashing checks

d. Travel/entertainment expenses (excluding toll charges)

A receipt or other proof of expenditure must be received before disbursing money from the fund. The person being reimbursed then initials/signs the receipt acknowledging proper reimbursement. These receipts are kept within the fund until a request for reimbursement from Finance is prepared.

D. Reimbursement:

1. The request for reimbursement of petty cash is submitted on a voucher request form provided by Finance, detailing all expenditures (with detailed account numbers). The reimbursement request must be supported by the proper receipts or other proof of expenditure. The **total amount** of the reimbursement request plus the remaining cash and unsubmitted tickets in the fund must equal **the total amount** of the fund. If it does not equal, the difference must be recorded as an over/short on the reimbursement request. Finance will then record the over/short and reimburse the fund to its proper amount. Employees are not to put money in or take money out of a petty cash fund in order to avoid recording an over/short.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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Page 3 of 3

2. All petty cash funds are reimbursed by check, payable to the custodian (or designated custodian). The custodian then endorses the check and cashes it at **the bank**. The cash is then placed with the remaining petty cash funds.

The request for reimbursement should be submitted to Finance before the fund is completely depleted. Reimbursement of the fund may take from 3-7 working days.

The petty cash fund should only need to be reimbursed every 3-4 weeks. Increases or decreases in the total amount of the petty cash fund should be requested in writing through OMB to the Finance Department.

All requests for reimbursement of petty cash must be approved/signed by the responsible custodian, then submitted to Finance for payment.

E. The Internal Audit Department of the Comptroller's Office will conduct periodic petty cash counts in each department. They will verify that petty cash procedures are being followed. In instances where corrective action may be warranted, the Internal Audit Department has been asked to bring it to the attention of the County Administrator's Office. Board Departments are to cooperate fully in these periodic petty cash counts.

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Coo#: No: 6.03.02
ORANGE COUNTY

07
ADMINISTRATIVE REGULATIONS Date: 9-21-87

Approved By:
Tide: BCC

PAYROLL

Page I Of 2

POLICY:

A. The County Payroll Department, under the County Comptroller's Office, will be responsible for the preparation of payroll checks and maintenance of all payroll records for employees of the Board of County Commissioners.

B. Department Managers are responsible for maintaining and submitting complete and accurate payroll *information in* a timely manner.

II. PROCEDURES:

A. All times submitted to the County Payroll Department for pay will be shown on a payroll transmittal form. Figures on the form must be accurate, legible, and properly coded.

B. Employees will sign the transmittal under their names to signify all times are correct. (Employees unable to sign transmittals due to locations, work schedules, etc., must sign documents such as time sheets, time cards, logs, etc., to show their understanding that times to be recorded on transmittals are correct.)

C.

Department Managers or designated alternates will sign at the bottom of each page of payroll transmittals to verify information on that page is correct.

D. Adjustments to an employee's regular pay such as verified back pay and working out of classification pay should be written on the transmittal. Changes made to transmittals after they have been submitted to the County Payroll Department will require written authorization on a payroll transmittal change form specifying the change to be made. Changes will be made by Payroll Department personnel, and the authorizations will be attached to the back of the transmittal as verification that the change was authorized.

FOR MORE INFORMATION CONTACT: County Payroll Department

REFERENCE:

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Orange County Comptroller's Financial Procedures-Manual

IV

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Department Managers or designees will approve requests for early issue of paychecks. Memos should justify, the early issue. With the exception of emergencies as determined by the Payroll Department, no checks will be issued prior to 3:00 p.m. on Thursday before pay day to allow the Payroll Department time to balance payroll reports and sort the checks.

F. Handwritten checks will be held to a minimum and reasons for writing the check must be fully justified on a memo signed by the Department Manager or designee. Because of the amount of additional work created by handwritten checks, the Payroll Supervisor will review all justifications and approve the writing of the checks.

Corrections to employees' payroll checks -resulting from errors on the payroll transmittal will be made during the following pay period unless there are extreme extenuating circumstances.

H. Stop payment actions on issued checks will be accomplished by Payroll Department personnel only after the County employee has made every effort to find the missing check. The employee will be required to certify that he/she has not deposited, cashed, or endorsed to another party the lost check, and, if found, will return it to the Payroll Department. -

I. All transmittals should be submitted to the Payroll Department by Friday prior to pay day if possible, but NO LATER THAN MONDAY NOON PRIOR TO PAY DAY.

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IV C##

No: 6.03.03

%-7 ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 9-21-87

Approved By:

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REVENUE COLLECTION

rPage1 of 2

POLICY:

In order to reduce risk and provide accountability for County revenues, Department Managers are hereby designated as custodians of County revenues collected and under their care. Department Managers are required to comply with the appropriate procedures to ensure the safety and security of such revenues.

II. PROCEDURES:

A. All revenue (cash, checks, money orders, Otc.) received must be covered by a pre-numbered receipt, pre-numbered ticket or automated receipt-numbering system. Manual receipts must be prepared in triplicate with the original given to the customer, one copy to support revenue transmitted to the Finance Department and one copy to remain in the department. Where automated receipt preparation exists in a department, procedures will be developed in conjunction with the Comptroller's Office and OMB for such handling.

B. Cashiers receiving revenue must prepare a recap sheet listing all revenues and receipt numbers for that day's business. Such recap sheets must have the signature of the person responsible to verify such revenue and the approval signature of the immediate supervisor. The recap sheet will be in duplicate; original to go to Finance Department to support the receipts and revenue, and one copy to remain on file at the site.

C.

When revenue is received by the Finance Department, the Finance Department will issue a receipt to the originator for all revenue turned in. This copy of the receipt from the Finance Department will be attached to the recap sheet retained on file at the site.

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office
Finance Department
Office of Management and Budget

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.03.03

Page 2 of 2

All revenue will be forwarded intact to the Finance Department daily, if the amount exceeds \$200. In certain cases, designated departments will be permitted to deposit revenue directly to a bank account as authorized by the Finance Department. In these circumstances, the deposit will also be made if the amount exceeds \$200.

E. Any revenue retained on the site must be safeguarded in a locked cash box.. secured in a safe or a locked file cabinet. Copies of receipts are to be kept in a place separate from the revenue.

In order to allow time to process revenue and balance daily receipts, it may require that a cut-off time be established at each site. Revenue taken after the cut-off time would be considered in the next day's business.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:

CREDIT ACCOUNT POLICY - RESOURCE RECOVERY DEPARTMENT
ORANGE COUNTY PUBLIC UTILITIES DIVISION

Uniform procedures for extending of credit and the processing of accounts receivable and their collection for the Resource Recovery Department are a necessary component of sound financial practices. Accordingly, the following procedures are established and the Resource Recovery Department is hereby charged with the responsibility for ensuring compliance.

A. Applications for credit accounts:

1. All customers desiring a credit account may apply for credit, in person or by mail at the orange county Sanitary Landfill located at 12100 Young Pine Road.

Customers are required to complete the Resource Recovery Credit Application form and submit either a deposit or surety bond to establish credit.

3. Information contained on the credit application will be verified, and the customer notified within 10 working days of the status of their application.

Approved credit customers may commence use of the Landfill immediately upon notification by the Resource Recovery Department.

B. Deposits/Surety Bonds

1. A cash deposit equal to three times the estimated average monthly bill is required from all customers maintaining credit accounts.

No: 6.03.04

I. POLICY:

II. PROCEDURES:

Date: 11/19/90

Approved By: BCC
Revised: 08/24/93

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FOR MORE INFORMATION CONTACT: Resource Recovery Department
Public Utilities Division

REFERENCE: None

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2. All customer deposits will be reviewed monthly to ensure that existing deposits are adequate and that payments are being made in a timely manner. In the event of a deposit **being inadequate or** a history of delinquent payments, an addition to the existing deposit may be required.

3. A minimum deposit of \$500.00 is required to establish a credit account.

4. The deposit will be maintained for the life of the credit account. Upon termination of the credit account, the unused portion of the deposit will be refunded to the customers upon written request following payment of the final bill.

5. In lieu of a deposit, customers may submit a surety bond underwritten by a firm acceptable to the County and licensed to write surety bonds in the State of Florida.

6. Accounts held by governmental agencies and holders of residential franchises in the County's Mandatory Refuse Collection Program are exempt from the deposit/bond requirement in this regulation. Governmental agencies are defined as agencies of local, state, and federal governments, including public schools, state universities, military installations, and other governmental departments. Haulers holding both a residential franchise and a commercial haulers license must post a deposit or bond for the commercial collection and disposal activities.

Interest will be credited annually to accounts posting cash deposits at a rate equal to the annual rate of return for investments, as provided by the Office of the Comptroller.

C. Billing Policy

1. The billing cycle for credit accounts will be on a monthly basis with payment due by the 25th of the month.

2. Charges not paid by the 25th will be considered past due.

Credit account customers will be notified, in writing, of their past due status.

4. Past due charges will be subject to an interest penalty of 1.5% per month (18% per annum) from the due date.

No: 6.03.04

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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5. In any case where the accuwalated-account balance exceeds the **deposit or bond** amount, charge privileges will be suspended until the outstanding balance, including **appropriate** late fees, is paid in full. The customer may continue to utilize Resource Recovery facilities on a cash basis only.

6. Past due charges over 90 days will result in the denial of credit privileges at Resource Recovery facilities and imposition of "cash only" status.

D. Reinstatement of Credit Accounts

2.

3.

Reinstatement of credit to customers who have had their account revoked will be made at the discretion of the Public Utilities Division.

Reinstatement of credit will be considered only upon receipt of the past due charges plus the interest penalties imposed.

Reinstatement of credit may require re-application by the customer per sections A and B of this policy.

E. Dishonored Checks

1. All dishonored checks must be replaced with cash or money order within seven (7) days of notification to the check maker.

2. If the dishonored check is for a deposit or cash in advance, no notification will be sent to the check maker, and access to Resource Recovery facilities will be permitted on a cash basis only until such time that cash or money order is presented to replace the dishonored check.

Such a circumstance may, at the discretion of the Public Utilities Division, be considered sufficient grounds for credit account disapproval.

3. The greater of a fee of \$15.00 or 5% of the face amount will be charged on all dishonored checks.

4. The Public Utilities Division will coordinate with the Orange County Finance Department to satisfy dishonored checks.

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Title:

I. POLICY:

CONTROL OF COUNTY PROPERTY

Inventory of Property.

NO: 6.05.01

Date: 9-21-87

Approved By:

BCC

Page 1 of 2

A. Florida Statutes require an inventory to be taken whenever there is a change of custodian. A complete physical inventory of all property will be taken annually, and the date of the inventory entered on the property record. Custodians of County property are elected officials and heads of major departments who have been assigned a Fund Control Account Number (FCAN) by the Property Accounting Department. Each department has been assigned an Equipment Package Number (EPN) which identifies the location of the equipment.

B. Spot check inventories may be held throughout the fiscal year as determined necessary by the Property Accounting Department of the Comptroller's Office.

Transfer of Property.

A. Whenever property is relocated within a department and results in an Equipment Package Number (EPN) change, the Property Accounting Department will be notified so that record changes may be made.

B. Serviceable property no longer required by a department will be reported to Property Accounting for redistribution. If there are no requests on file for such property, the Property Section will place the item in storage for future disposition.

II. PROCEDURES:

To facilitate required inventories, the following procedures will be used:

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office

REFERENCE: Orange County Comptroller's Financial
Procedures-Manual

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

A. Property Accounting may furnish each custodian with two copies of a computer listing of all property under his or her control annually and/or upon a change of custodians (when possible, the custodial inventory will be used for the annual inventory). The inventory listing will be broken down by EPN. The custodian will designate a member(s) of his staff in each location to conduct a physical inventory of property items.

B. When the inventory has been completed, one listing will be certified as correct with exceptions (if any) noted and returned to the custodian. A separate form will be furnished to list any overages or shortages. When reviewed by the custodian, the listing will be returned to Property Accounting.

Property Accounting personnel will review-completed inventories and reconcile overages/shortages. Major discrepancies may require a re-inventory by this department.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:
ACQUISITION OF REAL PROPERTY

I. POLICY:

No: 6.05.02

Date: 08/24/93
Approved By: BCC

Page I of 5

All county agencies requiring acquisition of real estate or interests therein shall submit requests for acquisition to the Manager, Real Estate Management Department on a Work Request form (see Exhibits A and B).

A written certification from the Division Director to the Board of county commissioners will be required for the acquisition of real estate or an interest in real estate that is -necessary, in the public interest, and which would result in condemnation in the event negotiations are unsuccessful, as provided for in Ordinance 92-29, The Certification of Necessity form shall be submitted with Work Request form "A". (See Exhibit C)

II. PROCEDURES:

A. **Rights of Way, Retention Ponds and Easements** - A marked set of tax maps together with a Work Request form (Exhibit A) will be submitted to the Manager, Real Estate Management Department to have title search initiated. The title searches will be performed in-house -or contracted from a title company as required based on department workload. If the title work is contracted from a title company a request will be made to the requesting agency to have a purchase order issued.

Record title deeds, labeled with the assigned parcel number, will be provided within 20 days from the receipt of the user agency work request. Title searches, labeled with the assigned parcel number, will be provided within 60 days. Upon completion, copies will be provided to the requesting agency to aid them or their consultant in completing final design.

Bid proposals for appraisal services will be solicited from approved fee appraisers after receipt of preliminary right of way maps or alignment maps and other appropriate information. Fee proposals will be reviewed upon receipt and forwarded to the requesting agency to have a purchase order issued. Appraisal reports will be obtained from appraisal firms in accordance with the established Appraisal Policy and Procedures. For road projects, construction plans must be furnished prior to the completion of the appraisal.

FOR MORE INFORMATION CONTACT: Real Estate Management Department

REFERENCE: None

Upon receipt of reviewed appraisal reports the land acquisition agent will make an offer for the needed property or property rights and attempt to negotiate a purchase. If negotiations are successful, the acquisition will be finalized in accordance with established procedures. If negotiations are not successful, the Real Estate Management Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorney's Office. (See Paragraph G.)

B. Sites - Acquisition of sites to be used for parks, fire stations, or other facilities require the submission of a standard Real Estate Management Work Request form (Exhibit A). This form must include the appropriate fund code number and available amount budgeted for acquisition and related costs.

Unless a specific site is necessary for Public Utilities Division facilities or due to unique requirements of a user agency, the site selection process will be coordinated by the Real Estate Management Department with assistance provided by the Construction Administration Department and the requesting agency. These agencies will discuss all specifics relating to site evaluation, selection and alternatives and recommend a preferred site. Written documentation supporting their recommendation will be provided.

Upon receiving the site recommendations, the Real Estate Management Department Technical Support Section will provide copies of deeds for all sites to the Appraisal Section. The Appraisal Section will prepare real estate cost estimates for each site (where a specific site is required an appraisal will be obtained and reviewed at this point). With this information, the land acquisition agent will contact the requesting agency to discuss the site values.

After the estimated value (or appraised value) is accepted by the requesting agency, a Contract for Sale and Purchase will be prepared by the Real Estate Management Department for negotiating purposes. If negotiations are successful, an appraisal, if not already obtained, will be obtained and reviewed per established procedures. If it supports the agreed upon purchase price, the acquisition will be finalized in accordance with established procedures. If an acceptable agreement cannot be reached on the preferred site, with the concurrence of the user agency, the land acquisition agent will proceed with negotiations on an alternate site. If an acceptable agreement cannot be reached on a required site, the Real Estate Management Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorney's Office. (See Paragraph G.)

ORANGE COUNTY No: 6.05.02
ADMINISTRATIVE REGULATIONS

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Upon receipt of reviewed appraisal reports the land acquisition agent will make an offer for the needed property or property rights and attempt to negotiate a purchase. If negotiations are successful, the acquisition will be finalized in accordance with established procedures. If negotiations are not successful, the Real Estate Management Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorneys Office. (See Paragraph G.)

B. **Sites - Acquisition** of sites to be used for parks, fire stations, or other facilities require the submission of a standard Real Estate Management Work Request form (Exhibit A). This form must include the appropriate fund code number and available amount budgeted for acquisition and related costs.

Unless a specific site is necessary for Public Utilities Division facilities or due to unique requirements of a user agency, the site selection process will be coordinated by the Real Estate Management Department with assistance provided by the Construction Administration Department and the requesting agency. These agencies will discuss all specifics relating to site evaluation, selection and alternatives and recommend a preferred site. Written documentation supporting their recommendation will be provided.

Upon receiving the site recommendations, the Real Estate Management Department Technical Support Section will provide copies of deeds for all sites to the Appraisal Section. The Appraisal Section will prepare real estate cost estimates for each site (where a specific site is required an appraisal will be obtained and reviewed at this point). With this information, the land acquisition agent will contact the requesting agency to discuss the site values.

After the estimated value (or appraised value) is accepted by the requesting agency, a Contract for Sale and Purchase will be prepared by the Real Estate Management Department for negotiating purposes. If negotiations are successful, an appraisal, if not already obtained, will be obtained and reviewed per established procedures. If it supports the agreed upon purchase price, the acquisition will be finalized in accordance with established procedures. If an acceptable agreement cannot be reached on the preferred site, with the concurrence of the user agency, the land acquisition agent will proceed with negotiations on an alternate site. If an acceptable agreement cannot be reached on a required site, the Real Estate Management Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorney's Office. (See Paragraph G.)

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C.

A commitment policy, showing all encumbrances and other items to be cleared, will be issued, usually within fifteen (15) working days from receipt of an approved contract, by the title company. The Real Estate Management Department, working with the property owner and the title company, will take necessary action to cure all defective items pertaining to the title and make the necessary arrangements for payments to obtain releases for encumbrances at the time of closing. Within the time frame agreed to in the contract, the closing date will be mutually established between the property owner, title company and the Real Estate Management Department upon receipt of all required releases and appropriate approval of the purchase. The closing will be held at either the offices of the title company, County Attorney's Office or Real Estate Management Department at which time the transaction is completed.

Cost and Value Reviews - Appraisal reviews in connection with credit for impact fees and estimated land costs for analysis and budgetary purposes are performed by the Real Estate Management Department for user agencies. In order for the Real Estate Management Department to perform these functions requesting agencies must submit their requirements and adequate documentation far enough in advance to permit a reasonable amount of time to complete the work assignment. Requests will be submitted to the Manager of the Real Estate Management Department utilizing the standard Real Estate Management Work Request form (Exhibit A).

D. **Development** - Commercial and residential development projects may require dedication of rights of way, easements, etc., by separate instrument. A Development Acquisition Work Request (Exhibit B) together with the required attachments should be submitted to the Manager of the Real Estate Management Department. The package will be reviewed and the required acquisition instruments prepared and returned to the contact person (i.e., owner/developer) for securing execution of all instruments. Upon execution, the instruments will be returned to the Real Estate Management Department for review and acceptance. Deficiencies in submittals by the developer will be addressed directly by the Real Estate Management Department to the developer. The developer must provide a check payable to the Orange County Comptroller for recording fees and documentary stamps prior to recording. A check for prorated taxes payable to the Orange County Tax Collector will also be required for lands acquired in fee simple, i.e. lift stations, retention ponds, etc.

ORANGE COUNTY No: 6.05.02
ADMINISTRATIVE REGULATIONS

Once the instruments are recorded, the contact person will be notified that all real estate requirements for that particular development project have been met. Copies of the recorded instruments will be available for the contact person or property owner/developer, if desired.

E. **Donations - Any** offer to donate real property made directly to a user agency will be forwarded, with its recommendation for acceptance of the donation, to the Real Estate Management Department. A preliminary title search will be conducted to determine ownership and defects in the title which would prohibit orange County from taking clear title. The user agency will be consulted and advised of all issues affecting the property to be donated.

if an offer to donate property is made through the Real Estate Management Department, a preliminary title search will be conducted to determine ownership and defects in the title. Based on the title information, location and size of the parcel, user agencies will be requested to review the information and make a determination of whether the parcel is suitable for use by the County.

Upon the determination that the property may be accepted by Orange County, the necessary instruments will be prepared and forwarded for execution. Board approval will be obtained upon receipt of completed instruments. Every effort will be made to complete the donation process as expeditiously as possible.

If the property is unsuitable for use by the County, the Manager of the Real Estate Management Department will direct a letter to the owner outlining the County's decision to decline the donation offer.

Environmental Assessments for Property Acquisition - On all property acquired by Orange County, either by purchase or donation, the requesting agency should coordinate all environmental assessments with the Risk Management Department prior to the appraisal process being initiated. The assessments may require two phases.

The Phase I assessment is principally a screening exercise which focuses on a review of available documents, an interview with personnel aware of site operations, and a site inspection. A Phase II environmental assessment should be obtained from a qualified environmental consultant in cases where the results of a Phase I assessment dictate. If contamination is found, the Phase II assessment should contain an estimated clean-up cost.



G.

ORANGE COUNTY No: 6.05.02
ADMINISTRATIVE REGULATIONS Page 5 Of 5

Suit Preparation

negotiations, condemnation.

- For those parcels not acquired through consideration must be given to acquisition by

The Real Estate Management Department must receive direction in writing from the requesting agency that condemnation action is necessary. The requesting agency will also be required to submit a staff report detailing the specifics of the project and its necessity to serve public need to support condemnation action.

The Real Estate Management Department will prepare and submit a resolution to the Board for approval. Suit information will be verified and submitted to the County Attorney's Office for their review and formal filing in the circuit Court. The Appraisal Section of the Real Estate Management Department will request that the fee appraiser update the appraisal report for those parcels to be litigated with the valuation date to be within one hundred and twenty (120) days prior to the date of the Order of Taking. Fee Proposals will be requested from the fee appraiser and upon receipt and review submitted to the requesting agency to have a purchase order issued.

After the County Attorney's Office files suit in the Circuit Court, an Order of Taking is usually scheduled within ninety (90) days. Orange County does not take possession of the property until the funds (good faith estimate of value) as specified by the court are deposited into the registry of the court, not later than twenty (20) days after the Order of Taking date.

The County Attorney's Office, working with representatives from the Real Estate Management Department and the requesting agency attempts to settle, by stipulated final judgment, as many of the parcels involved in the suit as possible. Any parcels not settled will eventually go to jury trial for final resolution.

The appraiser may be required by the Real Estate Management Department, as requested by the County Attorney's Office, to update the appraisal report estimating the established fair market value as of the date of deposit, which is the date the County officially took possession of the property. The user agency staff as well as the Real Estate Management Department staff will be

required to participate in the condemnation process as required by the County Attorney's Office.

H. **Reports** - Real Estate Management will provide status reports to user agencies for all active CIP projects.

IV--i I - a- I I -

STANDARD REAL ESTATE MANAGEMENT WORK REQUEST

PHONE NUMBER:

COUNTY COMMISSION DISTRICT #

CHECK LIST OF ITEMS TO BE PROVIDED BY REQUESTING AGENCY

(PROVIDED)

CHECK LIST OF ACTION REQUESTED

Expires:

ANTICIPATED CONSTRUCTION LETTING DATE:

DATE :

TO: MANAGER, REAL ESTATE MANAGEMENT DEPARTMENT

FROM:

PROJECT ENGINEER/COORDINATOR:

DEPARTMENT: DIVISION:

FUND CODE: CIP

PROJECT NAME:

LIMITS:

PURPOSE:

TOTAL # PARCELS:

TAX MAPS (Required)

TAX ROLL PRINTOUT (Optional)

LEGAL DESCRIPTIONS (Required for Appraisal)

CONSTRUCTION PLANS (Required for Appraisal.)

ENVIRONMENTAL ASSESSMENT (Required for Site Acquisitions)

STAFF REPORT (Required for Condemnation)

CERTIFICATION OF NECESSITY FORM (Required if Condemnation may be used)

TITLE SEARCH (Required for Acquisition)

LAST DEEDS ONLY (When title search is not required)

APPRAISAL (Required for negotiation of purchase or condemnation)

COST ESTIMATES/REVIEW (Performed for preliminary design and budgeting)

NEGOTIATIONS (for Donation)

NEGOTIATIONS (for Purchase)

RIGHT OF ENTRY (Temporary use - expiration date and purpose required)

Purpose:

(REQUESTED)

REMARKS OR SPECIAL INSTRUCTIONS:

ENVIRONMENTAL ASSESSMENT (SPECIAL NOTE)

6. COUNTY COMMISSION DISTRICT #

PHONE NUMBER:

FORM "B"

DATE:

FROM:

EXHIBIT "B"

DEVELOPMENT ACQUISITION W04ZK REQUEST

MANAGER, REAL ESTATE MANAGEMENT DEPARTMENT

DRAINAGE EASEMENT - PERMANENT TEMPDRARY (EXPIRES

AND IS BEING PROCESSED CONCURRENTLY WITH:

PROPERTY SPLIT

RIGHT OF WAY VACATION

(PHONE NUMBER)

(PHONE NUMBER)

PLAT VACATION PLAT BUILDING PERMIT

EASEMENT VACATION OTHER

CALCULA SKETCH PREPARED BY SURVEYOR, APPROVED & INITIALED BY COUNTY SURVEYOR AND/OR COUNTY STAFF ENGINEER.

4. COPIES OF ALL ENCUMBRANCES LISTED ON TITLE EVIDENCE REPORT (THIS IS NOT REQUIRED FOR TEMPORARY EASEMENTS ONLY)

7. PROPERTY OWNERS NAME:

ADDRESS,

PLEASE NOTE: THIS ENTIRE PACKAGE MUST BE PROVIDED TO THE REAL ESTATE MANAGEMENT DEPARTMENT FROM AN ORANGE COUNTY STAFF MEMBER. TH. IS TO ENSURE THAT THE LEGAL DESCRIPTION(S) AND TYPES OF DOCUMENTS REQUESTED MEET ORANGE COUNTY'S REQUIREMENTS. THIS PACKAGE WILL I RETURNED TO THE A8OVE REFERENCED CONTACT PERSON WITH ALL NECESSARY DOCUMENTS TO BE EXECUTED. ONCE ALL REQUIRED DOCUMENTS HAVE BEI PROPERLY EXECUTED THE PACKAGE SHOULD BE RETURNED TO THE REAL ESTATE MANAGEMENT DEPARTMENT FOR APPROVAL AND RECORDING. A CHECK FOR T DOCUMENTARY STAMP TAX AND RECORDING FEES MUST BE RETURNED WITH THIS COMPLETED PACKAGE. THE CHECK MUST BE PAYABLE TO: ORANGE COUN COMPTROLLER IN THE AMOUNT OF S . THE ORANGE COUNTY STAFF MEMBER THAT SUBMITS THIS PACKAGE TO THE REAL ESTATE KANAGEME DEPARTMENT WILL BE NOTIFIED WHEN THE PACKAGE IS COMPLETE, APPROVED AND RECORDED.

ALL FEE SIMPLE ACQUISITIONS REQUIRE PRO-RATED TAXES BE PAID TO THE DATE OF CLOSING. A CHECK MUST BE RETURNED WITH THE COMPLET PACKAGE IN THE AMOUNT OF S PAYABLE TO EARL K. WOOD, ORANGE COUNTY TAX COLLECTOR. (COPY OF STATEMENT ATTACKED OPLICABLE)

SPECIAL NOTE: ENVIRONMENTAL ASSESSMENTS WILL BE REQUIRED FOR SITES SUCH AS PARKS, RECREATIONAL AREAS AND PUMP STATIONS FOR REV] AND ACCEPTABILITY BY APPROPRIATE STAFF.

(NAME) (DEPARTMENT)

CONTACT:
(OWNER/DEVELDPER)

PREPARE ACQUISITION DOCUMENTS TO BE DONATED FOR THE FOLLOWING PURPOSEM:

RIGHT OF WAY -PUMP STATION OTHER

UTILITY EASEMENT - PERMANENT TEMPORARY (EXPIRES

THIS IS IN CONNECTION WITH THE DEVELOPMENT ENTITLED:

THE FOLLOWING ITEMS MUST BE PROVIDED WITH THIS REQUEST

1. LEGAL DESCRIPTION WITH AREA TED &

CURRENT TITLE EVIDENCE (TITLE SEARCH, POLICY OR OPINION)

3. COPY OF WARRANTY DEED INTO THE CURRENT OWNER OF PROPERTY.

lt

EXHIBIT "C"

IV---

ORANGE COUNTY BOARD OF COUNTY
COMMISSIONERS

day of

County Chairman Linda W. Chapin
Commissioner Bob Freeman
Commissioner Tom Staley Commissioner
Mary I. Johnson Commissioner Fran
Pignone Commissioner Bill Donegan
commissioner Mable Butler

County Administrator's Office
Manager, Real Estate Management
Department
County Attorney's Office
File

Pursuant to

CERTIFICATION OF NECESSITY

Project Name: Project Limits: Brief
Description:

Orange County ordinance No.
92-29, 1,

Certified this

-, Director,
Division, certify that the
acquisition of real estate or an
interest in real estate on the
following described project is
necessary and in the public
interest:

Signature, Division Director

c:

for

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A

Approved By: BCC

TWe:

DISPOSITION OF TANGIBLE PERSONAL PROPERTY

Page 1 of 2

I. POLICY:

Surplus tangible personal property shall be disposed of in accordance with the Florida Statutes. The County Comptroller's Office Property Accounting Department will act as the custodian for all surplus tangible personal property. All actions regarding the disposition of this property shall be coordinated through the Property Accounting Department.

A. Having consideration for the best interests of the County and the potential for disposal by each method, surplus property shall be disposed of by one of the following methods:

1. Property may be offered to other governmental units for value or through request for bids.

2.

Property without market or salvage value may be donated to other governmental agencies, not-for-profit organizations or human services agencies, destroyed, or abandoned.

3. Property may be used as a trade-in on new equipment. In this case, since the property is often still in the original custodian's custody, the Property Accounting Department must be notified prior to a department obtaining a Purchase Order for the new equipment so that approval by the Board of County Commissioners may be obtained for disposition of the old equipment.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT:

REFERENCE:

Orange County Comptroller's Office
Property Accounting Department

Section 125.38, Florida Statutes
Section 274.02, Florida Statutes

Section 274.04, Florida Statutes
Section 274.05, Florida Statutes
Section 274.06, Florida Statutes
Section 388-.323, Florida Statutes
Chapter 10.400, Florida
Administrative
Code (Rules of the Auditor
General)

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ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No: 6.05.04

Page 2 of 2

Property with an estimated value between \$100 and \$200 may be sold to the highest bidder after a request for at least three bids or by public auction. Property with an estimated value of \$200 or more may be sold to the highest bidder or by public auction after publication of a notice of sale.

Surplus arthropod control property shall be offered first to other counties or districts engaged in arthropod control at a price determined by the Board. If no reasonable offer for the property is obtained, the property must then be offered to other governmental units. If there is no interest in the property, it may then be disposed of through other methods noted in this section.

The Board of County Commissioners upon receipt of an application may approve by resolution the conveyance or lease of tangible personal property to another governmental agency or not-for-profit organization established for the purpose of promoting community interest and welfare. In this instance, the Board may convey or lease the property through private sale to the applicant at an established price, nominal or otherwise. No advertisement shall be required.

B. Authority for all dispositions of tangible personal property shall be obtained from the Board of County Commissioners and reported in the Board minutes.

C. Any proceeds from the sale of property will be deposited back into the purchasing proprietary fund or into the general fund, as appropriate.

D. The Property Accounting Department shall maintain details of each disposition in the property records as required by Chapter 10.400F Florida Administrative Code (Rules of the Auditor General).

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Title:

ESTABLISHMENT OF FEES FOR COUNTY SERVICES

NO: 6.06

Date: 6-8-87

Approved BY:

BCC

Page Of

I. POLICY:

A. In developing a recommendation to institute, abolish, raise, or lower fees for County services, action may be originated by the Board of County Commissioners or by other elected officials, by the Office of the County Administrator, or by individual departments.

B. The Board of County Commissioners shall formally adopt a schedule of fees to be charged for County services. They may adopt a schedule by affirmative resolution, or, when required, conduct public hearings to consider proposed ordinances/amendments to ordinances, and then take formal action as required by state law.

C. All proposed fees must meet the requirements of state law in order to be considered.

II. PROCEDURES:

A. Generally, fees will be reviewed and revised by the Board of County Commissioners on an annual basis - preferably in January of each year. This does not prevent submission of fees for approval on an ad hoc basis if required.

B. The Office of Management and Budget is responsible for reviewing and recommending all fee revisions. No fee revisions are to be presented to the Board of County Commissioners for approval unless they have been reviewed by that office. OMB is responsible for designing the appropriate forms to collect fee revision data, coordinating with departments for fee revision needs, analyzing and preparing revised fee revenue estimates, and ensuring appropriate legal review in preparation for approval by the Board of County Commissioners.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Orange County Annual Fee Directory

PAYMENT OF FEES ON COUNTY CONSTRUCTION
-###J.

**ORANGE
COUNTY**

ADMINISTRATIVE

REGULATIONS

TWe:

Approved
By:

No: 6. 07

BCC

Date: 5-11-87

Page 1 Of 1

I. POLICY:

Building permit fees and other similar fees for County construction will be paid whether construction is performed by County forces or by an independent contractor.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

No: 6.08

ORANGE COUN7Y

ADMNISTRATIVE REGULA11ONS Date: 6-8-87

Approved By:

Tide: BCC

**PAYMENT OF DUES FOR PROFESSIONAL ORGANIZATIONS/
MEMBERSHIPS** Page 1 of 1

POLICY:

Orange County will pay dues to professional organizations and purchase memberships in organizations when not inconsistent with the law and where a demonstrable benefit accrues to the County through such memberships. Where possible, agency memberships will be acquired rather than individual so that maximum benefit in terms of numbers of participants can be achieved.

PROCEDURES:

A. Dues and memberships will be detailed and justified through the annual budget process. Once approved in this process, department managers and division directors may process these items in accordance with normal purchasing procedures.

B. Employees must obtain prior approval of the County Administrator or his designee prior to accepting leadership positions in any professional organization which would require the use of County time or resources.

FOR MORE **INFORMATION CONTACT:** Office of Management and Budget

REFERENCE: None



Title:

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

PROCUREMENT POLICIES AND PROCEDURES

I. POLICY:

No: 6.09

Date: 02/16/87

Approved By: BCC
Revised: 08/24/93

Page I Of 2

The Purchasing and Contracts Department serves as the central coordination point for establishment of all County contracts with the exception of specified contracts as delegated to other County departments.

II. PROCEDURES:

In accordance with County Procurement Ordinance 92.26 and the Orange County Purchasing Procedures Manual, -the procurement of all materials, supplies, equipment, construction, and non-professional and professional services is the sole responsibility of the Purchasing and Contracts Department.

The Procurement Ordinance, which is included as an enclosure in the Purchasing Procedures Manual, prescribes the general laws regarding the procurement process, among which are:

- A. Procurement Terms and Definitions
- B. Authority of the Purchasing and Contracts-Department
- C. Mandatory limit(s) for publicly noticed competitive bidding, and related requirements
- D. Methods of Source Selection
- E. Exemptions from the bidding requirements
- F. Bid Protest Procedures
- G. Suspension and Debarment Procedures

The Purchasing Procedures Manual is a tool for use by divisions/departments wishing to purchase materials, supplies, equipment, construction, and professional and non-professional services. The manual provides information and procedures in the following areas:

- A. proper instructions for completing requisitions
- B. handling purchase orders
- C. emergency purchase procedures
- D. term contracts and release orders
- E. blanket purchase orders
- F. field purchase orders
- G. quotation and bid limits
- H. RFP evaluation procedures

FOR MORE INFORMATION CONTACT: Purchasing and Contracts Department

REFERENCE: Procurement Ordinance 92.26

- I. exemptions to bidding requirements
- J. handling poor vendor performance
- K. handling invoices
- L. receiving goods and materials

To obtain copies of the Purchasing Procedures Manual and/or the Procurement ordinance, contact the Purchasing and Contracts Department.

Approved By:

Tide: BCC

CONTRACT ADMINISTRATION

Page I of 3

POLICY:

A. The Contracts Administrator shall act coordination point for all County contracts. as the central

II. PROCEDURES:

A. The Contracts Administrator shall coordinate with the Legal Department in standardizing contract instruments, thereby providing consistent and effective documents that will adhere to County policies and regulations and verify that all documents have been approved by the Legal Department prior to submission to the Board of County Commissioners.

B. Coordinate with Risk Management on the following contract requirements:

Determine the adequate levels and types of insurance coverage to be provided for the County's protection.

2. Review contract provisions for proper indemnifications.

3. Strive for risk exposures to lie with non-County parties.

Coordinate with all departments and agencies to ensure funding availability, proper approval, execution, distribution, and implementation of contracts for the Board of County Commissioners.

D. Participate in negotiations and meetings concerning contracting procedures and policies, including meetings of the Professional Services Review Committee and the Human Services Council.

E. Maintain a contract library of standard agreements to provide consistency in format and terminology.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: None

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.09

Page 3 of 3

L. Process all contract change orders for Board approval as requested by appropriate project manager after verifying funding availability.

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NO: 6.09.01

05/11/87

Date:

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Title:

SUMMARY OF
APPROVAL LEVELS

APPROVED By-
BCC
01/02/96

Page 1 Of 1

.POLICY:

Numerous County policies and procedures provide for levels of approval on County documents.

ii. PROCEDURES:

The following pages outline the levels of approval authority required on County documents in accordance with policies outlined throughout these Administrative Regulations. It is provided as a convenient reference. Readers are referred to appropriate sections throughout these Regulations for more detailed information.

REQUEST REPEAL OF THIS ADMINISTRATIVE REGULATION. ALL INFORMATION IS CONTAINED IN OTHER ADMINISTRATIVE REGULATIONS. THIS SUMMARY WILL BE PUBLISHED ANNUALLY IN MEMO FORM RATHER THAN REQUIRING ANNUAL ADJUSTMENTS TO MANY ADMINISTRATIVE REGULATIONS.

FOR **MORE INFORMATION CONTACT:** Office of Management and Budget

REFERENCE: Applicable Administrative Regulations

ADMREG27 01/02/96

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LEVELS OF AUTHORITY TO APPROVE/SIGN COUNTY DOCUMENTS

NOTES:

Category

PREPARED: 01-08-87
BY: OMB

I. Purchasing Documents

A. Field Purchase Orders used to purchase goods/ services under \$200.00

F.P.O.'s cannot be used for the following:

- 1. Partial shipments or back orders

- 2. Stock replenishment
- 3. Fixed assets (equipment)
- 4. Office furniture & equipment (regardless of amount)
- 5. Items on County or State contract
- 6. Catalog orders for items from Out of State suppliers that can be purchased locally.
- 7. Blanket Purchase Orders
- 8. Aesthetic Supplies (i.e. flowers, pictures, plants)

- 1. Designated department personnel
- 2. Purchasing Department

- 1) All grant-related items (personnel, purchases, applications) require Grants Accounting approval.
- 2) Levels of approval authority within the Purchasing Department to be established by the Department Manager.
- 3) All purchases of greater than \$10,000 require the approval of the Board of County Commissioners.
- 4) All capital expenditures require the approval of OMB.
- 5) All requests for rolling stock must be approved by Vehicle Maintenance.
- 6) Computer hardware or software requires approval by Data Center.
- 7) Telecommunications equipment requires approval by Telecommunications.
- 8) Board of County Commissioners allows certain departments to bypass the normal bidding procedure (not requiring the usual 3 quotes) in Emergency situations. They are: Facilities Management Refuse Disposal Public Utilities Fire Department Vehicle Maintenance Transportation Highway Department

Level of Authority

Category

- 9. Carpets.
drapes&curtain
- 10. Rental of equipment
- 11. Subscriptions
- 1. Facilities Management
- 2. Refuse Disposal
- 3. Public Utilities
- 4. Highway
- 5. Civic Center
Vehicle Maintenance
Transportation
Engineering

Department
Release Orders -for purchases
on established orange County
or State contracts

\$1.000 or less

\$1.000 to \$10,000

- 1. Designated department
personnel
- 2. Purchasing Department

All of the above plus OMB

Purchase Requisitions for:

- 1. Supplies and Services
\$1,000 or less

- 1. Designated department
personnel
- 2. Purchasing Department

All of the above plus OMB

- personnel
- 2. OMB
- 3. Purchasing Department

3. Lease/Lease Purchase or
Rental of Equipment \$10,000
or less - Tangible

- 1. Designated department
personnel
- 2. OMB
- 3. Legal Department
- 4. Purchasing Department

Level of Authority

\$1.000 to \$10,000

Exception to \$200.00
Limit-There are eight
departments who have the
authority to use F.P.O.'s for
purchases up to \$1,000.00 for
emergencies only:

C .

- 2- Capital Equipment
\$200 to \$10,000
- 1. Designated
department

1. County Administrator
 Legal Department -
 Board of County
 Commissioners
Category

4. Real Property

D. Change Orders to
 Purchases

Level of Authority

2.
 \$1,000 or less 1. Designated
 department
 personnel
 2. Purchasing
 Department

\$1,000 to \$10,000 All of the
 above plus OMB

B. Change Orders to Construction
 Contracts

C ~

II. Contractual Obligations
A. Construction Contracts
Over \$10,000

(Under \$10,000 falls under
 category of Purchase Requisition/
 Supplies & Services)

Construction Administrator
 Director or Deputy

Director or Public
 Utilities or Chief
 Engineer/Construction

2. Contracts Administrator
 3. Legal Department
 4. Risk Management
 5. Purchasing Department
 6. Board of County
 Commissioners

1. Construction Administrator
 Director or Deputy Director of
 Public Utilities or Chief
 Engineer/Construction
 2. Contracts Administrator
 3. Board of County
 Commissioners

Pay Requests
 1. Interim and final
 a. Pay requests
 for Public 1.
 Utilities

Construction Coordinator or
 Project Manager
 2. Manager of Construction or
 Manager of Engineering
 3. Fiscal Office
 4. Director or Deputy Director
 5. County Administrator or
 designee (**Final Only**)
 6. Contracts Administrator
 7. Water&Wastewater Acctng.

Category

\$1,000 to \$5,000

Level of Authority

b. Pay requests for Public Works (Engineering)

2.

Pay requests for all other Construction projects 1.

2.

D. Professional Services

_____ \$1,000 or less

Over \$5,000

Project Manager
Chief Engineer/Operations,
Construction Chief
Engineer or
Manager-Water
Management
The County Engineer or The
Assistant County Engineer 4.
County Administrator or
designee (**Final Only**) 5.
Contracts Administrator 6.
Finance Department or Grants
Accounting

Construction Administrator
County Administrator or
designee (**Final Only**) 3.
Contracts Administrator 4.
Finance Department or Grants
Accounting

I .

Designated department
personnel 2. Purchasing
Department

All of the above plus:

OMB
Legal Department
Risk Management
Contracts Administrator

All of the above plus Board of
County Commissioners

Contracts for Architectural,
Engineering and Land Surveying
Svcs. over \$5,000 and all
other Professional Services
over \$10,000 should go before
PSRC. The Committee submits
short-list to Board. Board
selects firm. After
negotiations are finalized,
PRSC reviews and approves
final contract and submits to
Board for approval.

Category

E. Change Orders to Professional Services

F. Grants Applications Department prepares documentationsends copy of grant application to OMB and Grants Acct. and Personnel, if the grant includes personnel. If there are no problems, Department Manager submits grant application to the County Administrator to include on agenda for Board of County Commissioners' approval.

III. Budget Items

A. Budget Transfers
Intradepartmental transfers

2.

Any transfer from one department to another department

B. Budget Amendments Amendments for unanticipated revenue or correction of an error 1.

Amendments recognizing unanticipated revenue from an anticipated source or amendments affecting federal revenue sharing.

- Level of Authority

1 .

- Designated department personnel
2. **Contracts Administrator (for funding & CIP information)**
3. PSRC
4. Board of County Commissioners

1. Department Manager or designee
2. OMB
3. Comptroller/Fiscal
4. Finance

Board of County Commissioners

Originate in Comptrolle Office

2. OMB
3. County Administrator's Office
Board of County Commissioners

Must be considered in a public hearing.

Exceptions:

1. Any transfer from any reserve All of the above, plus account

Category

D. Travel Requests

Level of Authority

1. Designated department personnel
2. OMB
3. Board of County Commissioners

2.

Department Manager Division
Director

3. OMB
4. County Administrator or designee

1. Personnel Department
2. OMB

Capital Improvement Amendments

E. Non-P.O.'s Purchase of supplies/services not covered by purchase order, contract or agreement.

(i.e. subscriptions)

If temporary (less than 4 months, or "casual") position or "in lieu of" to go to higher/lower classification.

ECN' s Normal actions (hiring, merit increase, transfers, etc.)

"Special cases" such as demotion, paying out of

i |

classification, pay adjustments in administrative pay plan."

Also paying above entry level or special merit increases

1. Designated department personnel
2. OMB and/or County-Administrator or designee

1. Personnel Department
2. OMB
3. County Administrator
4. Board of County Commissioners

Personnel Department

1. Department Manager
2. Personnel Department

All of the above. plus
County
Administrator

1. Department Manager
2. Personnel Department Manager
3. County Administrator

IV. Personnel
A. Position Vacancy Requisitions
Increase in force for positions not budgeted.

Reclass or "in lieu of" to go from
lower to higher classification

- 1.
2. OmB
3. County Administrator or designee

**DIVISION/DEPARTMENT CONTRACT PREPARATION
RESPONSIBILITIES**

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**ORANG
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Tide:

No: 6.09.02 Approved By.
BCC

Date: 6-8-87

Page 1 of 2

I. POLICY:

Although the Contracts Administrator serves as the central coordination point for all County contracts, operating Division Directors and Department Managers have certain responsibilities for ensuring the timely processing and accurate presentation of contracts.

II. PROCEDURES:

A. Division Directors are to ensure that construction contracts submitted for the Board of County Commissioners' approval contain provision for *liquidated damages* in an amount no less than \$500 per day. This is to ensure that the amount of liquidated damages is sufficient to compel the contractor to complete the contract in a timely fashion.

B. The Legal Department/Contracts Administrator/Purchasing Department will review contracts to ensure that there is adequate provision for both liquidated and actual damages. In the latter case, it will be the responsibility of the operating department manager to ensure that adequate documentation is kept to substantiate the amount of actual damages.

C.

All construction contracts must be routed through the Purchasing Department which will be responsible for reviewing for compliance with the County's Fairness in Procurement Ordinance and for coordinating with the Contracts Administrator/Legal Department to ensure that all contract provisions are adequate. This review is to take place before any such contracts are presented to the Board of County Commissioners on any agenda for approval.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Administrative Regulation 6.09
Contracts Administrator

-F

Is'
T-F
No: 6.09.02

Page 2 Of 2

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

D. Department Managers and Division Directors are responsible for ensuring that contracts are processed to the Board of County Commissioners in a timely manner. It is unacceptable for substantial contract work to have taken place prior to the contract being presented for approval, regardless of whether the expenditure of any funds is involved. The Contracts Administrator will be responsible for assisting in any required follow-up to ensure that contracts are processed in a timely manner.

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4ir ~" ORANGE COUNTY No: 6. 10. 01

6X-711-9-1

ADMINISTRATIVE REGULATIONS Date: 5-02-88

Approved By: BCC

Tide: Revised 11-19-90

REQUIREMENTS FOR ACCEPTABLE LETTERS OF CREDIT

Page 1 of 3

I. POLICY:

Under the provisions of the Transportation, Fire and Law Enforcement Impact Fee Ordinances, and other applicable service provision regulations, Orange County will accept a satisfactory irrevocable letter of credit allowing a developer to defer payment of fees until a certificate of occupancy is issued for the structure in question. This privilege has been extended to afford the developer an opportunity to maximize the cash flow pro forma for a given project. This process allows the developer to obtain building permits without paying the full fees due on a project at the time of issuance of the building permit.- It does not, in any way, reduce the total liability for payment of fees due to the County from the project. All developers who submit letters of credit must adhere to the following procedures:

PROCEDURES:

A. Prior to the submission of a letter of credit or any associated documentation, the developer must obtain example deferral agreement forms from the Orange County Office of Management and Budget. The developer must then submit fully executed deferral agreements to be covered by the letter of credit. These agreements must be signed and notarized by the developer or his representative and state the financial institution upon which the letter of credit is to be issued and drawn.

B. When the fully executed deferral agreements are received from the developer, the documentation is reviewed by the Office of Management and Budget, the Legal Department, and the Comptroller's office. This stage of the review process requires approximately one to two weeks.

C .

If the above referenced departments reject the form or content of the applicant's deferral agreement, the applicant has two options. He may submit a revised deferral agreement, or he may

FOR MORE INFORMATION CONTACT: office of Management and Budget

REFERENCE: Orange County Ordinances Nos. 85-2,
85-34 and 86-11

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

appeal staff's determination to the County Commission. Those individuals who pursue the second alternative are requested to contact the Office of Management and Budget for further details.

D. If the above referenced departments approve the deferral agreement(s), the Office of Management and Budget will request the developer to submit the original letter of credit as provided for in the deferral agreement. The original letter of credit and the deferral agreements are retained by the county Comptroller while they are in the County's possession. Copies of all documentation will be forwarded to the County Administrator's Office for approval by the County Administrator or designee. This stage of the review process requires approximately one week. Letters of credit must conform to the following minimum requirements:

1. Letters of credit must be irrevocable and adhere to the guidelines set forth in the applicable ordinances.
2. Letters of credit must be drawn on a financial institution having an office in orange County which is acceptable to the County in its sole discretion.
3. The dollar amount of the letter of credit must reflect a strict application of the fee schedules set forth in the fee ordinances. This dollar amount will be verified by the Office of Management and Budget through the Building Department. If the letter of credit does not fully cover all fees due on the project, it cannot be approved and no building permits will be issued.

Letters of credit must be made payable to the Orange County Commission.

E. If the County Administrator or designee approves the letter of credit, the Office of Management and Budget sends a letter to the developer which provides notification of approval.' The developer must submit the original of this letter to the Building Department in order to defer payment of the applicable fees to the issuance of the Certificate of occupancy.

F. Letters of credit are limited to a duration of no more than two years. The County may allow the developer to extend the duration of the letter of credit for six (6) additional months.
Under no circumstances will the County grant more than one extension. An extension to a letter of credit is subject

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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to the same review process as the original letter of credit. If the developer wishes to request this extension, he must notify the Office of Management and Budget of such intent at least thirty (30) calendar days in advance of applying for such an extension. This notice must be in writing, and the responsibility for ensuring that this notice is received rests with the developer. An addendum to the original letter of credit or a substitute letter of credit must be provided to the Office of Management and Budget in order to secure an extension. Such documentation must be received at least fifteen (15) working days prior to the expiration date of the original letter of credit. Failure to do so will result in the County drawing on the expiring letter of credit as provided herein under Section I.

A draw on the letter of credit requires-the signature of the Chairman of the County Commission and the County Comptroller (along with the County seal) to be deemed a valid request for payment. The developer may submit a check drawn on a local bank for the full amount due ten (10) working days prior to the expiration date of the letter of credit. Under no circumstances will the County accept a check which is submitted less than ten (10) working days prior to the expiration date of the letter of credit. The County will submit letters of credit for payment five (5) working days prior to the expiration date of the letter of credit.

H. If the letter of credit is provided as temporary security pending the disposition of an appeal regarding the fee dollar amounts, the letter of credit will

be released when the appeal has been processed to the satisfaction of the Office of Management and Budget and when the developer secures the fees determined as a result of the appeal.

I. Letters of credit accepted as security will be released five (5) days after the developer or project owner pays all fees due on the project. Those fees deferred by the letter of credit must be paid in full to the Orange County Building Department at least ten (10) working days prior to the expiration date of the letter of credit. The Building Official then provides written notification that all fees have been paid to the office of Management and Budget. In order to receive the letter of credit, the developer or his representative must sign and notarize a release authorization form. If the fees are not paid at least ten (10) working days prior to the expiration date of the letter of credit, the County will proceed to draw on the letter of credit.

I. POLICY:

Under Section 8A of Orange County Ordinance #85-34, "In the event an applicant believes that the cost of off-site roadway improvements needed to serve his proposed development is less than the fee established in section 7 of this Ordinance, the applicant may submit an alternative fee calculation to the County Administrator or his designee pursuant to the provisions of this section. If the County Administrator or his designee finds that the data, information and assumptions used by the applicant to calculate the alternative impact fee satisfy the requirements of this section, the alternative impact fee shall be deemed the impact fee due and owing for the proposed development." The County Administrator has directed the Office of Management and Budget to act as his designee in this matter.

Section 8c of orange County Ordinance #85-34 states, "The alternative impact fee calculations shall be based on data, information or assumptions contained in this Ordinance or independent sources, provided that:

1. The independent source is transportation engineering or

an accepted standard source of planning data or information, or

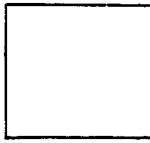
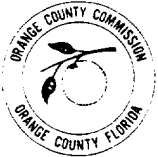
2. The independent source is a **local study** carried out by a qualified traffic planner or engineer pursuant to an accepted methodology of transportation planning or engineering.

If a previously approved development submitted, during the approval process. a traffic impact study substantially consistent with the criteria required by this Section 8, and if that study is determined to still be valid, the traffic impacts of the approved development shall be presumed to be as described in such prior study. In such circumstances, the road impact fee payable for such development under this Ordinance shall be revised accordingly to reflect the presumed traffic impact of such development. There shall be a rebuttable

FOR MORE INFORMATION CONTACT: OMB

REFERENCE: Orange County Ordinance #85-34

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ii. PROCEDURES:

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

presumption that a traffic impact study conducted more than five years earlier is invalid. This subsection 8C.(3) shall not apply where development order **previously granted provides that the provision** of this ordinance shall supersede such traffic impact study."

A. The alternative impact fee study consists of analyzing the trip generation and trip length characteristics of a project. If the project is commercial, capture and diversion must also be studied. All persons who opt to conduct an alternative traffic study are requested to contact the Office of Management and Budget to schedule a pre-application meeting. If possible, representatives from the Public Works and Development Division will attend. At this meeting, county staff will cover the basic requirements associated with such a study. Subsequent to this meeting, the appellant is required to submit documentation regarding the sites which he/she plans to study. The following criteria should be addressed in this documentation:

1. The site that will be studied should be identified. A minimum of one (1) site must be studied. However, the developer has the option to study more locations and base the *findings* on a weighted average. The site description must include the location (CBD, urban, suburban, or rural), the setting (physical location), and the uses (size and type).

2.

3.

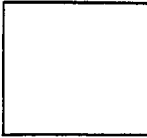
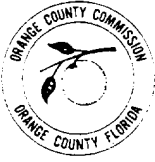
The appellant should provide an explanation regarding how the site(s) being studied is similar to the proposed project. Specifically, the appellant should address land use, adjacent area, and demographic/marketing characteristics of potential customers/buyers.

A map of the project with the project entrances clearly delineated should be included. To the extent possible, projects which share driveways with adjacent developments should be avoided.

The proposed dates of the counts/interviews should be included in the methodology.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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The methodology for achieving an - adequate level of statistical significance is also required. For the purposes of conducting an alternative impact fee study a confidence interval of 95% is **required with** a critical value of alpha (α) 0.05 (0.255). The appellant should determine the number of interviews needed to achieve this level. However, a minimum of five (5) days of interviews from 2 P.M. to 6 P.M. are required, while seven (7) days of 24 hour machine counts are needed. Also, one (1) person in at least 25% of the vehicles entering the site must be interviewed. Although the appellant, at his discretion, may count/interview for longer periods of time, the interviews/counts must be on consecutive weekdays. Also, if the appellant opts to conduct further interviews, the interviewing must contain equal periods of peak and off-peak traffic activity. County staff will visit the study site at random intervals to assure fidelity of results for the empirical data collected.

6. If the appellant is unable to complete a full five (5) consecutive days of interview/counts, a written reason shall be submitted to the Office of Management and Budget. The County, at its discretion, after review of the written reason, may allow the developer to complete the missing days of interviews/counts at a later date to be agreed upon by both the County and the appellant. The location where interviews are to be taken is dependent upon the type of development. In general, surveys/interviews will be conducted upon entering the development. Mechanical counts should be conducted at project driveways to calibrate interviews.

If the appellant is basing his request to reduce his transportation impact fee on a previously submitted traffic study, he should include a copy of the report in this submittal. If the report only addressed trip generation, procedures to study trip length and capture/diversion should be included.

S. Alternate traffic studies which were originally submitted for Developments of Regional Impact (DRI) as a part of the DRI approval process will be reviewed by staff for sufficiency. If the study area examined by the original analysis does not encompass an area which is consistent with the trip lengths referenced in the Transportation Impact Fee Ordinance, additional analysis must be conducted as defined above in order to include such area(s) in the study.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.11.01

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B. Five (5) copies of the proposed methodology should be delivered to the Orange County Office of Management and Budget. These copies will be distributed to the **County** Legal Department and the Division of Public Works and Development. If staff concurs with the methodology, the appellant will receive written notification to proceed with the study. In the event that staff disagrees with the proposed methodology, those problem areas will be identified for the appellant. Again, the applicant will receive written notification of the staff's comments. Prior to commencing work on the traffic counts/interviews, it is strongly recommended that the appellant receive concurrence from staff. Failure to obtain such concurrence may result in rejection of study results.

C. Information derived from the appellant's traffic study should be used to calculate an alternative impact fee. According to Section 8B of Orange County Ordinance #85-34, the alternative impact fee shall be calculated by use of the following formula:

1.
$$[(ADT) (DF) (TL) X COST) - CREDIT = NET IMPACT FEE$$

$$(CAP) (2) 1$$
2.
$$ALTERNATIVE IMPACT FEE = NET IMPACT FEE X 52\%$$

WHERE:

COST

CREDIT

ADT = Number of average daily trips/ends generated. DF = Diversion/capture factor. TL = Trip lengths for each proposed use.

CAP = Typical new capacity per lane mile in vehicles per day(7,500). = Cost of right-of-way acquisition, if any, plus construction costs (\$600,600).

= Allowance for gas tax payments and motor vehicle license tag payments, fixed per County's annual calculation.

D. upon receiving staff concurrence on the study assumptions, the appellant may initiate the counts/interviews. The results of the study should be incorporated into a written report. Although the study results may be summarized for the entire period studied, the results for each day must be clearly shown. Upon the completion of the

study, **the appellant** will provide the Orange County Office of Management and Budget with five (5) copies of the final report. No studies will be accepted unless they are certified by an engineer registered in the State of Florida.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

E. The Office of Management and Budget will distribute these reports to the County Legal Department and the Division of Public Works and Development. If the study does not provide sufficient information to warrant further review, the office of Management and Budget will request the applicant to provide the necessary information. Upon establishing sufficiency of information in the alternate study, staff will make its determination within 4 to 6 weeks, and its written opinion will be forwarded to the applicant. If the alternate study is approved by staff, the applicant will be required to enter into a developer's agreement with Orange County to implement the trip generation characteristics validated by the study. The developer's agreement will be drafted by County Legal staff and must be approved by the Board of County Commissioners before the applicant is entitled to obtain building permits at the impact fee rates determined by the alternate study. Upon the final execution of the developer's agreement and upon approval by the Board of County Commissioners, the Office of Management and Budget will provide the applicant with a final written approval of the study. Building permits cannot be obtained at the rates determined by the alternate study until the applicant receives final written approval. A copy of staff's response will also be forwarded to the Building Official if a traffic impact fee reduction is warranted.

F. If the appellant disagrees with staff's written opinion, he may request a public hearing before the Board of County Commissioners. There is a \$125.00 non-refundable processing fee for such appeals. The processing fee must be paid to the Finance Department on the fourth floor of the County Administration Building at 201 South Rosalind Avenue. A receipt for the processing fee must accompany all requests for public hearings before the Board of County Commissioners. Upon receiving the public hearing request, the office of Management and Budget will schedule the public hearing with the Clerk to the Board of County Commissioners. The appellant will be notified of the time and place in writing.

G.

At the public hearing, the Board of County Commissioners shall consider the relevant data and/or study presented by the appellant and shall review the staff's written opinion. The County Commission shall make a final determination of whether to grant or deny the alternative impact fee request.

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No: 6.11.06

ORANGE COUNTY

Date: 9-18-89

ADMINISTRATIVE REGULATIONS

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Tide: TRANSPORTATION IMPACT FEE

SQUARE FOOTAGE AGGREGATION REQUIREMENTS Page 1 of 4

I. POLICY:

The Transportation Impact Fee Ordinance establishes an impact fee schedule for various forms of development. The office category has three separate rates which decrease as the corresponding square footage ranges increase. Likewise, the retail category has nine separate rates which decrease, generally speaking, as the corresponding square footage ranges increase. The following requirements are applicable to those multi-building projects which desire to be charged transportation impact- fees based on the aggregate square footage of all buildings within a limited access area.

II. PROCEDURES:

A. At least forty-five days prior to obtaining the first building permit for the shell of a project's first building, the developer must submit a written notice to the Office of Management and Budget (OMB) which advises the County of their intention to aggregate the square footage of all buildings within a limited access area. Such notification must include the Building Department's plan review number for the project, the square footage and use by square footage of each proposed building as shown on the architectural floor plans, the estimated completion date of each proposed building, a copy of the site plans and legal description for the proposed limited access project. The aggregation request will not be processed until all of the above information is provided to the County in a form acceptable to OMB.

If the applicant obtains the first building permit for the shell of a project's first building prior to receiving written approval of aggregation privileges, the opportunity to receive aggregation privileges is automatically waived.

FOR MORE INFORMATION CONTACT: Office of Management & Budget

REFERENCE: Orange County Ordinance #85-34

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Approved By.
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Title:

NEWS RELEASES

Page of 1

POLICY:

- A. The Service and Information Office shall be responsible for coordinating the release to the news media of all information on matters pertaining to departments and activities under the jurisdiction of the Board of County Commissioners.
- B. News articles and information pertaining to the activities of elected officials, other than the Board of County Commissioners will be handled by those respective offices.
- C.

II. PROCEDURES:

Because of the unique nature of the services and activities provided by the Orange County Civic/Convention Center, news releases for that facility are not subject to this policy.

- A. Prior to the release of any information to the news media by any department under jurisdiction of the Board of County Commissioners, the Service and Information Office shall be consulted to determine the proper means for disseminating such information.
- B. No news item shall be sent to the Service and Information Office for distribution to the media unless the information has been reviewed and approved by the department head and division director.
- C.

The Service and Information Office will disseminate news to the general public, through various media sources, at the direction of the County Administrator. In such cases as the County Administrator or the Service and Information Office deem appropriate, information shall be made available as a formal news release.

FOR MORE INFORMATION CONTACT: Service and Information Office

REFERENCE: None

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No: 5.02.01

ORANGE COUNTY

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ADMINISTRATIVE REGULATIONS Date: 5-11-87

Approved By:

Title: BCC

NEWSLETTERS, PUBLIC INFORMATION AND/OR

PUBLIC RELATIONS PUBLICATIONS Page 1 Of 2

REFERENCE: None

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I. POLICY:

A. The Orange Spiel shall be the primary media for publishing and disseminating county employee news, and shall be the responsibility of the Service and Information Coordinator.

A newsletter may be published by a department for distribution within the department to disseminate news concerning its employees.

C. All other brochures or publications of a promotional nature shall be reviewed and approved as to content and distribution by the County Administrator or designated staff prior to duplication or printing.

All public information bulletins or newsletters shall be processed by the Service and Information Coordinator.

II. PROCEDURES:

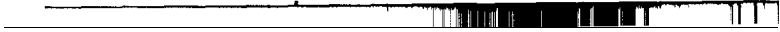
A. Any employee who has an item of county employee news may have such information considered for inclusion in the Orange Spiel by contacting his department reporter or by submitting information to the newsletter editor.

Any newsworthy article or information of general employee interest may be sent to the newsletter editor for consideration for inclusion in the Orange Spiel; however, information or materials relating to administrative or departmental policy or management must have prior approval of the department head to be considered for publication.

C. All newsletters within a department must have the approval, initially, of the County Administrator; and, they must have approval of the department head prior to each distribution.

FOR MORE INFORMATION CONTACT: Service and Information Office

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ORANGE COUNTY

ADMNISTRATIVE REGULATIONS

Copies of all newsletters shall be provided to the Service and Information Office, which will maintain a master file and monitor policy compliance.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 9-18-89

Approved By: BCC

Title:

COUNTY BULLETIN BOARDS

Page 1 of 1

I. POLICY:

The bulletin boards located in the Orange County Administration Center are used for posting of public meeting notices, purchasing items and pertinent employee information. Prior approval must be obtained from the relevant personnel before posting any items.

Ii. PROCEDURES:

A. The bulletin boards on the first and second floors of the Administration Center, with the exception of the Personnel Department's bulletin board, are used for-posting of all public meeting notices and news releases. Any items, except purchasing items, should be cleared through the Service and Information Office before being posted on these bulletin boards with a copy provided to that office for filing.

B. The Purchasing Department regulates a separate bulletin board on the second floor of the Administration Center. This is used for the posting of request for proposals, contract bids and purchasing requisitions.

C.

Employee bulletin boards are located on the first and third floors of the Administration Center and are maintained by the Personnel Department. Employee personal requests must be submitted on a 311 x 511 card to the Personnel Department. if the request is approved, a notice will be posted for a period of one month.

FOR MORE INFORMATION CONTACT: Service and Information Office
Personnel Department
Purchasing Department

REFERENCE: None

No: 6.01

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 5-11-87

Approved By.

Title: ECC
GENERAL FISCAL POLICY

Page 1 of

I. POLICY:

A. The fiscal policy of the Board of County Commissioners, Orange County, Florida, is as follows:

1. The raising of public funds through fees, taxation, borrowing and other legal means, and the expenditure of such funds, shall reflect consideration of the needs of the community, the ability of the citizens to afford those needs, and a financial condition which permits reasonable response to unforeseen emergencies. -

2. An important fiscal policy objective of the Board of County Commissioners is the ability to provide services to the public which will improve the quality of life and result in a community which all county citizens can enjoy within legal and reasonable financial constraints.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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ADMINISTRATIVE REGULATIONS

Title:

I. POLICY:

OPERATING REVENUES AND EXPENDITURES

No: 6. 01. 01

Date: 5-11-87

Approved By:
BCC

A. Annual Budget: The annual operating budget prepared by the County Administrator and approved by the Board of County Commissioners is the basis for all expenditures necessary for the conduct of daily County business. The budget is a fund budget structured to provide departmental sub-object/code (line item) appropriations in conformance with Chapter 129, Florida Statutes, the Uniform Accounting System prescribed by the State Comptroller's Office and generally accepted accounting principles for governments. The County shall operate under a unified and uniform budget system. The County Administrator shall be responsible for developing appropriate budgetary procedures consistent with Statutes which shall be followed by all departments or activities submitting budgets to the Board of County Commissioners for approval.

B. Budget Control: The Office of Management and Budget has staff responsibility for budgetary control. However, department heads, directors and elected officials working in coordination with the Office of Management and Budget shall ensure that funds are available in the budget to meet planned expenditures. No expenditures or commitment of County funds will be permitted which will over-expend an appropriation.

C.

Balanced Budget: The aforementioned annual budget will be a balanced budget as prescribed by Chapter 129, Florida Statutes, i.e., appropriations shall not exceed revenues anticipated to be available in each fund during the fiscal year as contained in annual revenue estimates.

D. Budget Amendments: Fund budgets may be amended during the fiscal year under circumstances permitted by Chapter 129, Florida Statutes. The Office of Management and Budget will initiate or approve all budget amendments prior to submission to the Board of County Commissioners for approval.

1 of 3

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Florida Statutes, Chapter 129

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No: 6.01.01

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

1. Amendments Not Requiring Public Hearing: Amendments to the *annual budget* which are to be funded by revenues from a source not anticipated in the approved budget may be

enacted by approval of the Board of County Commissioners and entry in the official Board minutes.

Amendments -Requiring Public Hearing: Amendments

appropriating revenues in excess of the amount estimated in the annual budget require advertisement and a public hearing. Such amendments are expensive to process and will be approved only with complete justification, and whenever possible, will be processed in groups.

.Procurement: Except for utilities, telephone, and similar services routinely furnished under monthly billings, all supplies and services required by County Departments will be procured by purchase requisition, field purchase order, purchase order, release order, or contract approved by the Board of County Commissioners or its designee as set forth in the County Purchasing Procedures.

.County Comptroller to Pre-audit all Disbursements of County Funds: In compliance with Chapter 129, Florida Statutes, the County Comptroller will perform pre-audit examination of all financial transactions prior to their *consummation* for the purpose of determining (1) propriety of the *transaction*, (2) compliance with purchasing procedures, (3) conformance to budget. As County Auditor, the Comptroller is required by law to refuse to sign or deliver a County warrant for unlawful purposes.

Types of Fund: To provide proper accountability for the different kinds of resources, "funds" are established. Each fund is a separate entity with its own resources, liabilities and residual balance, and its own self-balancing accounting system. Funds with similar objectives, activities and legal restrictions are, for reporting purposes, placed in one of three groups:

1. Governmental Funds: Governmental Funds account for general governmental activities, such as law enforcement, which are largely supported by taxes and fees. They are accounted for on a "spending" or *financial flow* basis.

Governmental Funds include the following:

The General Fund accounts for all resources not reported in other funds. Most county-wide activities are accounted for in this fund.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

b. Special Revenue Funds account for resources received from special sources, dedicated or restricted to specific uses.

Debt Service Funds account for the accumulation of resources for, and the payment of, interest, principal and other costs of long-term debt.

d. Capital Projects Funds account for the accumulation and use of resources for the acquisition of major buildings and other capital facilities where a specific project is designated or required.

Proprietary Funds: Proprietary Funds account for those activities, such as water and sewer service, which are provided on a basis consistent with private enterprise. They are accounted for on a cost of service or "capital maintenance" basis.

Proprietary Funds fall into two groups:

a .

b.

3.

Enterprise Funds account for activities, such as water and sewer service, which are similar to those provided by private enterprise and whose costs are paid from user charges or from revenue sources other than general governmental revenue.

Internal Service Funds account for operations through which the County provides itself with data processing and other essential services, which would otherwise be purchased from commercial suppliers. Costs of operation of these funds are paid by the governmental departments using the services.

Fiduciary Funds: Fiduciary Funds account for assets belonging to others, such as **escrow deposits, which** are under County control for administration. **Agency** and expendable trust funds are accounted for like governmental funds. Nonexpendable trust funds are accounted for like proprietary fund types.

Fiduciary Funds consist of two groups:

- a. Expendable Trust Funds account for assets held by the County in trust for administration and disbursement for specific purposes.
- b. Agency Funds account for assets belonging to others which are held pending disposition.

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ORANGE COUNTY

No: 6.01.02

ADMINISTRATIVE REGULATIONS

Date:

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CAPITAL REVENUES AND EXPENDITURES

Page 1 Of

I. POLICY:

The Orange County Fiscal Policies with respect to capital expenditures will be compatible with the capital improvement budget policies adopted by the Board of County Commissioners on April 2, 1981.

A. To the maximum extent financially and legally possible, capital improvement projects will be financed with Gas Tax Funds, Enterprise Funds, Federal and State Grant Funds, Special Assessments, Impact Fees, or the one half mill ad valorem tax dedicated to capital improvements. When these or other pay-as-you-go sources are not available, consideration will be given to debt financing.

B. Capital projects to be financed primarily with debt proceeds will be budgeted and accounted for in separate funds established for each project and balances will be reappropriated each year until the project is completed. This permits ready identification of residual debt proceeds when they are required to be transferred to sinking funds by bond resolutions.

C.

Projects involving the use of gas tax funds for the construction or reconstruction of highways will be handled in accordance with applicable Florida Statutes.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Florida Statutes, Chapters 335.075 and 336.41

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No: 6.02

ORANGE COUNTY

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ADMINISTRATIVE REGULATIONS

Date: 6-8-87

Approved By.

BCC

Title:

GENERAL OPERATING BUDGET

Page 1 of 3

I. POLICY:

A. The budget shall be balanced; that is, total revenues, including balances brought forward shall equal total appropriations (expenditures) and reserves. Provisions for contingency reserves may not exceed 10% of budgeted total. Provisions for cash carryover may not exceed 20% of budgeted total. The Office of Management and Budget, under the direction of the Administrator, shall be responsible for ensuring compliance with this policy.

B. It is unlawful for the Board of County Commissioners to expend or contract for the expenditure of more than the amount budgeted in any fund's total budget for any fiscal year. An exception may be made for multi-year construction contracts where:

1. The contract contains a funding clause stating that ad valorem tax revenues are not obligated, and

Budget review by OMB and the affected division indicates that sufficient monies are available in the current year's budget to meet the progress payments within the current fiscal year.

C. The fiscal year of Orange County shall commence October 1 and end September 30 in accordance with Florida Statutes.

II. PROCEDURES:

A. The preparation of the Annual Budget proceeds according to the following calendar:

FOR MORE INFORMATION CONTACT:

REFERENCE:

Office of Management and Budget

OMB Procedures OMB Annual Budget
Reference Manual County Attorney's
Legal Opinion, December 29, 1986,
Subject: Contracts for Capital
Projects which Extend Past Current
Fiscal Year

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.02

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Date Activity

January-February Development of the budget manual and the design and printing of budget forms.

March Distribution of budget packages to operating units and elected officials.

April-May

May 1

May-June

June

July 1

and priorities for the budget year.

Office of Management and Budget review and tabulation of operating budgets; and capital improvement projects and completion of revenue projections.

Certification of Tax Roll by Property Appraiser.

Board budget review worksessions.

July 31

September

October 1

Implementation of the adopted budget.

County Administrator meets with Division
Directors to communicate budget policies

Statutory deadline for submission of budgets for the Sheriff, Clerk of the Courts,
Comptroller and Supervisor of Elections.

Compilation of the budgets - operating and capital improvement. -

Division budget hearings with the County Administrator and/or designated Assistant
County Administrator.

July Distribution of proposed budget to the
Board.

Board certifies proposed millage rates to the Property Appraiser.

Two public hearings on proposed budget and millage rates.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

B. The County adopts budgets for all Government Funds and Expendable Trust Funds on a modified accrual basis. The budgets for Proprietary Funds are adopted on an accrual basis.

Depreciation or amortization expense is not normally budgeted; however, expenditures for capital outlays are budgeted. These outlays are capitalized into fixed assets and eliminated from the results of operations on a generally accepted accounting principles (GAAP) basis.

Retained earnings allocations (residual unappropriated liquid assets resulting from prior operations) are budgeted and included as revenue on a budgetary basis but are eliminated on a GAAP basis for financial reporting.

ORANGE COUNTY NO: 6.02.01
ADMINISTRATIVE REGULATIONS

Date: 6-8-87

Approved By:

Title: GENERAL CAPITAL BUDGET BCC
Page 1 of 2

I. POLICY:

A. The Capital Improvements Budget and Program provide the means through which Orange County Government takes a planned and programmed approach to utilize its financial resources in the most responsible and efficient manner, to meet the service and facility needs of the County.

B. All County capital improvements will be made substantially in accordance with the adopted Capital Improvements Program, and as outlined in the Growth Management Policy. A multi-year plan for capital improvements will be developed and updated annually.

C.

The County will enact an annual capital budget based on the multi-year capital improvements plan. Future capital expenditures necessitated by changes in population, changes in real estate development, or changes in economic base will be calculated and included in capital budget projections.

D. The County will coordinate development of the capital improvement budget and development of the operating budget. Future operating costs associated with new capital improvement will be projected and included in operating budget forecasts.

E. The County will use intergovernmental assistance to finance only those capital improvements that are consistent with the Capital Improvements Program and County priorities, and whose operating and maintenance costs have been included in operating budget forecasts.

F.

The County will attempt to maintain all its assets at a level adequate to protect the County's capital investment, and to minimize future **maintenance and** replacement costs. The maintenance of existing assets is the County's primary capital expenditure consideration.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: OMB Annual Budget Reference Manual

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II. PROCEDURES:

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6,02.01

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The County will project its equipment replacement and maintenance needs for the next several years and will update this projection each year. From this projection a maintenance and replacement schedule will be developed and followed.

The County will identify the estimated costs and potential funding sources for each capital project proposal before it is submitted for approval. The County will determine the least costly financing method for all new projects.

A. Project requests will be reviewed and prioritized by the County Administrator after review by OMB.

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ORANGE COUNTY No: 6.02.02
ADMINISTRATIVE REGULATIONS Date: 6-8-87

Approved By:

Tide: BCC

IMPLEMENTATION OF CAPITAL IMPROVEMENTS PROGRAM

Page 1 of 1

POLICY:

- A. The Capital Improvements Budget will be adopted by the County Commission and incorporated into the Orange County Budget.
- B. The Orange County Capital Improvements Program will be adopted by the Board of County Commissioners by resolution. Deviations from the adopted Capital Improvements Program will require approval by the Board of County Commissioners.

II. PROCEDURES:

- A. Detailed procedures for preparation of the Capital Improvements Budget and Program are outlined in the OMB Annual Budget Reference Manual.
- B. Capital Improvements Program amendments will be handled through the Office of Management and Budget. Forms and instructions are available from that office.
- C. Quarterly CIP reports will be prepared by the Office of Management and Budget and furnished to the County Commission, County Administrator, participating divisions/ departments and other agencies as requested.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE:

OMB Annual Budget Reference Manual

ORANGE COUNTY No: 6.02.03

ADYUNISTRATIVE REGULATIONS Date: 06/08/87

Approved By- BCC

Tide: Revised 08/04/92

BUDGET TRANSFERS AND AMENDMENTS

Page Of 2

I. POLICY:

A budget is a plan. As such, it must be dynamic and flexible enough to meet the changing needs of the County throughout the fiscal year. A means must be provided through which these changing needs can be accommodated within the framework of federal law, applicable Florida Statutes and local ordinances and resolutions. Changes may be made to the budget at any time throughout the fiscal year in accordance with the procedures outlined in this Regulation.

II. PROCEDURES:

A. Budget Amendments - Fund revenue and expenditure amounts may be increased or decreased by formal action of the Board of County Commissioners (BCC) following proper public notice and hearing as specified in Chapter 129.03(a) of the Florida Statutes and any applicable federal laws. Amendments to adopted budgets normally result from either the desire to recognize an unanticipated excess amount of an anticipated revenue or the unanticipated decrease of an -anticipated revenue. Fund revenue and expenditure amounts may be increased by the BCC without public notification in the event of unanticipated revenue from an unanticipated source, or in the enterprise funds.

The purpose of the amendment process is to adjust fund amounts to reflect the level of revenues reasonably anticipated to be received and to balance expenditures to these revenues in accordance with applicable law and sound financial practices.

B. Budget Transfers - Operating unit budgets may be amended by formal transfer action. Budget transfers which are intradepartmental in nature may be approved by the Office of Management and Budget. An on-going list of such maintained in the Office of which are fund reserve approved by

intradepartmental transfers is Management and Budget. interdepartmental in nature, or which involve distributions, must be reviewed and formally the BCC prior to execution.

Budget transfers

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Florida Statute, Chapter 129.03(a)
Florida Statute, Chapter 129.06

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ORANGE COUNTY No: 6.02.03
ADMINISTRATIVE REGULATIONS Page 2 Of 2

1. Forms for budget transfers are available from the Office of Management and Budget. Detailed procedures for completing these forms, including samples of completed transfer requests, are available from the Office of Management and Budget. Any questions regarding preparation or routing of a budget transfer or amendment should be directed to that office.

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Date:

Approved By:

MUE: BCC on 02/22/94

ISSUANCE OF REVENUE BONDS

Page 1 of 3

I. POLICY:

A. Orange County has the authority to issue revenue bonds or general obligation bonds pursuant to a competitive bid process or a negotiated sale.

B. It is the policy of Orange County to sell its bonds in the manner which will result in the lowest overall cost to the County while meeting the County's operational and program needs and deadlines.

C. The competitive bid process should be utilized in the sale of bonds unless otherwise recommended by the County Administrator or the Orange County Comptroller, or both, and approved by the Board of County Commissioners.

Ii. PROCEDURES:

A. The County's revenue bonds and general obligation bonds shall be sold by a competitive bid process except as otherwise authorized by this administrative regulation.

B. The County's bonds may be sold by a negotiated transaction only if:

(1) Such negotiated sale is recommended by the County Administrator or the County Comptroller, or both; and

(2) Such recommendation is set forth in writing and contains the specific reasons why a competitive bid process would not be in the best interests of the County; and

(3) Such reasons include one or more of the reasons set forth in Paragraph C, below; and

(4) The Board approves the recommendation by majority vote of the members present.

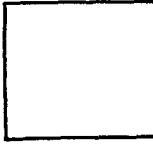
C. The County Administrator or the County Comptroller, or both, may recommend that a particular issue of

the County's bonds be sold pursuant -to a negotiated sale only if at least one of the following criteria exists:

- (1) The primary security or source of payment for the bonds is new or untested in the market;
- (2) The particular structure of the bond issue is highly complex or is new and untested;
- (3) The bond transaction involves innovative financing techniques or "derivative products
- (4) Market conditions are unstable or chaotic;
- (5) A sudden or dramatic - credit rating deterioration has occurred for the County, the State of Florida, or the surrounding region;
- (6) The particular source of revenue pledged to the proposed bond issue has experienced a sudden or dramatic deterioration in its credit rating or marketability or is otherwise a weak credit;
- (7) The size of the bond issue is considerably larger than the County has previously brought to market for that particular revenue source or is otherwise of such size that it would be difficult to sell the bonds through competitive bids.
- (8) There is evidence or reason to conclude that a competitive bid process will result in higher borrowing costs for the County;
- (9) There is reason to conclude that a competitive bid process will not meet the County's operational or program needs or deadlines, and a negotiated sale will.
- (10) The County wants to ensure participation by minority- and women-owned investment banking firms and/or by local and regional firms.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.02.04

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D When a negotiated sale is approved- by the Board, underwriters will be selected pursuant to the applicable **County** procurement ordinance and administrative regulations.

E Nothing in this regulation shall prohibit the use of set asides, auctions, and other devices which will encourage or ensure the participation of minority- and/or women-owned businesses and/or local or regional underwriting firms in competitively bid bond sales, all as may be approved from time to time by the Board.

F. This regulation applies only to bonds issued by Orange County, Florida, and does not apply to any special districts within the -County, either dependent or independent.

G.

ADMREG5 02/23/94

Failure to comply, in whole or in part, with this regulation pertaining to the method of sale of Orange County bonds shall have no effect whatsoever on the validity of any such bonds. Furthermore, nothing in this regulation shall create either a cause of action or standing to sue for or on the part of any person or firm.

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No: 6.03

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-21-87

Approved By:

Title: BCC

GENERAL ACCOUNTING

Page 1 Of 1

I. POLICY:

A. The Orange County Comptroller, as County Auditor and Clerk to the Board of County Commissioners, serves as County Treasurer and provides general accounting for all Board of County Commissioners activities.

B. The Uniform Chart of Accounts for local governments as developed by the State of Florida is utilized in the accounting for all Board of County Commissioners activities. The accounting system and procedures will follow generally accepted accounting principles.

Annual audits of the Board of County Commissioners' financial records will be performed as part of the county-wide annual audit by a certified public accounting firm recommended by the Audit Selection Committee and selected by the Board of County Commissioners in accordance with Chapter 11, Florida Statutes and applicable rules of the Florida Administrative Code. The County Comptroller or his representative serves as Chairman of the Audit Selection Committee.

II. PROCEDURES:

A. The County Comptroller's Office is responsible for the preparation and distribution of the following:

1. Monthly interim financial reports for all County funds.
2. Annual Financial Reports to the State Comptroller's Office.
3. A Comprehensive Annual Financial Report at the close of the fiscal year.
4. Individual financial reports for federal, state, and local grant programs in accordance with requirements of the applicable grantor agency.

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office

REFERENCE: Chapter 11, Florida Statutes
Uniform Chart of Accounts

No: 6.03.01

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-21-87

Approved By: BCC

Title: Revised 9-18-89

PETTY CASH

Page 1 of 3

I. POLICY:

Petty cash funds will be established as necessary for the purpose of handling cash expenditures for merchandise or services of a minor, immediate nature, when it is not feasible or practical to issue a purchase order.

ii. PROCEDURES:

A. Establishment:

The establishment of petty cash funds will be by written request from the department head, through the division director, to the Office of Management and Budget. The request must fully justify the fund, describe the security given to protect the funds, and name the individual who will be responsible for the fund. The Office of Management and Budget will provide a recommendation as to the establishment of the fund to the Finance Department, Comptroller's Office. When approved by the Comptroller's Office, a check will be issued to the responsible individual and appropriate receipt form will be completed.

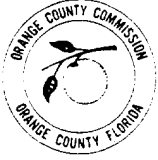
B. Custody and authorization:

1. Each petty cash fund is the responsibility of one individual, usually a department head or other supervisor. The custodian signs a "revolving fund" receipt upon receipt or change of the petty cash fund. This is done in Finance and the original is maintained in Finance. A copy of the receipt should also be maintained by the custodian.

2. The responsible custodian may designate custody of the fund. This is usually done in large departments when the responsible custodian cannot maintain the petty cash fund. The custodian signs a designation form obtained from Finance stating to whom the fund is designated. The original designation form is maintained in Finance. Changes in designation must be reported to Finance followed by a new designation form signed by the responsible custodian and sent to Finance.

FOR MORE INFORMATION CONTACT: Office of Management and Budget
Comptroller's Office

REFERENCE: None



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The department must keep records of individuals responsible for petty cash and the appropriate fund amount. Changes in custodians must be reported to Finance followed by the custodian signing a new "revolving fund" receipt in Finance.

Petty cash should be kept in a locked box or safe and kept separate from all other activities (i.e., coffee funds, etc.).

C. Expenditures:

1. A petty cash fund is to be used for small incidental or emergency items for Orange County purposes only. Each department should set a limit and other parameters in order to avoid abuse of the fund. Petty cash is not to be used for:

- a. Purchase of equipment or other capital items
- b. Loans to employees
- c. Cashing checks
- d. Travel/entertainment expenses (excluding toll charges)

A receipt or other proof of expenditure must be received before disbursing money from the fund. The person being reimbursed then initials/signs the receipt acknowledging proper reimbursement. These receipts are kept within the fund until a request for reimbursement from Finance is prepared.

D. Re

imbursement:

1. The request for reimbursement of petty cash is submitted on a voucher request form provided by Finance, detailing all expenditures (with detailed account numbers). The reimbursement request must be supported by the proper receipts or other proof of expenditure. The **total amount** of the reimbursement request plus the remaining cash and unsubmitted tickets in the fund must equal the **total amount** of the fund. If it does not equal, the difference must be recorded as an over/short on the reimbursement request. Finance will then record the over/short and reimburse the fund to its proper amount. Employees are not to put money in or take money out of a petty cash fund in order to avoid recording an over/short.

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2. All petty cash funds are reimbursed by check, payable to the custodian (or designated custodian). The custodian then endorses the check and cashes it at the bank. The cash is then placed **with the remaining petty** cash funds.

3. The request for reimbursement should be submitted to Finance before the fund is completely depleted. Reimbursement of the fund may take from 3-7 working days.

The petty cash fund should only need to be reimbursed every 3-4 weeks. Increases or decreases in the total amount of the petty cash fund should be requested in writing through OMB to the Finance Department.

All requests for reimbursement of petty cash must be approved/signed by the responsible custodian? then submitted to Finance for payment.

E. The Internal Audit Department of the Comptroller's office will conduct periodic petty cash counts in each department. They will verify that petty cash procedures are being followed. In instances where corrective action may be warranted, the Internal Audit Department has been asked to bring it to the attention of the County Administrator's Office. Board Departments are to cooperate fully in these periodic petty cash counts.

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No: 6.03.02

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 9 - 21- 8 7

Approved By:

Tide: BCC

PAYROLL

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POLICY:

- A. The County Payroll Department, under the County Comptroller's office, will be responsible for the preparation of payroll checks and maintenance of all payroll records for employees of the Board of County Commissioners.
- B. Department Managers are responsible for maintaining and submitting complete and accurate payroll information in a timely manner.

PROCEDURES:

- A. All times submitted to the County Payroll Department for pay will be shown on a payroll transmittal form. Figures on the form must be accurate, legible, and properly coded.
- B. Employees will sign the transmittal under their names to signify all times are correct. (Employees unable to sign transmittals due to locations, work schedules, etc., must sign documents such as time sheets, time cards, logs, etc., to show their understanding that times to be recorded on transmittals are correct.)

Department Managers or designated alternates will sign at the bottom of each page of payroll transmittals to verify information on that page is correct.

- D. Adjustments to an employee's regular pay such as verified back pay and working out of classification pay should be written on the transmittal. Changes made to transmittals after they have been submitted to the County Payroll Department will require written authorization on a payroll transmittal change form specifying the change to be made. Changes will be made by Payroll Department personnel, and the authorizations will be attached to the back of the transmittal as verification that the change was authorized.

FOR MORE INFORMATION CONTACT: County Payroll Department

REFERENCE: Orange County Comptroller's Financial
Procedures-Manual

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No: 6.03.02

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E. Department Managers or designees will approve requests for early issue of paychecks. Memos should justify the early issue. With the exception of emergencies as determined by the Payroll Department, no checks will be issued prior to 3:00 p.m. on Thursday before pay day to allow the Payroll Department time to balance payroll reports and sort the checks.

F. Handwritten checks will be held to a minimum and reasons for writing the check must be fully justified on a memo signed by the Department Manager or designee. Because of the amount of additional work created by handwritten checks, the Payroll Supervisor will review all justifications and approve the writing of the checks.

Corrections to employees' payroll checks -resulting from errors on the payroll transmittal will be made during the following pay period unless there are extreme extenuating circumstances.

H. Stop payment actions on issued checks will be accomplished by Payroll Department personnel only after the County employee has made every effort to find the missing check. The employee will be required to certify that he/she has not deposited, cashed, or endorsed to another party the lost check, and, if found, will return it to the Payroll Department. -

All transmittals should be submitted to the Payroll Department by Friday prior to pay day if possible, but NO LATER THAN MONDAY NOON PRIOR TO PAY DAY.

No:6.03.03

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-21-87

Approved By:

Tide: BCC

REVENUE COLLECTION

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POLICY:

In order to reduce risk and provide accountability for County revenues, Department Managers are hereby designated as custodians of County revenues collected and under their care. Department Managers are required to comply with the appropriate procedures to ensure the safety and security of such revenues.

II. PROCEDURES:

A. All revenue (cash, checks, money orders, etc.) received must be covered by a pre-numbered receipt, pre-numbered ticket or automated receipt -numbering system. Manual receipts must be prepared in triplicate with the original given to the customer, one copy to support revenue transmitted to the Finance Department and one copy to remain in the department. Where automated receipt preparation exists in a department, procedures will be developed in conjunction with the Comptroller's Office and OMB for such handling.

B. Cashiers receiving revenue must prepare a recap sheet listing all revenues and receipt numbers for that day's business. Such recap sheets must have the signature of the person responsible to verify such revenue and the approval signature of the immediate supervisor. The recap sheet will be in duplicate; original to go to Finance Department to support the receipts and revenue, and one copy to remain on file at the site.

C. When revenue is received by the Finance Department, the Finance Department will issue a receipt to the originator for all revenue turned in. This copy of the receipt from the Finance Department will be attached to the recap sheet retained on file at the site.

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office
Finance Department
Office of Management and Budget

REFERENCE: None

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D. All revenue will be forwarded intact to the Finance Department daily, if the amount exceeds \$200. in certain cases, designated departments will be permitted to deposit revenue directly to a bank account as authorized by the Finance Department. In these circumstances, the deposit will also be made if the amount exceeds \$200.

Any revenue retained on the site must be safeguarded in a locked cash box, secured in a safe or a locked file cabinet. Copies of receipts are to be kept in a place separate from the revenue.

F. In order to allow time to process revenue and balance daily receipts, it may require that a cut-off time be established at each site. Revenue taken after the cut-off time would be considered in the next day's business.

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Approved By: BCC

Mbe: Revised: 08/24/93

CREDIT ACCOUNT POLICY RESOURCE RECOVERY DEPARTMENT

ORANGE COUNTY PUBLIC UTILITIES DIVISION

I. POLICY:

Uniform procedures for extending of credit and the processing of accounts receivable and their collection for the Resource Recovery Department are a necessary component of sound financial practices. Accordingly, the following procedures are established and the Resource Recovery Department is hereby charged with the responsibility for ensuring compliance.

II. PROCEDURES:

A. Applications for credit accounts:

1. All customers desiring a credit account may apply for credit, in person or by mail at the Orange County Sanitary Landfill located at 12100 Young Pine Road.

2. Customers are required to complete the Resource Recovery Credit Application form and submit either a deposit or surety bond to establish credit.

Information contained on the credit application will be verified, and the customer notified within 10 working days of the status of their application.

4. Approved credit customers may commence use of the Landfill immediately upon notification by the Resource Recovery Department.

B. Deposits/Surety Bonds

1. A cash deposit equal to three times the estimated average monthly bill is required from all customers maintaining credit accounts.

FOR MORE INFORMATION CONTACT: Resource Recovery Department Public Utilities Division

REFERENCE: None

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ORANGE COUNTY ADMINISTRATIVE REGULATIONS

All customer deposits will be reviewed monthly to ensure that existing deposits are adequate and that payments are **being** made in a timely manner. In the event of a deposit being inadequate or a history of delinquent payments, an addition to the existing deposit may be required.

3. A minimum deposit of \$500.00 is required to establish a credit account.

The deposit will be maintained for the life of the credit account. Upon termination of the credit account, the unused portion of the deposit will be refunded to the customers upon written request following payment of the final bill.

5. In lieu of a deposit, customers may submit a surety bond underwritten by a firm acceptable to the County and licensed to write surety bonds in the State of Florida.

Accounts held by governmental agencies and holders of residential franchises in the County's Mandatory Refuse Collection Program are exempt from the deposit/bond requirement in this regulation. Governmental agencies are defined as agencies of local, state, and federal governments, including public schools, state universities, military installations, and other governmental departments. Haulers holding both a residential franchise and a commercial haulers license must post a deposit or bond for the commercial collection and disposal activities.

Interest will be credited annually to accounts posting cash deposits at a rate equal to the annual rate of return for investments, as provided by the Office of the Comptroller.

C. Billing Policy

1. The billing cycle for credit accounts will be on a monthly basis with payment due by the 25th of the month.

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Charges not paid by the 25th will be considered past due.

Credit account customers will be notified, in writing, of their past due status.

Past due charges will be subject to an interest penalty of 1.5% per month (18% per annum) from the due date.

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ORANGE COUNTY No: 6.03.04
ADMINISTRATIVE REGULATIONS Page 3 of 3

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In any case where the accumulated-account balance exceeds the deposit or bond amount, charge privileges will be suspended until the outstanding balance, including **appropriate late** fees, is paid in full. The customer may continue to utilize Resource Recovery facilities on a cash basis only.

6. Past due charges over 90 days will result in the denial of credit privileges at Resource Recovery facilities and imposition of "cash only" status.

D. Reinstatement of Credit Accounts

1. Reinstatement of credit to customers who have had their account revoked will be made at the discretion of the Public Utilities Division.
2. Reinstatement of credit will be considered only upon receipt of the past due charges plus the interest penalties imposed.
3. Reinstatement of credit may require re-application by the customer per sections A and B of this policy.

E. Dishonored Checks

1. All dishonored checks must be replaced with cash or money order within seven (7) days of notification to the check maker.
2. If the dishonored check is for a deposit or cash in advance, no notification will be sent to the check maker, and access to Resource Recovery facilities will be permitted on a cash basis only until such time that cash or money order is presented to replace the dishonored check.

Such a circumstance may, at the discretion of the Public Utilities Division, be considered sufficient grounds for credit account disapproval.

3. The greater of a fee of \$15.00 or 5% of the face amount will be charged on all dishonored checks.
4. The Public Utilities Division will coordinate with the Orange County Finance Department to satisfy dishonored checks.



NO: 6.05.01

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Date: 9-21-87

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Approved By-

Title: **CONTROL OF COUNTY PROPERTY BCC**
Page 1 of 2

I. POLICY:

Inventory of Property.

- A. Florida Statutes require an inventory to be taken whenever there is a change of custodian. A complete physical inventory of all property will be taken annually, and the date of the inventory entered on the property record. Custodians of County property are elected officials and heads of major departments who have been assigned a Fund Control Account Number (FCAN) by the Property Accounting Department. Each department has been assigned an Equipment Package Number (EPN) which identifies the location of the equipment.
- B. Spot check inventories may be held throughout the fiscal year as determined necessary by the Property Accounting Department of the Comptroller's Office.

Transfer of Property.

- A. Whenever property is relocated within a department and results in an Equipment Package Number (EPN) change, the Property Accounting Department will be notified so that record changes may be made.

Serviceable property no longer required by a department will be reported to Property Accounting for redistribution. If there are no requests on file for such property, the Property Section will place the item in storage for future disposition.

II. PROCEDURES:

To facilitate required inventories, the following procedures will be used:

FOR MORE INFORMATION CONTACT: Orange County Comptroller's Office

REFERENCE: Orange County Comptroller's Financial
Procedures-Manual

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ORANGE COUNTY ADMINISTRATIVE REGULATIONS

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A. Property Accounting may furnish each custodian with two copies of a computer listing of all property under his or her control annually and/or upon a change of custodians (when possible, the custodial inventory will be used for the annual inventory). The inventory listing will be broken down by EPN. The custodian will designate a member(s) of his staff in each location to conduct a physical inventory of property items.

B. When the inventory has been completed, one listing will be certified as correct with exceptions (if any) noted and returned to the custodian. A separate form will be furnished to list any overages or shortages. When reviewed by the custodian, the listing will be returned to Property Accounting.

C.

Property Accounting personnel will review-completed inventories and reconcile overages/shortages. Major discrepancies may require a re-inventory by this department.

6.05.02

ORANGE COUNTY No:

ADMINISTRATIVE REGULATIONS Date: 08/24/93

Approved By: BCC

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ACQUISITION OF REAL PROPERTY

Page 1 Of 5

I. POLICY:

All County agencies requiring acquisition of real estate or interests therein shall submit requests for acquisition to the Manager, Real Estate Management Department on a Work Request form (see Exhibits A and B).

A written certification from the Division Director to the Board of County Commissioners will be required for the acquisition of real estate or an interest in real estate that is necessary, in the public interest, and which would result in condemnation in the event negotiations are unsuccessful, as provided for in ordinance **92-29**, The Certification of Necessity form shall be submitted with Work Request form "A". (See Exhibit C)

II. PROCEDURES:

A. Rights of Way, Retention Ponds and Easements - A marked set of tax maps together with a Work Request form (Exhibit A) will be submitted to the Manager, Real Estate Management Department to have title search initiated. The title searches will be performed in-house or contracted from a title company as required based on department workload. If the title work is contracted from a title company a request will be made to the requesting agency to have a purchase order issued.

Record title deeds, labeled with the assigned parcel number, will be provided within 20 days from the receipt of the user agency work request. Title searches, labeled with the assigned parcel number, will be provided within 60 days. Upon completion, copies will be provided to the requesting agency to aid them or their consultant in completing final design.

Bid proposals for appraisal services will be solicited from approved fee appraisers after receipt of preliminary right of way maps or alignment maps and other appropriate information. Fee proposals will be reviewed upon receipt and forwarded to the requesting agency to have a purchase order issued. Appraisal reports will be obtained from appraisal firms in accordance with the established Appraisal Policy and Procedures. For road projects, construction plans must be furnished prior to the completion of the appraisal.

FOR MORE INFORMATION CONTACT: Real Estate Management Department

REFERENCE: None



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ORANGE COUNTY
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Upon receipt of reviewed appraisal reports the land acquisition agent will make an offer for the needed property or property rights and attempt to negotiate a purchase. If negotiations are successful, the acquisition will be finalized in accordance with established procedures. If negotiations are not successful, the Real Estate Management Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorney's Office. (See Paragraph G.)

B. **Sites** - Acquisition of sites to be used for parks, fire stations, or other facilities require the submission of a standard Real Estate Management Work Request form (Exhibit A). This form must include the appropriate fund code number and available amount budgeted for acquisition and related costs.

Unless a specific site is necessary for Public Utilities Division facilities or due to unique requirements of a user agency, the site selection process will be coordinated by the Real Estate Management Department with assistance provided by the Construction Administration Department and the requesting agency. These agencies will discuss all specifics relating to site evaluation, selection and alternatives and recommend a preferred site. Written documentation supporting their recommendation will be provided.

Upon receiving the site recommendations, the Real Estate Management Department Technical Support Section will provide copies of deeds for all sites to the Appraisal section. The Appraisal Section will prepare real estate cost estimates for each site (where a specific site is required an appraisal will be obtained and reviewed at this point). With this information, the land acquisition agent will contact the requesting agency to discuss the site values.

After the estimated value (or appraised value) is accepted by the requesting agency, a Contract for Sale and Purchase will be prepared by the Real Estate Management Department for negotiating purposes. If negotiations are successful, an appraisal, if not already obtained, will be obtained and reviewed per established procedures. If it supports the agreed upon purchase price, the acquisition will be finalized in accordance with established procedures. If an acceptable agreement cannot be reached on the preferred site, with the concurrence of the user agency, the land acquisition agent will proceed with negotiations on an alternate site. If an acceptable agreement cannot be reached on a required site, the Real Estate Management

Department, upon the direction of the user agency, will prepare a condemnation suit package and forward it to the County Attorney's Office. (See Paragraph G.)



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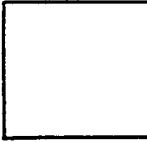
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ADMINISTRATIVE REGULATIONS Page 3 of 5

A commitment policy, showing all encumbrances and other items to be cleared, will be issued, usually within fifteen (15) working days from receipt of an approved contract, by the title company. The Real Estate Management Department, working with the property owner and the title company, will take necessary action to cure all defective items pertaining to the title and make the necessary arrangements for payments to obtain releases for encumbrances at the time of closing. Within the time frame agreed to in the contract, the closing date will be mutually established between the property owner, title company and the Real Estate Management Department upon receipt of all required releases and appropriate approval of the purchase. The closing will be held at either the offices of the title company, County Attorney's Office or Real Estate Management Department at which time the transaction is completed.

Cost and Value Reviews - Appraisal reviews in connection with credit for impact fees and estimated land costs for analysis and budgetary purposes are performed by the Real Estate Management Department for user agencies. In order for the Real Estate Management Department to perform these functions requesting agencies must submit their requirements and adequate documentation far enough in advance to permit a reasonable amount of time to complete the work assignment. Requests will be submitted to the Manager of the Real Estate Management Department utilizing the standard Real Estate Management Work Request form (Exhibit A).

D. **Development** - Commercial and residential development projects may require dedication of rights of way, easements, etc., by separate instrument. A Development Acquisition work Request (Exhibit B) together with the required attachments should be submitted to the Manager of the Real Estate Management Department. The package will be reviewed and the required acquisition instruments prepared and returned to the contact person (i.e., owner/developer) for securing execution of all instruments. Upon execution, the *instruments will* be returned to the Real Estate Management Department for review and acceptance. Deficiencies in submittals by the developer will be addressed directly by the Real Estate Management Department to the developer. The developer must provide a check payable to the Orange County Comptroller for recording fees and documentary stamps prior to recording. A check for prorated taxes payable to the Orange County Tax Collector will also be required for lands acquired in fee simple, i.e. lift stations, retention ponds, etc.

IF



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No: **6.05.02**

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Page 4 of 5

Once the instruments are recorded, the contact person will be notified that all real estate requirements for that particular development project have been met. Copies of the recorded instruments will be available for the contact person or property owner/developer, if desired.

E. **Donations** - Any offer to donate real property made directly to a user agency will be forwarded, with its recommendation for acceptance of the donation, to the Real Estate Management Department. A preliminary title search will be conducted to determine ownership and defects in the title which would prohibit orange County from taking clear title. The user agency will be consulted and advised of all issues affecting the property to be donated.

If an offer to donate property is made through the Real Estate Management Department, a preliminary title search will be conducted to determine ownership and defects in the title. Based on the title information, location and size of the parcel, user agencies will be requested to review the information and make a determination of whether the parcel is suitable for use by the County.

Upon the determination that the property may be accepted by Orange County, the necessary instruments will be prepared and forwarded for execution. Board approval will be obtained upon receipt of completed instruments. Every effort will be made to complete the donation process as expeditiously as possible.

If the property is unsuitable for use by the County, the Manager of the Real Estate Management Department will direct a letter to the owner outlining the County's decision to decline the donation offer.

F. **Environmental Assessments for Property Acquisition** - On all property acquired by Orange County, either by purchase or donation, the requesting agency should coordinate all environmental assessments with the Risk Management Department prior to the appraisal process being initiated. The assessments may require two phases.

The Phase I assessment is principally a screening exercise which focuses on a review of available documents, an interview with personnel aware of site operations, and a site inspection. A Phase II environmental assessment should be obtained from a qualified environmental consultant in cases where the results of a

Phase I assessment dictate. If contamination is found, the Phase II assessment should contain an estimated clean-up cost.

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Suit Preparation - For those parcels not acquired through negotiations, consideration must be given to acquisition by condemnation. The Real Estate Management Department must receive direction in writing from the requesting agency that condemnation action is necessary. The requesting agency will also be required to submit a staff report detailing the specifics of the project and its necessity to serve public need to support condemnation action.

The Real Estate Management Department will prepare and submit a resolution to the Board for approval. Suit information will be verified and submitted to the County Attorney's Office for their formal filing in the Circuit Court. The Appraisal the Real Estate Management Department will request appraiser update the appraisal report for those litigated with the valuation date to be within one

review and Section of that the fee parcels to be hundred Taking. and upon to have a

and twenty (120) days prior to the date of the Order of Fee Proposals will be requested from the fee appraiser receipt and review submitted to the requesting agency purchase order issued.

After the County Attorney's Office files suit in the Circuit Court, an Order of Taking is usually scheduled within ninety (90) days. orange County does not take possession of the property until the funds (good faith estimate of value) as specified by the court are deposited into the registry of the court, not later than twenty (20) days after the Order of Taking date.

The County Attorney's office, working with representatives from the Real Estate Management Department and the requesting agency attempts to settle, by stipulated final judgment, as many of the parcels involved in the suit as possible. Any parcels not settled will eventually go to jury trial for final resolution.

The appraiser may be required by the Real Estate Management Department, as requested by the County Attorney's Office, to update the appraisal report estimating the established fair market value as of the date of deposit, which is the date the County officially took possession of the property. The user agency staff as well as the Real Estate Management Department staff will be required to participate in the condemnation process as required by the County Attorney's Office.

H. **Reports** - Real Estate Management will provide status reports to user agencies for all active CIP projects.

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FUND CODE: _____ CIP #: _____

NAME: _____

PURPOSE: _____



FROM:

PROJECT ENGINEER/COORDINATOR:

DEPARTMENT: DIVISION:

PROJECT NAME LIMITS:

TOTAL # PARCELS:

COUNTY COMMISSION DISTRICT #

CHECK LIST OF ITEMS TO BE PROVIDED BY REQUESTING AGENCY
(PROVIDED)

EXHIBIT "A"

FORM "As"

- TAX MAPS (Required)
- TAX ROLL PRINTOUT (optional)
- LEGAL DESCRIPTIONS (Required for Appraisal)
- CONSTRUCTION PLANS (Required for Appraisal)
- ENVIRONMENTAL ASSESSMENT (Required for Site Acquisitions)
- STAFF REPORT (Required for Condemnation)
- CERTIFICATION OF NECESSITY FORM (Required if Condemnation may be used)

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STANDARD REAL ESTATE KANAGEMENT WORK DATE:
REQUEST TO: MANAGER, REAL ESTATE
MANAGEMENT DEPARTMENT

PHONE NUMBER:-
CHECK LIST OF ACTION REQUESTED
(REQUESTED)

TITLE SEARCH (Required for Acquisition)
LAST DEEDS ONLY (When title search is not required)
APPRAISAL (Required for negotiation of purchase or condemnation)
COST ESTIKATES/REVIEW (Performed for preliminary design and budgeting)
NEGOTIATIONS (for Donation)
NEGOTIATIONS (for Purchase)
RIGHT OF ENTRY (Temporary use - expiration date and purpose required)
Purpose:
ANTICIPATED CONSTRUCTION LETTING DATE:

REMARKS OR SPECIAL INSTRUCT

|
a

ADDRESS:
EXHIBIT "S"

DEVELOPMENT ACQUISITION WORK REQUEST

(DEPARTMENT)

DRAINAGE EASEMENT - PERMANENT TEMPORARY (EXPIRES

AND IS BEING PROCESSED CONCURRENTLY WITH:

(PHONE NUMBER)

(PHONE NUMBER)

THE FOLLOWING ITEMS MUST BE PROVIDED WITH THIS REQUEST:

1. LEGAL DESCRIPTION WITH AREA CALCULATED & SKETCH PREPARED BY SURVEYOR, APPROVED & INITIALED BY COUNTY SURVEYOR AND/OR COUNTY STAFF ENGINEER.

CURRENT TITLE EVIDENCE (TITLE SEARCH, POLICY OR OPINION)

COPIES OF ALL ENCUMBRANCES LISTED ON TITLE EVIDENCE REPORT (THIS IS NOT REQUIRED FOR TEMPORARY EASEMENTS ONLY)

ENVIRONMENTAL ASSESSMENT (SPECIAL NOTE) 6. COUNTY COMMISSION DISTRICT #

7. PROPERTY OWNERS NAME:

PLEASE NOTE: THIS ENTIRE PACKAGE MUST BE PROVIDED TO THE REAL ESTATE MANAGEMENT DEPARTMENT FROM AN ORANGE COUNTY STAFF MEMBER. THIS IS TO ENSURE THAT THE LEGAL DESCRIPTION(S) AND TYPES OF DOCUMENTS REQUESTED MEET ORANGE COUNTY'S REQUIREMENTS. THIS PACKAGE WILL BE RETURNED TO THE ABOVE REFERENCED CONTACT PERSON WITH ALL NECESSARY DOCUMENTS TO BE EXECUTED. ONCE ALL REQUIRED DOCUMENTS HAVE BEEN PROPERLY EXECUTED THE PACKAGE SHOULD BE RETURNED TO THE REAL ESTATE MANAGEMENT DEPARTMENT FOR APPROVAL AND RECORDING. A CHECK FOR TITLE DOCUMENTARY STAMP TAX AND RECORDING FEES MUST BE RETURNED WITH THIS COMPLETED PACKAGE. THE CHECK MUST BE PAYABLE TO: ORANGE COUNTY COMPTROLLER IN THE AMOUNT OF \$. THE ORANGE COUNTY STAFF MEMBER THAT SUBMITS THIS PACKAGE TO THE REAL ESTATE MANAGEMENT DEPARTMENT WILL BE NOTIFIED WHEN THE PACKAGE IS COMPLETE, APPROVED AND RECORDED.

ALL FEE SIMPLE ACQUISITIONS REQUIRE PRO-RATED TAXES BE PAID TO THE DATE OF CLOSING. A CHECK MUST BE RETURNED WITH THE COMPLETED PACKAGE IN THE AMOUNT OF \$ PAYABLE TO EARL K. WOOD, ORANGE COUNTY TAX COLLECTOR. (COPY OF STATEMENT ATTACHED DPLICABLE)

SPECIAL NOTE: ENVIRONMENTAL ASSESSMENTS WILL BE REQUIRED FOR SITES SUCH AS PARKS, RECREATIONAL AREAS AND PUMP STATIONS FOR REVIEW AND ACCEPTABILITY BY APPROPRIATE STAFF.

FORM "B"

DATE:-

MANAGER, REAL ESTATE MANAGEMENT DEPARTMENT

FROM:
(NAME)

CONTACT:
(OWNER/DEVELOPER)

PREPARE ACQUISITION DOCUMENTS TO BE DONATED FOR THE FOLLOWING PURPOSE(S):

RIGHT OF WAY -PUMP STATION OTHER

UTILITY EASEMENT - PERMANENT TEMPORARY (EXPIRES
THIS IS IN CONNECTION WITH THE DEVELOPMENT ENTITLED:

PROPERTY SPLIT PLAT VACATION PLAT BUILDING PERMIT
RIGHT OF WAY VACATION EASEMENT VACATION OTHER

COPY OF WARRANTY DEED INTO THE CURRENT OWNER OF PROPERTY

PHONE NUMBER:

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EXHIBIT "C"

ORANGE COUNTY BOARD OF COUNTY COMMISSIONERS

CERTIFICATION OF NECESSITY

Pursuant to Orange County ordinance No. 92-29, 1,
Director,

Division, certify that the acquisition of real estate or an
interest in real estate on the following described project is
necessary and in the public interest:

Project Name:

Project Limits:

Brief Description:

Certified this

Signature, Division Director

day of . 19

County Chairman Linda W. Chapin Commissioner Bob Freeman commissioner Tom Staley
Commissioner Mary I. Johnson Commissioner Fran Pignone commissioner Bill Donegan
Commissioner Mable Butler
County Administrator's office
Manager, Real Estate Management Department
County Attorney's Office
File

No: 6.05.04

ORANGE COUNTY

Daw: 12/03/91

ADMINISTRATIVE REGULATIONS

Approved By: BCC

TWe:

DISPOSITION OF TANGIBLE PERSONAL PROPERTY

Page 1 of

POLICY:

Surplus tangible personal property shall be disposed of in accordance with the Florida Statutes. The County Comptroller's Office Property Accounting Department will act as the custodian for all surplus tangible personal property. All actions regarding the disposition of this property shall be coordinated through the Property Accounting Department.

II. PROCEDURES:

A. Having consideration for the best interests of the County and the potential for disposal by each method, surplus property shall be disposed of by one of the following methods:

1. Property may be offered to other governmental units for value or through request for bids.

Property without market or salvage value may be donated to other governmental agencies, - not-for-profit organizations or human services agencies, destroyed, or abandoned.

3. Property may be used as a trade-in on new equipment. In this case, since the property is often still in the original custodian's custody, the Property Accounting Department must be notified prior to a **department** obtaining a Purchase Order for the new equipment so that approval by the Board of County Commissioners may be obtained for disposition of the old equipment.

FOR MORE INFORMATION CONTACT:

REFERENCE:

orange County Comptroller's Office
Property Accounting Department

Section 125.38, Florida Statutes Section 274.02, Florida Statutes Section 274.04, Florida Statutes Section 274.05, Florida Statutes Section 274.06, Florida Statutes Section 388.323, Florida Statutes Chapter 10.400, Florida Administrative Code (Rules of the Auditor General)

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All
ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.05.04

Page 2 of 2

4.

Property with an estimated value between \$100 and \$200 may be sold to the highest bidder after a request for at least three bids or by public auction. Property with an estimated value of \$200 or more may be sold to the highest bidder or by public auction after publication of a notice of sale.

Surplus arthropod control property shall be offered first to other counties or districts engaged in arthropod control at a price determined by the Board. If no reasonable offer for the property is obtained, the property must then be offered to other governmental units. If there is no interest in the property, it may then be disposed of through other methods noted in this section.

6. The Board of County Commissioners upon receipt of an application may approve by resolution the conveyance or lease of tangible personal property to another governmental agency or not-for-profit organization established for the purpose of promoting community interest and welfare. In this instance, the Board may convey or lease the property through private sale to the applicant at an established price, nominal or otherwise. No advertisement shall be required.

B. Authority for all dispositions of tangible personal property shall be obtained from the Board of County Commissioners and reported in the Board minutes.

C. Any proceeds from the sale of property will be deposited back into the purchasing proprietary fund or into the general fund, as appropriate.

D. The Property Accounting Department shall maintain details of each disposition in the property records as required by Chapter 10.400, Florida Administrative Code (Rules of the Auditor General).

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

'rifle:

I. POLICY:

ESTABLISHMENT OF FEES FOR COUNTY SERVICES

NO: 6.06

Date: 6-8-87

Approved By.
BCC

Page 1 Of 1

A. In developing a recommendation to institute, abolish, raise, or lower fees for County services, action may be originated by the Board of County Commissioners or by other elected officials, by the Office of the County Administrator, or by individual departments.

B. The Board of County Commissioners shall formally adopt a schedule of fees to be charged for County services. They may adopt a schedule by affirmative resolution, or, when required, conduct public hearings to consider proposed ordinances/amendments to ordinances, and then take formal action as required by state law.

C.

II. PROCEDURES:

All proposed fees must meet the requirements of state law in order to be considered.

A. Generally, fees will be reviewed and revised by the Board of County Commissioners on an annual basis - preferably in January of each year. This does not prevent submission of fees for approval on an ad hoc basis if required.

B. The Office of Management and Budget is responsible for reviewing and recommending all fee revisions. No fee revisions are to be presented to the Board of County Commissioners for approval unless they have been reviewed by that office. OMB is responsible for designing the appropriate forms to collect fee revision data, coordinating with departments for fee revision needs, analyzing and preparing revised fee revenue estimates, and ensuring appropriate legal review in preparation for approval by the Board of County Commissioners.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Orange County Annual Fee Directory

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Title:

Page 1 of 1

No: 6. 0 7

**ORANGE
COUNTY**

**ADMINISTRAT
IVE
REGULATIONS**

PAYMENT OF
FEES ON

COUNTY
CONSTRUCTION

Approved By:
BCC

Date: 5-11-87 I. POLICY:

Building permit fees and other similar fees for County construction will be paid whether construction is performed by County forces or by an independent contractor.

FOR MORE INFORMATION CONTACT: County Administrator's Office

REFERENCE: None

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II I

No: 6.08

ORANGE COUNW

ADNNISTRATIVE REGULATIONS **Date: 6-8-87**

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Approved By.

Tide: BCC

**PAYMENT OF DUES FOR PROFESSIONAL ORGANIZATIONS/
MEMBERSHIPS** Page 1 of 1

I. POLICY:

Orange County will pay dues to professional organizations and purchase memberships in organizations when not inconsistent with the law and where a demonstrable benefit accrues to the County through such memberships. Where possible, agency memberships will be acquired rather than individual so that maximum benefit in terms of numbers of participants can be achieved.

II. PROCEDURES:

A. Dues and memberships will be detailed and justified through the annual budget process. Once approved in this process, department managers and division directors may process these items in accordance with normal purchasing procedures.

B. Employees must obtain prior approval of the County Administrator or his designee prior to accepting leadership positions in any professional organization which would require the use of County time or resources.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: None

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IF" ORANGE COUNTY No: 6.09
ADMINISTRATIVE REGULATIONS Date: 02/16/87

Approved By: BCC

Title: Revised: 08/24/93

PROCUREMENT POLICIES AND PROCEDURES

Page I Of 2

I. POLICY:

The Purchasing and Contracts Department serves as the central coordination point for establishment of all County contracts with the exception of specified contracts as delegated to other County departments.

II. PROCEDURES:

In accordance with County Procurement Ordinance 92.26 and the Orange County Purchasing Procedures Manual, -the procurement of all materials, supplies, equipment, construction, and non-professional and professional services is the sole responsibility of the Purchasing and Contracts Department.

The Procurement Ordinance, which is included as an enclosure in the Purchasing Procedures Manual, prescribes the general laws regarding the procurement process, among which are:

- A. Procurement Terms and Definitions
- B. Authority of the Purchasing and Contracts-Department
- C. Mandatory limit(s) for publicly noticed competitive bidding, and related requirements
- D. Methods of Source Selection
- E. Exemptions from the bidding requirements
- F. Bid Protest Procedures
- G. Suspension and Debarment Procedures

The Purchasing Procedures Manual is a tool for use by divisions/departments wishing to purchase materials, supplies, equipment, construction, and professional and non-professional services. The manual provides information and procedures in the following areas:

- A. proper instructions for completing requisitions
- B. handling purchase orders
- C. emergency purchase procedures
- D. term contracts and release orders
- E. blanket purchase orders
- F. field purchase orders
- G. quotation and bid limits
- H. RFP evaluation procedures

FOR MORE INFORMATION CONTACT: Purchasing and Contracts Department

REFERENCE: Procurement Ordinance 92.26



-FIF

ORANGE COUNTY No: 6.09
ADMINISTRATIVE REGULATIONS Page 2 of 2

- I. exemptions to bidding requirements
- J. handling poor vendor performance
- K. handling invoices
- L. receiving goods and materials

To obtain copies of the Purchasing Procedures Manual and/or the Procurement ordinance, contact the Purchasing and Contracts Department.

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Approved By:

Title: BCC

CONTRACT ADMINISTRATION

Page I of 3

REFERENCE: None

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I. POLICY:

II. PROCEDURES:

as the central

A. The Contracts Administrator shall coordinate with the Legal Department in standardizing contract instruments, thereby providing consistent and effective documents that will adhere to County policies and regulations and verify that all documents have been approved by the Legal Department prior to submission to the Board of County Commissioners.

B. Coordinate with Risk Management on the following contract requirements:

Determine the adequate levels and types of insurance coverage to be provided for the County's protection.

C.

2. Review contract provisions for proper indemnifications.

3. Strive for risk exposures to lie with non-County parties.

Coordinate with all departments and agencies to ensure funding availability, proper approval, execution, distribution, and implementation of contracts for the Board of County Commissioners.

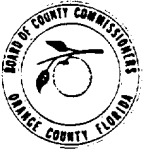
D. Participate in negotiations and meetings concerning contracting procedures and policies, including meetings of the Professional Services Review Committee and the Human Services Council.

E. Maintain a contract library of standard agreements to provide consistency in format and terminology.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

A. The Contracts Administrator shall act coordination point for all County contracts.

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ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No: 6.09

Page 2 of 3

Provide and maintain a contract register for the Board of County Commissioners that will include the following information:

1. Contract number, title, type and award date.

Vendor name,
representative.

Original contract amount.

address, telephone and contract

4. Contract Change Order numbers and amounts.

Adjusted contract total.

6. Required completion dates or contract period as applicable.

7. Payment requests including dates of payment, payment amount, and total paid to date.

8. Record of any bonding or insurance requirements.

9. Originating department and contact person.

10. Final contract expiration or completion date.

11. Funding source of the contract.

G. Prepare agenda items relating to contract approval for inclusion on the County Administrator's agenda.

H. Coordinate with EEO and M/WBE in contractual matters and assist them in monitoring their contractual responsibilities.

I. Interface with the user department's project manager and others responsible for the technical aspects of contracts providing them with any information they may need as well as obtaining status reports concerning the progression of contract.s, including revised completion dates.

J. Verify that the Purchasing Department has obtained performance and payment bond information. Originals should be filed with the Clerk to the Board. Contract Administrator will retain a copy.

K. Verify that all payment requests are appropriately signed by the designated project manager and are in compliance with contract terms before initialing and submitting to Finance for payment.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS
No: 6.09

Page 3 of 3

Process all contract change orders for Board approval as requested by appropriate project manager after verifying funding availability.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:

SUMMARY OF APPROVAL LEVELS

POLICY:

NO: 6.09.01

Date: 05/11/87

Approved By- BCC

01/02/gA

Numerous County policies and procedures provide for levels of approval on County documents.

Ii. PROCEDURES:

The following pages outline the levels of approval authority required on County documents in accordance with policies outlined throughout these Administrative Regulations. It is provided as a convenient reference. Readers are referred to appropriate sections throughout these Regulations for more detailed information.

REQUEST REPEAL OF THIS ADMINISTRATIVE REGULATION. ALL INFORMATION IS CONTAINED IN OTHER ADMINISTRATIVE REGULATIONS. THIS SUMMARY WILL BE PUBLISHED ANNUALLY IN MEMO FORM RATHER THAN REQUIRING ANNUAL ADJUSTMENTS TO MANY ADMINISTRATIVE REGULATIONS.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Applicable Administrative Regulations

ADMREG27 01/02/96

LEVELS OF AUTHORITY TO APPROVE/SIGN COUNTY DOCUMENTS

- 2)
- 1) All grant-related items (personnel, purchases, applications) require Grants Accounting approval. Levels of approval authority within the Purchasing Department to be established by the Department Manager.
- 3) All purchases of greater than \$10,000 require the approval of the Board of County Commissioners.
- 4) All capital expenditures require the approval of OMB.
- 5) All requests for rolling stock must be approved by Vehicle Maintenance.
- 6) Computer hardware or software requires approval by Data Center.
- 7) Telecommunications equipment requires approval by Telecommunications.
- 8) Board of County Commissioners allows certain departments to bypass the normal bidding procedure (not requiring the usual 3 quotes) in Emergency situations. They are: Facilities Management Refuse Disposal Public Utilities Fire Department Vehicle Maintenance Transportation Highway Department

PREPARED: 01-08-87

2.

BY: OMB

F.P.O.'s cannot be used for the following:

- Category

1. Purchasing Documents

A. Field Purchase Orders used to purchase goods/ services under \$200.00

Level of Authority

Purchasing Department

I. Designated department personnel

- 1. Partial shipments or back orders
- 2. Stock replenishment
- 3. Fixed assets (equipment)
- 4. Office furniture&equipment (regardless of amount)
- 5. Items on County or State contract
- 6. Catalog orders for items from Out of State suppliers that can be purchased locally.
- 7. Blanket Purchase Orders
- 8. Aesthetic Supplies (i.e. flowers, pictures. plants)

NOTES:

Category

Level of Authority

Exception to \$200.00
Limit-There are eight
departments who have the
authority to use F.P.O.'s for
purchases up to \$1,000.00 for
emergencies only:

B. Release Orders -for
purchases
on established Orange
County or
State contracts

\$1,000 or less

\$1,000 to \$10,000

\$1,000 to \$10,000

2. Capital Equipment \$200 to
\$10,000

1. Designated department
personnel
2. Purchasing Department

All of the above plus OMB

1. Designated department
personnel
2. Purchasing Department

All of the above plus OMB

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9. Carpets,
drapes&curtains
10. Rental of equipment
11. Subscriptions

1. Facilities Management
2. Refuse Disposal
3. Public Utilities
4. Highway
5. Civic Center
6. Vehicle Maintenance
7. Transportation
8. Engineering
Department

Purchase Requisitions for:

1. Su plies and Services
\$1,000 or less

3. Lease/Lease Purchase or
Rental of Equipment \$10,000
or less - Tangible

1. Designated department
personnel
2. OMB
3. Purchasing Department

1. Designated department
personnel
2. OMB
3. Legal Department
4. Purchasing Department

Category

4. Real Property

\$1,000 to \$10,000

Level of Authority

Legal Department Board of County
Commissioners

D. Change Orders to Purchases
_____ \$1,000 or less

II. Contractual Obligations
A. Construction Contracts
_____ Over \$10,000

(Under \$10,000 falls under
category of Purchase Requisition/
Supplies & Services)

B. Change Orders to Construction
_____ Contracts

C. Pay Requests
_____ 1. Interim and final
a. Pay requests
for Public Utilities

Construction Administrator
Director or Deputy
Director or Public
Utilities or Chief
Engineer/Construction

2. Contracts Administrator

- 3. Legal Department
- 4. Risk Management
- 5. Purchasing Department
- 6. Board of County
Commissioners

- 1. Construction Administrator
Director or Deputy
Director of Public
Utilities or Chief

- Engineer/Construction
Contracts Administrator
- 3. Board of County
Commissioners

2.

- Construction Coordinator or
Project Manager
Manager of Construction or
Manager of Engineerir
- 3. Fiscal Office
- 4. Director or Deputy Director
- 5. County Administrator or
designee (**Yinal Only**)
- 6. Contracts Administrator
- 7. Water&Wastewater Acctng.

- 1. County Administrator
- 2.
- 3.

2.

- 1. Designated department
personnel Purchasing Department

All of the above plus OMB

Category

Level of Authority

\$1,000 to \$5,000

b. Pay requests for Public Works (Engineering) 1.
2.

c. Pay requests for all other Construction projects 1.
2.

Project Manager
Chief Engineer/Operations,
Construction Chief
Engineer or Manager-Water
Management
The County Engineer or The
Assistant County Engineer 4.
County Administrator or designee
(Final Only) 5. Contracts
Administrator 6. Finance
Department or Grants Accounting

Construction Administrator
County Administrator or designee
(Final Only) 3. Contracts
Administrator 4. Finance
Department or Grants Accounting

1. Designated department
personnel 2. Purchasing
Department

All of the above plus:
OMB
Legal Department
Risk Management
Contracts Administrator

All of the above plus Board of
County Commissioners

Contracts for Architectural,
Engineering and Land Surveying
Svcs. over \$5,000 and all other
Professional Services over
\$10,000 should go before PSRC.
The Committee submits short-list
to Board. Board selects firm.
After negotiations are finalized,
PRSC reviews and approves final
contract and submits to Board for
approval.

D. Professional Services
_____ \$1,000 or less

Over \$5,000

Category

Level of Authority

E. Change Orders to Professional

1.

Services

Grants Applications

Department prepares documentationsends copy of grant application to OMB and Grants Acct. and Personnel, if the grant includes personnel. If there are no problems, Department Manager submits grant application to the County Administrator to include on agenda for Board of County Commissioners' approval.

B. Budget Amendments Amendments for unanticipated revenue or correction of an error 1.

Amendments recognizing unanticipated revenue from an anticipated source or amendments affecting federal revenue sharing.

Must be considered in a public hearing.

Designated department personnel

2. Contracts Administrator (for funding & CIP information)
3. PSRC

4. Board of County Commissioners

4. Finance

2- Any transfer from one department to another department

Board of County Commissioners

Originate in Comptrolle Office

2. OMB

3. County Administrator's Office

4. Board of County Commissioners

III. Budget Items

A. Budget Transfers

Intradepartmental transfers

I. Department Manager or designee

2. OMB

3.

Comptroller/Fiscal

Exceptions:

1. Any transfer from any reserve All of the above, plus account

Category

C. Capital Improvement Amendments

D. Travel Requests

E.

(i.e. subscriptions)

Level of Authority

1. Department Manager
2. Division Director
3. OMB
4. County Administrator or designee

Reclass or "in lieu of" to go from lower to higher classification

1.	Personnel Department
2.	OMB
3.	County Administrator or designee

If temporary (less than 4 months, or "casual") position or "in lieu of" to go to higher/lower classification.

1. Personnel Department
2. OMB

B . ECN's
Normal actions (hiring, merit increase, transfers, etc.)

1. Department Manager
2. Personnel Department

"Special cases" such as demotion, All of the above, plus County paying out of classification, Administrator pay adjustments in administrative pay plan."

- Department Manager
Personnel Department
Manager
3. County Administrator

Non-P. 0. 's
Purchase of supplies/services not covered by purchase order, contract or agreement.

1. Designated department personnel
2. OMB and/or County Administrator or designee

Also paying above entry level or 1.
special merit increases 2.

IV. Personnel

A. Position Vacancy Requisitions

Increase in force for positions not budgeted.

1. Designated department personnel
2. OMB
3. Board of County
Commissioners

1. Personnel Department
2. OMB
3. County Administrator
4. Board of County
Commissioners

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ORANGE COUNTY

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ADMINISTRATIVE REGULATIONS

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MiUe:

**DIVISION/DEPARTMENT CONTRACT PREPARATION
RESPONSIBILITIES**

I. POLICY:

No: 6.09.02

Date: 6-8-87

Approved By.
BCC

Page 1 Of 2

Although the Contracts Administrator serves as the central coordination point for all County contracts, operating Division Directors and Department Managers have certain responsibilities for ensuring the timely processing and accurate presentation of contracts.

II. PROCEDURES:

Division Directors are to ensure that construction contracts submitted for the Board of County Commissioners' approval contain provision for liquidated damages in an amount no less than \$500 per day. This is to ensure that the amount of liquidated damages is sufficient to compel the contractor to complete the contract in a timely fashion.

B. The Legal Department/Contracts Administrator/Purchasing Department will review contracts to ensure that there is adequate provision for both liquidated and actual damages. In the latter case, it will be the responsibility of the operating department manager to ensure that adequate documentation is kept to substantiate the amount of actual damages.

C.

All construction contracts must be routed through the Purchasing Department which will be responsible for reviewing for compliance with the County's Fairness in Procurement Ordinance and for coordinating with the Contracts Administrator/Legal Department to ensure that all contract provisions are adequate. This review is to take place before any such contracts are presented to the Board of County Commissioners on any agenda for approval.

FOR MORE INFORMATION CONTACT:

REFERENCE:

Office of Management and Budget

Administrative Regulation 6.09 Contracts Administrator

D. Department Managers and Division Directors are responsible for ensuring that contracts are processed to the Board of County Commissioners in a timely manner. It is unacceptable for substantial contract work to have taken place prior to the contract being presented for approval, regardless of whether the expenditure of any funds is involved. The Contracts Administrator will be responsible for assisting in any required follow-up to ensure that contracts are processed in a timely manner.

No: 6. 10. 01

ORANGE COUNTY

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ADMINISTRATIVE REGULATIONS Date: 5-02-88

Approved By: BCC

Title: **REQUIREMENTS FOR ACCEPTABLE LETTERS OF CREDIT** Revised 11-19-90

Page 1 of 3

I. POLICY:

Under the provisions of the Transportation, Fire and Law Enforcement Impact Fee Ordinances, and other applicable service provision regulations, Orange County will accept a satisfactory irrevocable letter of credit allowing a developer to defer payment of fees until a certificate of occupancy is issued for the structure in question. This privilege has been extended to afford the developer an opportunity to maximize the cash flow pro forma for a given project. This process allows the developer to obtain building permits without paying the full fees due on a project at the time of issuance of the building permit.- It does not, in any way, reduce the total liability for payment of fees due to the County from the project. All developers who submit letters of credit must adhere to the following procedures:

Ii. PROCEDURES:

A. Prior to the submission of a letter of credit or any associated documentation, the developer must obtain example deferral agreement forms from the Orange County Office of Management and Budget. The developer must then submit fully executed deferral agreements to be covered by the letter of credit. These agreements must be signed and notarized by the developer or his representative and state the financial institution upon which the letter of credit is to be issued and drawn.

B. When the fully executed deferral agreements are received from the developer, the documentation is reviewed by the Office of Management and Budget, the Legal Department, and the Comptroller's Office. This stage of the review process requires approximately one to two weeks.

C. If the above referenced departments reject the form or content of the applicant's deferral agreement, the applicant has two options. He may submit a revised deferral agreement, or he may

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Orange County Ordinances Nos. 85-2,
85-34 and 86-11

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 6. 10. 01

Page 2 of 3

appeal staff's determination to the County Commission. Those individuals who pursue the second alternative are requested to contact the Office of Management and Budget for further details.

D. If the above referenced departments approve the deferral agreement(s), the Office of Management and Budget will request the developer to submit the original letter of credit as provided for in the deferral agreement. The original letter of credit and the deferral agreements are retained by the County Comptroller while they are in the County's possession. Copies of all documentation will be forwarded to the County Administrator's office for approval by the County Administrator or designee. This stage of the review process requires approximately one week. Letters of credit must conform to the following minimum requirements:

1.

Letters of credit must be irrevocable and adhere to the guidelines set forth in the applicable ordinances.

2. Letters of credit must be drawn on a financial institution having an office in Orange County which is acceptable to the County in its sole discretion.

The dollar amount of the letter of credit must reflect a strict application of the fee schedules set forth in the fee ordinances. This dollar amount will be verified by the Office of Management and Budget through the Building Department. If the letter of credit does not fully cover all fees due on the project, it cannot be approved and no building permits will be issued.

Letters of credit must be made payable to the Orange County Commission.

If the County Administrator or designee approves the letter of credit, the office of Management and Budget sends a letter to the developer which provides notification of approval.* The developer must submit the original of this letter to the Building Department in order to defer payment of the applicable fees to the issuance of the Certificate of Occupancy.

F. Letters of credit are limited to a duration of no more than two years. The County may allow the developer to extend the duration of the letter of credit for six (6) additional months. Under no circumstances will the County grant more than one extension. An extension to a letter of credit is subject

G.

No: 6.10.01

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

to the same review process as the original letter of credit. If the developer wishes to request this extension, he must notify the office of Management and Budget of such intent at least thirty (30) calendar days in advance of applying for such an extension. This notice must be in writing, and the responsibility for ensuring that this notice is received rests with the developer. An addendum to the original letter of credit or a substitute letter of credit must be provided to the Office of Management and Budget in order to secure an extension. Such documentation must be received at least fifteen (15) working days prior to the expiration date of the original letter of credit. Failure to do so will result in the County drawing on the expiring letter of credit as provided herein under Section I.

A draw on the letter of credit requires the signature of the Chairman of the County Commission and the County Comptroller (along with the County seal) to be deemed a valid request for payment. The developer may submit a check drawn on a local bank for the full amount due ten (10) working days prior to the expiration date of the letter of credit. Under no circumstances will the County accept a check which is submitted less than ten (10) working days prior to the expiration date of the letter of credit. The County will submit letters of credit for payment five (5) working days prior to the expiration date of the letter of credit.

H. If the letter of credit is provided as temporary security pending the disposition of an appeal regarding the fee dollar amounts, the letter of credit will be released when the appeal has been processed to the satisfaction of the

Office of Management and Budget and when the developer secures the fees determined as a result of the appeal.

I. Letters of credit accepted as security will be released five (5) days after the developer or project owner pays all fees due on the project. Those fees deferred by the letter of credit must be paid in full to the Orange County Building Department at least ten (10) working days prior to the expiration date of the letter of credit. The Building official then provides written notification that all fees have been paid to the Office of Management and Budget. In order to receive the letter of credit, the developer or his representative must sign and notarize a release authorization form. If the fees are not paid at least ten (10) working days prior to the expiration date of the letter of credit, the County will proceed to draw on the letter of credit.

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No: 6. 11. 01

(14 ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 9-21-87

Approved By: BCC

Tide: Revised 9-18-89

ORANGE COUNTY TRANSPORTATION IMPACT FEE
ALTERNATE STUDY.GUIDELINES Page 1 of 5

I. POLICY:

Under Section 8A of Orange County Ordinance #85-34, "In the event an applicant believes that the cost of off-site roadway improvements needed to serve his proposed development is less than the fee established in section 7 of this Ordinance, the applicant may submit an alternative fee calculation to the County Administrator or his designee pursuant to the provisions of this section. If the County Administrator or his designee finds that the data, information and assumptions used by the applicant to calculate the alternative impact fee satisfy the requirements of this section, the alternative impact fee shall be deemed the impact fee due and owing for the proposed development." The County Administrator has directed the office of Management and Budget to act as his designee in this matter.

Section SC of Orange County Ordinance #85-34 states, "The alternative impact fee calculations shall be based on data, information or assumptions contained in this Ordinance or independent sources, provided that:

The independent source is an accepted standard source of transportation engineering or planning data or information, or

2. The independent source is a local study carried out by a qualified traffic planner or engineer pursuant to an accepted methodology of transportation planning or engineering.

If a previously approved development submitted, during the approval process, a traffic impact study substantially consistent with the criteria required by this Section 8, and if that study is determined to still be valid, the traffic impacts

shall be presumed to be as

In such circumstances, the road
development under this Ordinance
to reflect the presumed traffic

There shall be a rebuttable

of the approved development
described in such prior study.
impact fee payable for such
shall be revised accordingly
impact of such development.

FOR MORE INFORMATION CONTACT:
OMB

REFERENCE: Orange County
Ordinance #85-34

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ii. PROCEDURES:

No: 6.11.01

Page 2 of 5

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

presumption that a traffic impact study - conducted more than five years earlier is invalid. This subsection 8C.(3) shall not **apply where development order** previously granted provides that **the provision** of this ordinance shall supersede such traffic impact study."

A. The alternative impact fee study consists of analyzing the trip generation and trip length characteristics of a project. If the project is commercial, capture and diversion must also be studied. All persons who opt to conduct an alternative traffic study are requested to contact the Office of Management and Budget to schedule a pre-application meeting. If possible, representatives from the Public Works and Development Division will attend. At this meeting, county-staff will cover the basic requirements associated with such a study. Subsequent to this meeting, the appellant is required to submit documentation regarding the sites which he/she plans to study. The following criteria should be addressed in this documentation:

1. The site that will be studied should be identified. A minimum of one (1) site must be studied. However, the developer has the option to study more locations and base the findings on a weighted average. - The site description must include the location (CBD, urban, suburban, or rural), the setting (physical location), and the uses (size and type).
2. The appellant should provide an explanation regarding how the site(s) being studied is similar to the proposed project. specifically, the appellant should address land use, adjacent area, and demographic/marketing characteristics of potential customers/buyers.
3. A map of the project with the project entrances clearly delineated should be included. To the extent possible, projects which share driveways with adjacent developments should be avoided.
- 4.

The proposed dates of the counts/interviews should be included in the methodology.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6. 11. 01

Page 3 of 5

5. The methodology for achieving an - adequate level of statistical significance is also required. For the purposes of conducting an alternative impact fee study a confidence interval of 95% is required with a critical value of alpha (α) 0.05 (0.255). The appellant should determine the number of interviews needed to achieve this level. However, a minimum of five (5) days of interviews from 2 P.M. to 6 P.M. are required, while seven (7) days of 24 hour machine counts are needed. Also, one (1) person in at least 25% of the vehicles entering the site must be interviewed. Although the appellant, at his discretion, may count/interview for longer periods of time, the interviews/counts must be on consecutive weekdays. Also, if the appellant opts to conduct further interviews, the interviewing must contain equal periods of peak and off-peak traffic activity. County staff will visit the study site at random intervals to assure fidelity of results for the empirical data collected.

If the appellant is unable to complete a full five (5) consecutive days of interview/counts, a written reason shall be submitted to the Office of Management and Budget. The County, at its discretion, after review of the written reason, may allow the developer to complete the missing days of interviews/counts at a later date to be agreed upon by both the County and the appellant. The location where interviews are to be taken is dependent upon the type of development. In general, surveys/interviews will be conducted upon entering the development. Mechanical counts should be conducted at project driveways to calibrate interviews.

If the appellant is basing his request to reduce his transportation impact fee on a previously submitted traffic study, he should include a copy of the report in this submittal. If the report only addressed trip generation, procedures to study trip length and capture/diversion should be included.

8. Alternate traffic studies which were originally submitted for Developments of Regional Impact (DRI) as a part of the DRI approval process will be reviewed by staff for sufficiency. If the study area examined by the original analysis does not encompass an area which is consistent with the trip lengths referenced in the Transportation Impact Fee Ordinance, additional analysis must be conducted as defined above in order to include such area(s) in the study.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6. 11. 01

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B. Five (5) copies of the proposed methodology should be delivered to the Orange County Office of Management and Budget. These copies will be distributed to the County Legal Department and the Division of Public Works and Development. If staff concurs with the methodology, the appellant will receive written notification to proceed with the study. In the event that staff disagrees with the proposed methodology, those problem areas will be identified for the appellant. Again, the applicant will receive written notification of the staff's comments. Prior to commencing work on the traffic counts/interviews, it is strongly recommended that the appellant receive concurrence from staff. Failure to obtain such concurrence may result in rejection of study results.

C.

Information derived from the appellant's traffic study should be used to calculate an alternative impact fee. According to Section 8B of Orange County Ordinance #85-34, the alternative impact fee shall be calculated by use of the following formula:

1.
$$\frac{[(ADT) (DF) (TL) X COST]}{(CAP) (2) 1} - CREDIT = NET IMPACT FEE$$
2. ALTERNATIVE IMPACT FEE = NET IMPACT FEE X 52%

WHERE:

COST

CREDIT

ADT = Number of average daily trips/ends DF = Diversion/capture factor. TL = Trip lengths for each proposed use.
 CAP = Typical new capacity per lane mile in vehicles per day(7,500). = Cost of right-of-way acquisition, if any, plus construction costs (\$600,600).
 = Allowance for gas tax payments and motor vehicle license tag payments, fixed per County's annual calculation.

generated.

D. upon receiving staff concurrence on the study assumptions, the appellant may initiate the counts/interviews. The results of the study should be incorporated into a written report. Although the study results may be summarized for the entire period

studied, the results for each day must be clearly shown. Upon the completion of the study, the appellant will provide the Orange County Office of Management and Budget with five (5) copies of the final report. No studies will be accepted unless they are certified by an engineer registered in the State of Florida.

ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No: 6. 11. 01

Page 5 of 5

E. The Office of Management and Budget will distribute these reports to the County Legal Department and the Division of Public **Works and Development**. If the study does not provide sufficient information to warrant further review, the Office of Management and Budget will request the applicant to provide the necessary information. Upon establishing sufficiency of information in the alternate study, staff will make its determination within 4 to 6 weeks, and its written opinion will be forwarded to the applicant. If the alternate study is approved by staff, the applicant will be required to enter into a developer's agreement with Orange County to implement the trip generation characteristics validated by the study. The developer's agreement will be drafted by County Legal staff and must be approved by the Board of County Commissioners before the applicant is entitled to obtain building permits at the impact fee rates determined by the alternate study. Upon the final execution of the developer's agreement and upon approval by the Board of County Commissioners, the Office of Management and Budget will provide the applicant with a final written approval of the study. Building permits cannot be obtained at the rates determined by the alternate study until the applicant receives final written approval. A copy of staff's response will also be forwarded to the Building Official if a traffic impact fee reduction is warranted.

F. If the appellant disagrees with staff's written opinion, he may request a public hearing before the Board of County Commissioners. There is a \$125.00 non-refundable processing fee for such appeals. The processing fee must be paid to the Finance Department on the fourth floor of the County Administration Building at 201 South Rosalind Avenue. A receipt for the processing fee must accompany all requests for public hearings before the Board of County Commissioners. Upon receiving the public hearing request, the Office of Management and Budget will schedule the public hearing with the Clerk to the Board of County Commissioners. The appellant will be notified of the time and place in writing.

G.

At the public hearing, the Board of County Commissioners shall consider the relevant data and/or study presented by the appellant and shall review the staff's written opinion. The County Commission shall make a final determination of whether to grant or deny the alternative impact fee request.

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ORANGE COUNTY Date: 9-18-89
ADMINISTRATIVE REGULATIONS

Approved BY: BCC

Title: TRANSPORTATION IMPACT FEE
 SQUARE FOOTAGE AGGREGATION REQUIREMENTS Page 1 of 4

II. PROCEDURES:

POLICY:

The Transportation Impact Fee Ordinance establishes an impact fee schedule for various forms of development. The office category has three separate rates which decrease as the corresponding square footage ranges increase. Likewise, the retail category has nine separate rates which decrease, generally speaking, as the corresponding square footage ranges increase. The following requirements are applicable to those multi-building projects which desire to be charged transportation impact- fees based on the aggregate square footage of all buildings within a limited access area.

A. At least forty-five days prior to obtaining the first building permit for the shell of a project's first building, the developer must submit a written notice to the Office of Management and Budget (OMB) which advises-the County of their intention to aggregate the square footage of all buildings within a limited access area. Such notification must include the Building Department's plan review number for the project, the square footage and use by square footage of each proposed building as shown on the architectural floor plans, the estimated completion date of each proposed building, a copy of the site plans and legal description for the proposed limited access project. The aggregation request will not be processed until all of the above information is provided to the County in a form acceptable to OMB.

If the applicant obtains the first building permit for the shell of a project's first building prior to receiving written approval of aggregation privileges, the opportunity to receive aggregation privileges is automatically waived.

FOR MORE INFORMATION CONTACT: Office of Management & Budget

REFERENCE:

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Orange County Ordinance #85-34

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.11.06

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B. When OMB receives such notification, a copy of the "Transportation Impact Fee Square Footage Aggregation Requirements" will be forwarded to the applicant. Before the aggregation request is reviewed by the County, the applicant must submit a signed and notarized letter to OMB which states the following:

The undersigned understands the guidelines set forth in the "Transportation Impact Fee Square Footage Aggregation Requirements" and agrees that, in the event his aggregation request is approved, he shall adhere to such guidelines, and agrees that a deviation from such guidelines, or a deviation from or an amendment to the submitted architectural floor plans or site plans, may jeopardize his privilege to aggregate transportation impact fees or to continue exercising his privilege to aggregate such fees.

OMB, the Public Works Division, and the Legal Department shall review the information submitted per steps one and two and provide a written letter to the applicant regarding whether the aggregation request can be approved. Such notification will be provided within forty-five days of the date on which the applicant provided the documentation required by steps one and two. Approval will be based in part on whether the project is within a single, limited access area. For the purposes of the "Transportation Impact Fee Square Footage Aggregation Requirements", a limited access area is defined as a project which is accessed by a common **driveway or driveways**, as that term has been defined and has been interpreted by the County, and which shares a common parking area. Approval will not be granted under any circumstances until the County receives the signed and notarized letter referenced in B above.

The developer must submit the original of OMB's letter of approval to the Building Department in order to be charged impact fees based on the aggregate square footage. The Building Department will maintain a separate file containing the original approval letters for all projects allowed to aggregate their square footage. The fee sheets for each permit will also be kept in this file.

If a developer is allowed to aggregate and obtains all of a project's building permits at one time, the impact fees will be charged based on the total square footage of all the buildings. However, if a developer is allowed to aggregate and obtains the permits in a phased manner, the impact fees will be charged as follows:

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No: 6.11.06

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

1. When the shell permit for the first building is obtained, the rate applicable to the square footage of that shell building will be charged.
2. When the shell permit for the second building is obtained, the fee will be based on the combined square footage of the first and second shell buildings, minus the amount already paid for the first shell building.
3. When the shell permit for the third building is obtained, the fee will be based on the combined square footage of the first, second, and third shell buildings, minus the amount already paid for the first and second shell buildings, and so forth.

For example, if a project consisting of four, 30,000 square foot retail buildings in a limited access area is granted aggregation privileges, and if all permits are obtained at the same time, the transportation impact fee would be charged based on the 100,000 to 199,999 square foot retail rate, \$4,004.75 per 1,000 square feet. However, if the permits are obtained in a phased manner, the fees would be calculated as follows:

First Building:
 Total Built = 30,000 square feet
 Applicable Rate = Less than 50,000 square foot rate
 = \$5,686.30 per 1,000 square feet
 Impact Fee = \$153,530.10

Second Building:
 Total Built = 60,000 square feet
 Applicable Rate = 50,000 to 99,999 square foot rate
 = \$3,874.14 per 1,000 square feet
 Impact Fee = \$209,203.56 - \$153,530.10 = \$55,673.46

Third Building:
 Total Built = 90,000 square feet
 Applicable Rate = 50,000 to 99,999 square foot rate
 = \$3,874.14 per 1,000 square feet
 Impact Fee = \$313,805.34 - \$209,203.56 = \$104,601.78

Fourth Building:
 Total Built = 120,000 square feet
 Applicable Rate = 100,000 to 199,999 square foot rate

= \$4,004.75 per 1,000 square feet
= \$432,513.00 - \$313,805.34 = \$118,707.66

Impact Fee

ADMINISTRATIVE REGULATIONS Date: 06/02/98

Approved By: 06/02/98

Title: EMPLOYEE SERVICE AWARDS Page I of 2

1. EMPLOYEE SERVICE AWARDS

The Board of County Commissioners recognizes the following:

The hiring and retention of high-quality officers and employees is necessary to ensure for the citizens of the County the most effective and efficient county government possible.

B. In addition to normal compensation, certain fringe benefits such as mementos for prolonged service with the County, retirement gifts, and awards for periods or occasions of outstanding service and to recognize charitable work and contributions all serve to encourage county officers and employees to continue rendering service to the citizens and government of the County.

C.

II. PROCEDURE

A valid public and county purpose is served by expending reasonable sums of money for the items in accordance with A and B above.

A. The Board hereby authorizes the County Administrator/designees and Division Directors/designees to appropriate and expend money from time to time in the same manner as other county expenditures for the following:

- I. Mementos for prolonged service with the County.
2. Gifts for retirement from County employment.
3. Awards for periods or occasions of outstanding service to the County government.

B. Mementos, gifts and awards consist of the following: a designated number of hours off work with pay (up to one regular work day)

certificates

trophies

plaques

small gifts (such as hats, shirts, paperweights, mugs)

recognition ceremonies, which may include refreshments (e.g. desserts, healthy snacks, beverages), but not meals

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ORANGE COUNTY No.: 7.13.02
ADMINISTRATIVE REGULATIONS Page 2 of 2

C. Division Directors are responsible for monitoring expenses, ensuring expenses are within their budget and that awards are administered in a manner consistent with this policy.

FOR MORE INFORMATION CONTACT: **Fiscal and Human Resources Division**

REFERENCE:

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Orange County Code, Section 2-92



(OWN- Approved By: BCC
Revised: 04/06/93; 06/02/98

EVENTS

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Title: REIMBURSEMENT FOR MEALS AND SPONSO tt~] Page I of 5

1. POLICY:

A. Pursuant to Volume I, Chapter 2, Section 2-94, Orange County Code, Volume 1, Section 17-1, Orange County Code, Orange County Ordinance Number 80-7 and Orange County Ordinance Number 91-5, Orange County finds that expenditure of public fiinds for refreshments and meals in connection with County business is permissible.

B. This regulation authorizes and sets policy for event sponsorship, working meals and refreshments expenditures and reimbursements; it does not supersede current Purchasing or Travel regulations.

C.

D.

E.

11. DEFINITIONS:

The Board of County Commissioners, the County Chairman or the County Administrator authorizes Division Directors and their designees to approve and authorize payment at County expense for charges incurred while participating in or hosting working meals, providing refreshments, or sponsoring events.

The County shall reimburse elected and appointed officials and staff (hereafter, "employees") for the cost of meals or refreshments at functions where the employee is designated as representing the County and which serves a valid public purpose.

Reimbursement for costs associated with hosting political or social events and/or the purchase of alcoholic beverage is prohibited.

A. **County Sponsored Events** are defined as civic and community occasions, banquets,

luncheons, breakfasts and other events sponsored by the County for the purpose of.-

I. Celebrating important community events with the citizens of Orange County;

2. Conferring with prominent civic and business leaders; and/or,

3. Representing Orange County government and the people of Orange County.

Note: Normal purchasing policies should be adhered to for other expenses related to sponsoring an event. Other authorized purchases include: banners, programs, posters and flyers, etc.

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ORANGE COUNTY No.: 7.14
ADMINISTRATIVE REGULATIONS Page 2 of 5

B. **Working meals** are intended to:

1.

Facilitate increased productivity of business conferences and other meetings by providing meals in order to ensure efficiency, effectiveness, or compliance with deadlines;

Provide the most efficient and economical conservation of working time of all involved; and/or,

Take place/provided during the following periods (beginning or ending within):

Breakfast - 6:00 a.m. - 8:00 a.m. Lunch - 12 Noon - 2:00 p.m. Dinner - 6:00 p.m. - 8:00 p.m.

4. Provide reimbursement for meal costs associated with attendance at a public function directly connected to County business or as a designated representative of the County, including reimbursement for one guest when function is held outside of normal working hours (8:00 a.m. - 5:00 p.m., Monday through Friday) e.g., Women's Executive Council breakfast, Vision Awards luncheon, etc.

C. **Refreshments** are:

Defined as relatively light fare food type items (i.e., healthy snack foods, baked goods, fi-uits, etc.) and non-alcoholic beverages (i.e., coffee, tea, soda, etc.);

2. Intended to facilitate an increased ability to gain knowledge, participate, and increase productivity of employees involved in training sessions; and/or,

Not intended for meetings attended solely by County staff for the purpose of internal communications.

D. **Training Sessions** are defined as seminars, conferences, workshops, etc. used to increase an employee's knowledge, understanding, or enrichment of a particular subject, or to gain professional and/or personal growth.

Food Expenditure/Reimbursement Form is the form utilized for gaining approval for and processing of meal/food related expenditures particular to sponsorship of events and working meals only. Specific procedures for its use are outlined in Section III below. All other expenses follow normal purchasing/travel policies.

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111. APPROVAL/PAYMENT PROCEDURES:

A. Department Managers, Division Directors, or their designees, where appropriate, determine when expenditures of County funds for food/meal purchase is appropriate and complies with this regulation and if funds are available within the department's budget.

B. Permission to incur food expenses should be obtained at least seven (7) days in advance unless extenuating circumstances exist which require shorter notice. Employees must route requests for food expenditures on a Food Expenditure/Reimbursement Form to their Department Manager (or designee) for approval. This includes requests to attend public events when County reimbursement for meal cost is being requested.

For food expenses incurred by the County Chairman and Board of County Commissioners, the form should be completed, signed and forwarded (with receipts, invoices, etc.) directly to the Orange County Comptroller's Finance and Accounting Department for payment.

Determinations/Approvals for County Administrator's Office employees are made by the County Administrator, or designee, in compliance with this regulation.

C. The Food Expenditure/Reimbursement Form should indicate the type of expense/reimbursement requested; the purpose of the meeting or name of the event; date held; and start/finish times of the function. List attendees in the space provided (use "numerous" for Countywide events); provide an estimate of expense; the accounting line to be charged; and the name of the requester and date requested. Once preliminary approval is signed off by the Department Manager (or designee), submit the form to the Division Director (or designee) for their approval. Upon their approval, expenses are authorized to be incurred.

D. Retain the approval form for payment/reimbursement until after completion of the meeting/function. Upon completion of the function, fill in the actual expense amount, vendor name, invoice number (if applicable), sign and date in the "Received by" section of the form and attach all receipts, invoices, etc. If the meal was paid for by an individual, the individual requesting reimbursement must validate by signing the form in the appropriate area.

E.

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Payment approval is accomplished by the Department Manager's (or designee's) signature and date in the "payment approval" space on the form and all documentation is forwarded to the Orange County Comptroller's Finance and Accounting Department for payment.

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IV. ELIGIBLE

**ORANGE COUNTY No.: 7.14
ADMINISTRATIVE REGULATIONS Page 4 of 5**

EXPENSES/FUNCTIONS:

. A.Working meals/Other meal reimbursement

I . Eligible expenses/fiinctions include, but are not limited to:

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meal costs for non-compensated individuals donating their time, such as County Advisory Board committees;

meals served at training sessions or retreats when serving the meal complies with this regulation and meets the definition noted in Section II, Paragraph B above (i.e., Strategic Planning objectives training session, etc.).

meals served at meetings, usually on County premises, where County business is conducted and business is required to meet specific deadlines, efficiently utilize staff time, or relevant for after hours discussion (e.g., Planning Research Corporate lunch meeting); and/or,

meetings with other employees/individuals such as consultant meetings (where business is the sole purpose of the meeting).

2. Ineligible expenses/functions include:

o

o

social/political gatherings;

alcoholic beverages;

tips for meals/service in excess of 15%;

meals which are included in a registration fee;

regular meetings attended solely by County staff for the purpose of internal communication; and/or,

other regularly scheduled meetings which do not comply based on the requirements noted in the eligibility section above.

B. Refreshment expenditures

I. Eligible expenses/functions include, but are not limited to:

refreshments served to non-compensated individuals donating their time while serving on County Advisory Board committees;

o

o

reimbursement for refreshments served at events of Countywide and public interest when event is held outside of normal working hours (8:00 a.m. - 5:00 p.m., Monday through Friday) e.g., BCC Public Hearings, Olympic Torch Run reception, outgoing Commissioner's receptions, etc.; and/or,

training sessions when serving refreshments complies with this regulation and meets the definition noted in Section II, Paragraph C above.

2. Ineligible expenses/functions include:

social/political gatherings

alcoholic beverages;

tips for refreshment service in excess of 15%; and/or,

meetings attended solely by County staff for the purpose of internal communication.

**FOR MORE INFORMATION
CONTACT:**

REFERENCES:

Office of Management and Budget

Fiscal and Human Resources Division

**Orange County Code, Section 2-94
Orange County Code, Section 17-1
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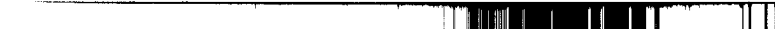
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Home Assignment	Events) 2.01
Policy. .	Water Department	7.14	
Vehicle Toll Card	Public Contact
Assignment Policy	Water Mains (Water	ORANGE	
Veterans Service	Department - Public	COUNTY	..7.03.01
.....	Contact)	ADMINISTRATIVE	95.003
	Meters (Water	REGULATIONS	11.01.13
Wage, Salary, and Fringe	Department - Public	 2.01
Benefit Determination	Contact)	V (continued) 11.01.20
.....	Program:	 11.01.06
Waiver, Bond Procedures	Children, Youth 2.01	
.....	& Family Services	W	.11.01.05
Wastewater Capacity	Department Recreation		... 11.01.05
Repurchase	Facilities 8.11 11.01.05
Wastewater Department	Working Lunches		
Billings	(Reimbursement for	-8.07.05	
Zoning Department			

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ORANGE COUNTY
 ADMINISTRATIVE REGULATIONS

Vehicle Take Home Assignment Policy	Vehicle Toll Card Assignment Policy	Veterans Service . V (continued)	...8.07.05 ... 8.07.06 2.01
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Wage, Salary, and Fringe Benefit Determination ...	Department - Public Contact)	Meals and Sponsorship of Events)	11.01.05 11.01.05 11.01.05
Waiver, Bond Procedures	Meters (Water Department - Public Contact)	7.14	
Wastewater Capacity Repurchase	Program: Children, Youth & Family Services	... 7.03).0 1 . 95.003 11.01.1-3	Zoning Department ... c
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f ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 10-2-89

Approved BY: BCC

Title:

INVOICE PAYMENT PROCEDURES

Page 1 of 4

I. POLICY:

The purpose of the following invoice payment procedures is to help ensure that vendors who provide goods and/or services to departments under the Orange County Board of County Commissioners receive payment for said goods and/or services on a timely basis.

II. PROCEDURES:

Proper Invoice Requirements

To process payment for goods and/or services received, it is essential that the Comptroller's Office receive a proper invoice which is acceptable in the sole reasonable discretion of said Office. As such, the following represent the requirements for an invoice to be considered a proper invoice for payment.

A. The invoice shall contain the following minimum information:

- 1. Name of vendor
- Address of vendor (i.e., where payment-is to be mailed)
- Date
- Orange County Purchase Order No./Field Purchase order No.
- Orange County Release Order No. (for purchases under Term Contracts)
- 6. Orange County Term Contract No. (where appropriate)
- 7. Orange County Contract No. (where appropriate)
- 8. For non-purchase order procurements (i.e., emergencies) name of County employee who requested purchase
- 9. For invoices involving the purchase of goods -
 - a. Item description
 - b. Quantity purchased
 - c. Unit price
 - d. Total price (for each item)
 - e. Total amount of invoice (all items)

FOR MORE INFORMATION CONTACT: Orange County Comptroller

REFERENCE: Part VII Chapter 218, Florida Statutes

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Page 2 of 4
ORANGE COUNTY
ADMINISTRATIVE REGULATIONS
C.

10. For invoices involving the purchase of services

- a. Itemized description of services performed
 - b. Date services were performed
 - c. Billing method for services performed (approved hourly rates, percentage of completion, cost plus fixed fee, direct (actual) costs, etc.)
 - d. Itemization of other direct reimbursable costs (description, amount)
- Copies of invoices for other direct reimbursable costs (other than incidental costs, such as telephone expenses, copying costs, etc.)

11. For Partial Payment Requests on construction contracts

- b.
- c.
- a. Partial Payment Request (invoice)-on a form approved by the County
Itemized Schedule of Values
copies of supporting invoices for all stored materials for which payment is being sought
- d. For Final Payment Requests -

- (1) All of the above
- (2) Release of lien
- (3) Consent of surety

12. Any other information required by written agreement or contract with the Board of County Commissioners.

B. The invoice shall be submitted as follows:

Invoices submitted in connection with the issuance of a Purchase Order/Field Purchase Order or Release Order - to the Orange County Finance Department.

Invoices submitted in connection with construction contracts - Orange County department for which construction contract specifies invoice is to be submitted.

Invoices not falling within the above two categories -Orange County department for which goods were purchased and/or services were performed.

The goods and/or services shall actually have been received and/or performed in accordance with contractual specifications to the sole reasonable satisfaction of the County.

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No: 6.12

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Page 3 of 4

Calculation of Payment Due Date

A. Each invoice received by departments under the Board of County Commissioners and County Comptroller shall be marked as having been received (date stamped) on the date on which it is first delivered to the respective department. The date so marked shall be the date on which the invoice is received. In addition, each department for which goods and/or services are received shall indicate the date such were received and said date shall be the actual date of receipt thereof.

B. The time at which payment for a purchase by departments under the Board of County Commissioners is due shall be 45 days from:

1. The date on which a proper invoice is received by the Comptroller's Office (after approval by the Board of County Commissioners, if required); or

2. In those instances where a proper invoice is not required for payment, the date:

a. On which the rental period begins; or

b. On which the Board of County Commissioners and the vendor agree in a contract which may provide dates relative to payment periods.

Notification of Improper Invoice

In any case in which an improper invoice is **submitted by a vendor** to departments under the Board of County Commissioners, said department shall, within ten (10) days after the improper invoice is received by it, notify the vendor that the invoice is improper, specify the reasons therefore, and indicate what corrective action on the part of the vendor is needed to make the invoice proper.

Dispute Resolution Procedures

In the event a dispute occurs between a vendor and a department under the Board of County Commissioners, the following procedures shall apply.

A. Disputes initiated by vendors:

1. The vendor shall, not later than 45 days from when a proper invoice is received by the Comptroller's Office, submit a written statement via certified mail to the department for which the purchase was made, specifying the nature of any dispute they may have regarding payment of an invoice.

Within five (5) days of receipt of the written statement, the appropriate Department Manager shall investigate the dispute and render a decision in writing to the Division Director.

3. Within five (5) days of receipt of the written decision from the Department Manager, the Division Director shall review the dispute and the Department Manager's recommendation and shall make a final decision on the matter. A written explanation of the final decision made shall be sent to the vendor via certified mail within five (5) days from the date the final decision is made (a copy of which is to be provided to the Orange County Finance Department and the Office of Management and Budget).

B. Disputes initiated by the County:

1. The appropriate Department Manager shall, not later than 30 days from when a proper invoice is received by the Comptroller's Office, submit a written statement via certified mail to the vendor from which the purchase was made, specifying the nature of any dispute they may have regarding payment of an invoice (a copy of which is to be provided to the Orange County Finance Department and the Office of Management and Budget).

2. The vendor shall, within 15 days of receipt of the written statement, submit a written response to such indicating their agreement or disagreement therewith as well as the reasons therefore.

3. Within ten (10) days of receipt of the written response from the vendor, the Division Director shall review the dispute and shall make a final decision on the matter. A written explanation of the final decision made shall be sent to the vendor via certified mail within five (5) days from the date the final decision is made (a copy of which is to be provided to the Orange County Finance Department and the Office of Management and Budget).

Additional processing procedures may be added to amplify the regulation requirements from time to time by the County Administrator.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Date: 09/03/91

ADMINISTRATIVE REGULATIONS

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Title:

CREATION, ADMINISTRATION, AND ABOLISHMENT OF

COMMON AREA MAINTENANCE XSTUIS

Page 1 Of 8

I. POLICY:

A. Orange County is granted the authority to establish Municipal Service Taxing/Benefit Units (MSTU's) under Section 125.01, Florida Statutes.

B. The Board of County commissioners finds that it is appropriate to consider creation, amendment, or abolishment of MSTU's for common area maintenance in platted residential subdivisions in limited circumstances as itemized in this regulation.

Common area maintenance MSTU"s are administered by the Orange County Comptroller in conjunction with Board staff as necessary.

II. PROCEDURES:

A. MSTU's (Municipal Service Taxing/Benefit Units established pursuant to Section 125.01 (q), Florida Statutes) for common area maintenance will only be considered in platted residential subdivisions for which there is a legally incorporated homeowners' association that is limited in its corporate documents to only collecting dues or assessments on a voluntary basis.

B. The scope of maintenance services to be covered by a common area MSTU will be limited to the following:

1. Direct landscape maintenance costs for common landscaped entries, right-of-way, internal street medians, and open areas defined as areas without improved above-ground structures that (1) are for passive recreation or scenic preservation, (2) are contiguous to the platted or deeded public right-of-way of an existing County road and accessible from such road, and (3) are open to all residents and property owners of the MSTU equally and not restricted as to use as follows:

a. b.

c.

Mowing, weed control, fertilizer, insecticide Mulch and replacement, tree trimming Maintenance of chain link fences around common areas

FOR MORE INFORMATION CONTACT: County Comptroller's Office/Finance and Accounting Department

REFERENCE: Florida Statutes, Section 125.01

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- e.
- 2.
- d. Irrigation systems: water, electricity, maintenance
Electricity for entrance landscape lighting

Related administrative costs

- a. Insurance required of the association by the maintenance agreement
- b. Property taxes on common area eligible for direct landscape maintenance
Governmental collection, administrative, and inspection fees
- c.
- 3. Areas and facilities to be excluded f-rom the MSTU, with such exclusions not limited to:
 - a. Golf courses
 - b. Clubhouses
 - c. swimming pools
 - d. Courts and fields designed for recreational and/or sporting activities
 - e. Playground equipment
 - f. Boat docks
 - g. Walls
 - h. Fences other than chain link
 - i. Lakes
 - j. Any common area for which admission fees are collected or to which access for its intended use is not available to all residents/property owners subject to the MSTU
- 4. Expenses to be excluded from the MSTU, which such exclusions not limited to:
 - a. Gifts and parties
 - b. Meal reimbursements
 - c. Special awards and bonuses

Assessments levied by the MSTU will be on a flat rate basis equally apportioned to each platted parcel in the subdivision. The total amount levied will be based upon a budget approved and submitted by the association and approved by the County.

All common area MSTU's in existence as of the date of adoption of these guidelines shall immediately become subject to the terms and conditions stated herein, except

that the scope of services shall be permitted to remain as originally stated in their respective authorizing resolutions.

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E. Creation of Common Area MSTU's

1. An MSTU for common area maintenance will be considered for adoption upon the demonstration of significant interest on the part of the property owners in the subdivision.

2. Significant interest in the creation of a common area MSTU shall be determined as follows:

a. The homeowners' association shall submit a request in writing, accompanied by a proposed budget, to the County Comptroller for a preliminary petition on which to demonstrate an expression of interest in the creation of a common area MSTU. The preliminary petition shall be in a format approved by the County Comptroller and the County Legal Department.

b. The homeowners, association shall obtain signatures of property owners representing at least fifteen percent of the platted parcels proposed to be assessed and - return the preliminary petition to the County Comptroller within ninety days of receipt of the preliminary petition.

c.

The County Comptroller will review the preliminary petition and prepare ballots with return envelopes to be mailed to the property owner(s) of each platted parcel as shown on the current tax roll of the County. The form of the ballot shall be reviewed and approved by the County Legal Department. The cost of materials and postage for mailing the ballots will be borne by the homeowners' association. if desired, the homeowners' association may opt to include postage on the return envelopes at its expense.

d. The County Comptroller will tabulate the results of the balloting. Each platted parcel proposed to be assessed will be entitled to one vote, which may be cast by any one joint owner of the parcel or collectively by all owners of the parcel. If, within forty-five days from the mailing of the ballots, positive responses have been received from at least two-thirds of all valid votes cast, then *significant interest* in the creation of a common area MSTU will be deemed to be present.

3. Upon determination that a significant interest for creation of the MSTU is present, the County Comptroller will, in conjunction with the County Legal Department, prepare an MSTU resolution for consideration by the Board of County Commissioners. The County Comptroller will, in the customary *manner prescribed* for all MSTU's, schedule a public hearing on the resolution with the Board of County Commissioners and will notify all affected property owners of the public hearing date by mail at County expense.

If a significant interest in the creation of the MSTU is not demonstrated within the specified time frame, the homeowners' association will be precluded from initiating another MSTU creation process for one year from the ballot closing date.

F. Administration of Common Area MSTU's

1. Upon adoption of an MSTU resolution, the homeowners' association will be required to enter into a maintenance agreement with Orange County to carry out the services contemplated in the resolution.

The homeowners' association shall be required to submit an annual budget proposal to assist in the determination of the appropriate assessment for the coming tax year. Service levels contemplated to be paid by the MSTU shall not exceed County standards. Subdivisions desirous of higher levels of maintenance shall do so at their own expense and without participation of the MSTU and Orange County.

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3. Liability and workers' compensation insurance will be required of the homeowners' association and its subcontractors according to County Risk Management Department guidelines. Certificates of Insurance evidencing the required coverage shall be filed with the County Comptroller.

The homeowners' association will be required to obtain a minimum of three written quotes for contracted services. Copies of such written quotes shall be filed with the County Comptroller.

MSTU funds will be disbursed by the County Comptroller on a reimbursement basis to the homeowners' association. The County Comptroller's normal standards for documentation and verification of County accounts payable shall be applicable to MSTU reimbursement payments.

Field inspections will be performed by the County as requested by the County Comptroller to ascertain work performed for direct landscape maintenance costs. Non-exclusive easements for access must be granted to the County for common areas. Notwithstanding the County's field inspections, the homeowner's association shall have primary responsibility for verification of contractual fulfillment and quality of goods and services.

7. Reimbursement requests shall be made on a monthly basis. The County's obligation to disburse funds shall be strictly limited to the actual collections received from the subject MSTU.

Abolishment of Common Area MSTU's

1. An existing common area MSTU will be considered for abolishment upon the demonstration of majority interest on the part of the property owners in the subdivision.

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2. Majority interest in the abolishment of a common area MSTU shall be determined as follows:

a.

Any property owner(s) shall submit a **request in writing** to the County Comptroller for a preliminary petition on which to demonstrate an expression of interest in the abolishment of a common area MSTU. The preliminary petition shall be in a format approved by the County Comptroller and the County Legal Department.

b. The property owner(s) requesting the preliminary petition shall obtain signatures of property owners representing at least fifteen percent of the platted parcels subject to assessment and return the preliminary petition to the County Comptroller within ninety days of receipt of the preliminary petition.

c.

The County Comptroller will review the preliminary petition and prepare ballots with return envelopes to be mailed to the property owner(s) of each platted parcel as shown on the current tax roll of the County. The form of the ballot shall be reviewed and approved by the County Legal Department. The cost of materials and postage for mailing the ballots will be borne by the property owner(s) requesting the preliminary petition. If desired, said property owner(s) may opt to include postage on the return envelopes at their own expense.

d. The County Comptroller will tabulate the results of the balloting. Each platted parcel subject to assessment will be entitled to one vote which may be cast by any one joint owner of the parcel or collectively by all owners of the parcel. If, within forty-five days from the mailing of the ballots, responses in favor of abolishment have been received from property owners representing at least a simple majority (fifty percent plus one) of the total number of platted parcels subject to assessment, then majority interest in the abolishment of the common area MSTU will be deemed to be present.

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Upon determination that a majority interest for abolishment of the MSTU is present, the County Comptroller will, in conjunction with the County Legal Department, prepare a resolution for MSTU abolishment for consideration by the Board of County Commissioners. The County Comptroller will, in the customary manner prescribed for all MSTU's, schedule a public hearing on the resolution with the Board of County Commissioners and will notify all affected property owners of the

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public hearing date by mail at County expense.

If a majority interest in the abolishment of the MSTU is not demonstrated within the specified time frame, all property owners in the MSTU will be precluded from initiating another MSTU abolishment process for one year from the ballot closing date.

5. The County reserves the right to initiate the abolishment of a common area MSTU when administration becomes burdensome due to frequent disputes, repeated violation of maintenance agreement provisions, dissolution of the homeowners' association, or other like cause.

6. Uncommitted funds on hand as of the abolishment date of a common area MSTU shall be refunded on an equal share basis to the platted property owners of record at the date of abolishment provided such equal share is equal to or greater than \$1.00 (one dollar). In those situations where the equal share amount is less than \$1.00 (one dollar) per platted property owner, such amount shall be declared diminimus and unworthy of the administrative cost of return and shall be deposited in the County's General Fund.

H. Dispute Resolution

1. Any complaint or dispute concerning disbursement of funds, conduct of homeowners, association officers or subcontractors, or any other relevant objection shall be submitted in writing to the County Comptroller by a property owner within the subject MSTU.

All written complaints will be reviewed by the County Comptroller with assistance from the Board of County Commissioners' staff as appropriate.

3. The County Comptroller will respond in writing, noting corrective action taken, if any, and will provide a copy of the original complaint and written response to the homeowners' association.

Each issue will be addressed and resolved once. Repeated complaints regarding previously addressed issues may be forwarded to the County Chairman's office for resolution. If necessary, the County Chairman may bring the issue before the Board of County commissioners for final disposition.

Public records may be reviewed by any party in accordance with public records laws and any copies requested shall be specifically identified and paid for prior to delivery.

6. The County Comptroller, with concurrence from the County Legal Department, reserves the right to place MSTU funds in the registry of the court in cases where significant unresolved disputes have placed an undue burden on staff resources.

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ORANGE COUNTY No: 6.14
ADMINISTRATIVE REGULATIONS

Date: May 5, 1992

Approved By: BCC

Title:

AUDITOR SELECTION

Page I Of 2

I. POLICY:

It is the policy of the Board of County Commissioners (BCC) that external auditors for the county be selected on a periodic, competitive basis within the guidelines outlined in Florida Statutes. It is further the policy of Orange County that rotation of the auditor or auditing firm will be considered and preferred after a firm serves as auditor for more than two successive contract periods, with each contract period consisting of a one year contract with two renewal options (maximum of 6 consecutive years). Such preference for and consideration of rotation assumes adequate competition among qualified firms. -

II. PROCEDURES:

Under the provisions of its Charter, Orange County has the option to design its own process for selection of external auditors, provided such process is not inconsistent with any applicable Florida Statutes. Accordingly, the County has designed the following procedural steps to accomplish the periodic selection of external auditors.

a. The County hereby authorizes the establishment of an ad hoc audit selection committee to be convened whenever a competitive selection is contemplated under this policy. Such audit committee shall consist of:

1 representative of the BCC to be recommended by the County Chairman and appointed by the BCC

1 representative of the Comptroller's office to be appointed by the County Comptroller

1 representative of all the other elected officials to be recommended by the County Chairman and appointed by the BCC and rotated for each subsequent auditor selection process

2 citizens, one of whom should be a CPA that does not do public audit work, to be recommended by the County Chairman and appointed by the BCC

---Total Committee Members

FOR MORE INFORMATION CONTACT: County Administrator's Office
County Comptroller's Office

REFERENCE: Florida Statute 11.45

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 6.14

Page 2 of 2

b. The duties of the selection committee shall be to:

(1) Recommend any changes to the proposed selection process to the BCC for approval

Draft and issue an RFP for auditing services

(3) Recommend finalists, in ranked order, to the BCC for approval in accordance with criteria established in the RFP and applicable statutes

(4) Participate in contract negotiations with approved firm(s) and recommend a contract award to the BCC

No: 7.01

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 08/28/89

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Approved By. BCC

Tide: -Revised: 11/20/89

ORANGE COUNTY PERSONNEL POLICY MANUAL

9/10/90 , 4/7/92 &

Page 1 Of

/93

I. POLICY:

The purpose of these Personnel Policies is to foster and promote a positive employment environment of mutual benefit and protection for employees and Orange County; which encourages employee and public confidence in the administration of a merit system of personnel management. The system also provides a means for equitable recruitment, selection, development, retention and retirement of employees in positions within the merit system.

II. PROCEDURES:

The following pages outline the policies and procedures of the Orange County Personnel Policy Manual. The table of contents is provided as a quick and convenient reference.

FOR MORE INFORMATION CONTACT: Human Resource Department

REFERENCE : None

ORANGE COUNTY No: 8. 01

ADMINISTRATIVE REGULATIONS [Date: 9--18- 89-

Approved By: BCC

Title: **ASSIGNMENT AND UTILIZATION OF BUILDING SPACE -**

-1

Page 1 of 1

I. POLICY:

A. It shall be the responsibility of the office of the County Administrator to allocate and assign office space.

B. Requests for additional space should be made to the Office of the County Administrator.

PROCEDURES:

A. Any department in need of additional office space beyond that area already assigned to them, shall send a written request to the County Administrator through their Division Director. Each request submitted shall contain the following information:

Justification of need

2. Anticipated usage

3. Amount of area needed in square feet

4. Effect on adjacent space

5. Other alternatives already exhausted

6. Effect on operations if additional space is not obtained

B. Requests for modifications to existing office (absorption) space shall be forwarded directly to the Facilities Management Department.

FOR MORE INFORMATION CONTACT: County Administrator's Office
Facilities Management

REFERENCE: None

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Approved By: BCC

Title:

CONSTRUCTION OR RENOVATION OF COUNTY BUILDINGS

Page 1 of 2

I. POLICY:

It is the intent of the County that all construction and renovation requests, whether from the Board of County Commissioners' departments or from other elected officials, receive an appropriate review to determine their compliance with County policies and their economic or other justification.

Ii. PROCEDURES:

A. The Department Manager requesting work provides information required by the Facilities Management Construction Request Form. Supplies of these forms are available from the Facilities Management Department.

B. The form is signed and sent to the respective Division Director for approval and signature.

C.

The form is then sent to the Director, Administrative Support Division.

D. The Director, Administrative Support Division distributes an Assessment Form Letter with a copy of the Request Form to Facilities Management, Data Center and Telecommunications.

E. Each manager provides the information required by the Assessment Form Letter and returns it to the Director, Administrative Support Division.

F. The Director, Administrative Support Division sends the Request Form and the three (3) Assessment Letters to OMB for review of cost and funding availability.

OMB sends the package to the County Administrator or his designee for review and approval.

FOR MORE **INFORMATION CONTACT:** Office of Management and Budget

County Administrator's Office

REFERENCE: None

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

H. After approval by the County Administrator or his designee, the package will be sent to the Director of the Administrative Support Division for distribution and scheduling.

I. The requesting Department Manager is responsible for coordinating implementation with the appropriate Construction Department.

No: 8.04

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-18-89

Approved By: BCC

Title:

BUILDING AND FACILITY SECURITY

Page 1 of 2

I. POLICY:

The General Services Department Manager has the responsibility for the security of the Orange County Courthouse, Orange County Traffic Court and both Orange County Administration Centers. An Orange County department not located within the aforementioned buildings and occupying a separate building and surrounding grounds shall be primarily responsible for security of such premises.

A. Interior Security

1. The Facilities Management Department Manager responsible for the control of keys to a owned/leased property, building or office.

shall be
County

The number of keys issued for County buildings shall be held to an absolute minimum.

Keys may not be duplicated without approval of the appropriate department manager.

At least one key to all County owned/leased property shall be kept in a secured cabinet in a County designated security area.

B. Exterior Security

It is the responsibility of the General services Department Manager to contact the appropriate law enforcement agency for assistance in handling intricate security breaches.

Ii. PROCEDURES:

- A. All requests for additional office keys shall be made in writing by the appropriate department manager to the Facilities Management Department.

FOR MORE INFORMATION CONTACT:

-FIF --

General Services Department Facilities Management

REFERENCE: None

a

No: 8.04

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

B. All persons receiving a key to a County owned/leased building or office shall be required to sign a receipt for said key. Should the person's employment with the County terminate, the appropriate department manager shall be responsible for recovering said key.

C.

A log should be kept by each department manager as to the distribution of office keys.

D. All persons issued keys to County buildings or offices shall be responsible for the safety of said keys and shall not cause or allow a duplicate to be made.

No: 8.05
ORANGE COUNTY

06 -- 7 ADMINISTRATIVE REGULATIONS Date: 10/29/90

Approved By: BCC

Title: SOLICITATION ON COUNTY PROPERTY
Page of

I. POLICY:

Solicitation on county property is prohibited.

PROCEDURES:

A. If a County employee is approached by a solicitor, the General Services Department Manager or designated individual(s) within that County facility should be contacted immediately.

B. The General Services Department Manager or his designee shall inform individuals soliciting on County property that this is prohibited and escort said individuals off the property.

FOR MORE INFORMATION CONTACT: General Services Department

REFERENCE: None

No: 8.06

ORANGE COUNTY

OF 10/29/90

ADMINISTRATIVE REGULATIONS Date:

Approved By: BCC

Title:

BUILDING OPERATION AND MAINTENANCE

Page 1 of 2

I. POLICY:

A. The Facilities Management Department is responsible for general maintenance of most county-owned buildings and for certain contractual obligations of leased facilities.

B. Approved renovations, specialized construction and minor additions are provided by that department when deemed economically feasible by the County Administrator's staff.

Cost estimates and design are provided for necessary internal rearrangements and/or renovations.

D. Building operational services provided include, but are not necessarily limited to, the following:

1. Opening and securing of various office buildings.

2.

Operating HVAC equipment, and associated equipment and controls.

3. Monitoring service contracts on fire elevators, pest control, etc.

Janitorial service to major office buildings.

Ii. PROCEDURES:

alarm systems,

A. A telephone call to the appropriate Facilities Management number (as listed in the Interoffice Directory) should be made to report routine items such as burned out light bulbs, plumbing problems, roof leaks, etc.

B. Requests for internal rearrangements and construction of speciality items should be made by memorandum to the Division Director, Administrative Support.

FOR MORE INFORMATION CONTACT: Facilities Management Department

__FT_ -- __ -

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 8.06

Page 2 of

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Requests for assistance in planning internal rearrangements and/or renovations should be made by memorandum to the manager, Facilities Management.

D. Requests for additional space should be addressed to the County Administrator's office for dissemination to proper staff members for investigation and recommendation.

E. Inquiries should be addressed to the manager, Facilities Management, for answers to any questions concerning building maintenance activities which are not covered in the above procedures.

No: 8.07

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 5-11-87

Approved By: BCC

Tide: Revised B-17-87

AUTHORIZED USE OF COUNTY VEHICLES 9-18-89

Page 1 of 2

I. POLICY:

A. Equipment, facilities, vehicles, or property of the County shall not be used by employees for any purpose other than County business. When there is a demonstrated advantage for the County, an employee may be assigned a County vehicle to meet work related transportation needs, or to fulfill an on-call assignment. Except for authorized travel, all County vehicles are to remain within the established political boundaries of Orange County. In the event an employee is allowed to keep the vehicle overnight and that employee has reason or need to travel outside said political boundaries, the assigned County vehicle must be left either at an Orange County facility, a relative or friend's house within Orange County, or other reasonable and protected location in Orange County.

B. Any requests for exceptions to this policy must be approved by the County Administrator or his designee.

C.

County vehicles must be used within the scope of job duties and responsibilities. Personal use of a County vehicle is not permitted.

D. Violations of this policy may subject an employee to disciplinary action.

II. PROCEDURES:

A. Requests for exceptions to this policy must be submitted in writing to the County Administrator's office prior to the incident taking place or, in the case of an emergency, within 24 hours of the incident. Each request should list complete details and will be reviewed and a determination made on a case-by-case basis.

FOR MORE INFORMATION CONTACT: Office of Management and Budget

REFERENCE: Regulation 2.12.03 -

Defensive Driving Course

Regulation 2.12.04 -

County Motor Vehicle Operations

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 8.07

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B. Only those classifications on a take-home vehicles list approved by the County Administrator or his designee will be authorized to take vehicles home.

Changes to the approved take-home vehicle list must be forwarded to the County Administrator's Office for approval. A copy of the approved request will be sent to OMB with the original to the Payroll Department.

D. Upon replacement of vehicles, a memorandum must be forwarded to the County Administrator's Office, with a copy to OMB, detailing the changes. Approved changes will be forwarded to the Payroll Department.

Employees authorized the take-home use of- a non-exempt vehicle will have \$3.00 per day added to their gross wages in accordance with the tax law.

F. Those employees who receive and are taxed on fringe benefits as a result of a requirement to commute in a County-provided vehicle will receive additional cash compensation in accordance with the following formula:

$$[NCB (TR + SSR)]t \quad [1 - (TR + SSR)]j$$

where: NCB = Total taxable fringe benefits from commuting reported per computation period.

TR = Applicable supplemental wage withholding rate.

SSR = Applicable FICA employee withholding rate.

Unless otherwise designated by the County Comptroller, the computation period will be the same as the County pay period.

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Approved By: BCC
Title:
CARE AND MAINTENANCE OF COUNTY OWNED VEHICLES
Page I of 2

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I. POLICY:

It is the policy of the Orange County Board of County Commissioners that assigned vehicles are properly cared for and maintained. Uniform procedures ensuring that proper care and maintenance of County vehicles are promulgated not only for safety related reasons but also to present a professional vehicle appearance, extend the operating life and increase the salvage resale value of vehicles.

II. PROCEDURES:

A. Department Managers will ensure that **all** employees are made aware of and comply with the contents of this policy.

B. Vehicle operators are responsible for performing driver inspections of their assigned vehicles prior to operating. For convenience, operators may obtain a copy of Fleet Managements "Operator Discrepancies and Maintenance Report" (ODMR) for inspection documentation purposes.

C. The driver shall make daily inspections of the following safety items:

Safety Belts	Windshield Wipers	Exhaust System	Horn
Foot Brakes	Condition of Tires	Mirror & Glass	
Emergency Brakes	Turn Signals	Lights	

Discrepancies are to be reported immediately to Fleet Management for correction.

D. The following items must be checked at least once each month: (Fleet Management personnel will assist if these checks are beyond the capability of the operator).

Automatic Transmission Fluid Level
Windshield Washer Fluid
Tire Pressure

Motor Oil

Coolant Level

Discrepancies are to be reported immediately to Fleet Management for corrections.

FOR MORE INFORMATION CONTACT: Fleet Management Department
Administrative Support Division

REFERENCE: None

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

If a vehicle is unsafe to operate, a wrecker will be dispatched to deliver it to the repair facility.

F. County vehicles will not be abused or misused. During routine or unscheduled maintenance, the Fleet Management Quality Control inspector will inspect for abuse or misuse and if observed will annotate the work order for management action stating "suspected abuse/misuse".

G.

Vehicle operators will wash their vehicles when needed. Drive through automatic car washers may be used for sedans and small trucks and vans. The Fleet Management Department will polish vehicles to the extent their available manpower allows when paint becomes oxidized and dull in appearance. Vehicle interior will be vacuumed as needed.

Each department will inspect their assigned vehicles on a quarterly basis to ensure proper vehicle operator care and maintenance. Inspection documentation shall be maintained so that vehicle operators who maintain their vehicles in an outstanding manner may be recognized by their department during employee recognition programs.

No: 8.07.01

Page 2 of 2

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ADMINISTRATIVE REGULATIONS

Date: 12/03/91

Approved By: BCC

TiUe:

HARKINGS ON COUNTY VEHICLES

Page I Of I

I. POLICY:

It is the policy of the Orange County Board of County Commissioners that only officially approved decals or markings be placed on County vehicles. Professional decorum mandates that County vehicles depict a standard professional appearance throughout the County.

II. PROCEDURES:

A. The Fleet Management Department is responsible for obtaining and applying all markings and decals to County vehicles. Upon receipt of new vehicles Fleet Management will install a vehicle number decal for identification and accountability. Fleet Management will also install on new vehicles the official orange County Seal decal to the two forward doors.

B. Department decals necessary to identify a department *function* such as the Division of Corrections or Fire and Rescue Services Division may be substituted for the Orange County official seal and placed on the two forward doors by Fleet Management when approved by the County Administrator.

C. Decals referred to as "bumper stickers" may be placed on County vehicles only upon the expressed approval of the appropriate division director, i.e., department managers should request approval from their respective division director.

REFERENCE: None

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ADMINISTRATIVE REGULATIONS Date: 12/03/91

Approved By: BCC
Tide:

PURCHASE OR LEASE OF COUNTY VEHICLES

Page 1 Of 1

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I. POLICY:

It is the policy of the Orange County Board of County Commissioners that each department have the vehicle assets necessary to accomplish their assigned functions. Departments shall submit a definitive justification for each vehicular asset procured.

II. PROCEDURES:

A. New vehicle requirements shall be thoroughly justified to include why existing vehicular assets can not be jointly used to accomplish assigned functions. Replacement of existing vehicles must be justified based upon the age, condition, mileage and maintenance cost of the existing vehicles.

B. The submittal guidelines for purchasing vehicular assets specified by the Office of Management and Budget in their "Annual Budget Reference Manual" shall be followed. Forms shall be properly completed and submitted in a timely manner as noted in the manual.

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When vehicular assets are leased, departments shall use the Purchasing Department guidelines for equipment leases. The justification shall include a statement as to why existing vehicular assets, if available, will not satisfy the requirement. If a continuous requirement, consideration shall be given to justifying the purchase of the vehicles.

FOR MORE INFORMATION CONTACT: Fleet Management Department
Office of Management & Budget

REFERENCE: None

File No: 8.07.04

ORANGE COUNTY

(157)

ADMINISTRATIVE REGULATIONS Date: 9-18-89

Approved By: BCC

TWe:

SURPLUS COUNTY VEHICLES

Page 1 of 2

POLICY:

A. Vehicles no longer needed for the efficient operation of a department shall be considered surplus.

B. Vehicles which are considered surplus will be reassigned to another department or sold.

11. PROCEDURES:

A. The Department Manager shall be responsible for determining when a vehicle is surplus to his needs. -Upon determining that a vehicle is surplus, he shall prepare a memo to the Manager of the Vehicle Maintenance Department and send a copy to the Director of Administration and Community Services Division, and to the Supervisor of the Property Accounting Department. The vehicle will be physically transferred to the Vehicle Maintenance facility.

B. The Manager of the Vehicle Maintenance Department will carefully examine the vehicles he receives and determine if they should be reassigned or sold.

C.

If it is the opinion of the Manager of the Vehicle Maintenance Department that a surplus vehicle should be sold, the vehicle will be physically turned in to the Supervisor, Property Accounting Department who will accomplish the sale in accordance with Sections 125.35, 125.38, 274.05, 274.06 and 274.07F Florida Statutes. Proceeds from the sale of vehicles will be placed in the general fund or appropriate Enterprise or Internal Service fund.

D. If it is the opinion of the Manager of the Vehicle Maintenance Department that a surplus vehicle can be utilized in another department, the manager shall possess full authority to initiate a transfer of the surplus vehicle to that department and will advise the Supervisor of the Property Accounting Department accordingly.

FOR MORE INFORMATION CONTACT:

Property Accounting Department

Vehicle Maintenance Department

REFERENCE: Florida Statutes, Sections 125.35, 125.38, 274.05, 274.06 and 274.07

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 8.07.04

E. If the surplus vehicle originates from an Enterprise or Internal Service fund, then the Manager of the Vehicle Maintenance Department shall, prior to initiating the transfer, assign to the vehicle a value to be reimbursed to the Enterprise or Internal Service fund by the department receiving the surplus vehicle. If there is a difference of opinion between the Manager of the Vehicle Maintenance Department and the manager of the department where the surplus vehicle originates regarding the value of the vehicle, it shall be the responsibility of the Director of the Administrative and Community Services Division to ascertain the value. His decision is final.

It is the policy of the Board of County Commissioners that the trading in of vehicles for credit toward the purchase of other equipment and the cannibalization of -equipment (removal of parts) constitutes a "disposal of property" under the provisions of Section 274.07 and must be approved by the Board. Requests for such disposal will come through the supervisor of the Property Accounting Department. However, the exchange of parts between a vehicle to be sold and a vehicle which is to remain in service will be approved by the Manager of the Vehicle Maintenance Department provided that the old part is properly re-installed on the sale vehicle from which the part was taken. Therefore, the vehicles presented for sale will be complete and not disassembled.

When vehicles are turned in to the Supervisor of the Property Accounting Department for sale, the Manager of the Vehicle Maintenance Department will provide a written statement concerning the condition of the vehicles and enumerating any defects of which he is aware that are not visually obvious. This information shall be made known to the public when the vehicle is sold.

ORANGE COUNTY No: 8.07.05
ADMINISTRATIVE REGULATIONS Date:

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Approved By-

Tide: BCC 03/08/94

VEHICLE TAKE HOME ASSIGNMENT POLICY

Page 1 of 3

POLICY

It is the intent of orange County Government to provide effective and efficient usage of all County vehicles and, at the same time, provide the most effective and efficient service possible at all times. To facilitate this process, authorized individuals may be granted the use of County vehicles for transportation to and from their place of residence and their work place or in response to problems during other than normal work hours.

These regulations shall apply to all Orange County employees who are authorized to use County vehicles to commute to and from their work site and their place of residence or any portion thereof. Work site is defined as the place where the employee normally starts his/her work day.

Only employees falling under the guidelines of this policy will be authorized to, or allowed to, use a County vehicle for this purpose unless prior approval is given, on a case by case basis, by the employee's Department Manager or Division Director.

It is the responsibility of each Division Director and Department Manager to ensure compliance with these regulations.

PROCEDURES

A. Employees Who May Be Authorized

Employees who, in the judgment of the Division Director, or designee thereof, serve as a part of the minimum staffing required for "first response" to problems within their area of employment which, if not responded to in a **timely manner, could cause** serious operational problems, health and/or safety hazards, and/or extensive property damage requiring immediate attention.

FOR MOR, INFORMATION CONTACT:

REFERENCE: None

Dave Holloway, Chairman, Vehicle Requirement Utilization Group (352-4311)

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Supervisors who, in the judgment of the Division Director, or designee thereof, are required to respond, on a frequent basis, to problem areas in support of the "first response team."

B. Employees Who May Not Be Authorized

C.

Employees who are receiving mileage reimbursement or additional salary in lieu of such reimbursement, for the full time usage of their personal vehicle.

Positions which have been authorized this type usage of a County Vehicle but who have not met the minimum average of three (3) after-hours responses per month during the previous year, effective one year from the effective date of this regulation, unless justified, on a case-by-case basis by the Division Director to the County Administrator.

Employees who are not in possession of a valid Florida operation/commercial license of the type required to legally operate the vehicle to which they are assigned.

The County Administrator or designee, Office of Management and Budget, and Payroll Department will be furnished a listing (Addendum 1) immediately after effective date of this procedure and annually thereafter, from the Department Manager through the Division Director, of all employees/positions to be assigned vehicles for this type usage, the vehicle number, and the justification for each such authorization. This listing will be submitted by all Departments, regardless of amount of usage of "take home" vehicles. Quarterly notification will be made of any permanent changes to this list incurred during the previous quarter.

Authorized employee will fill in required data on the Vehicle Usage Form (Addendum 2) for after-hours usage of the vehicle. Employee's supervisor will review this form at the end of each month, checking for any violations of or deviations from the regulation, and giving written notification of any such violations/deviations to the Department Manager and the Division Director for their review.

ORANGE COUNTY
ADNNISTRATIVE REGULATIONS

No: 8.07.05

Page 3 of

E. Completed Vehicle Usage record files shall be maintained, at the Section or Department level, for a minimum of three years.

F. If an employee authorized this type usage of a County vehicle resides outside Orange County, a request for authorization for the vehicle to be taken outside the County must be completed prior to the vehicle being taken out of the County. This request, in writing, should be made by the affected employee's supervisor, through the Department Manager to the County Administrator's office. it should include the name and position of the person involved, the address and county to which the vehicle is being taken, and the reason for, and estimated length of time for this usage.

Violations of this regulation may be grounds for disciplinary action under Section 8; Item 3 -"Personal use of County equipment, materials, tools, supplies, etc., without proper authorization" and Item 10 - "Violation of any County or departmental policy or procedure" of the Orange County Personnel Policy Manual.

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Addendum 1

ORANGE COUNTY TAKE HOME VEHICLE LIST-ING

Fiscal Year Covered:

Div.: Director: Date:
Dept.: Manager: Date:
Section: Supv.: Date:
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VEHICLE
NUMBER

EMPLOYEE NAME

ADMREG6 03/14/94

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Addendum 2

TIME OF
TRIP
BEGIN END

Type Vehicle:

Div.:

DATE

Dept. :

Title:

Sect. :

Employee Name:

Vehicle Number:

ODOMETER READING
BEGIN END

TRIP
JUSTIFICATION

ORANGE COUNTY AFTER HOURS VEHICLE USAGE FORM

Number of After Hrs. Trips (excluding to and from residence to normal work site):

Reviewing Supervisor

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Date Reviewed

ADMREG6 03/15/94

ORMGE COUNTY No: 8.07.06
ADMINISTRATIVE REGULATIONS

Date:

Approved By:

Title: BCC 3/8/94

VEHICLE TOLL CARD ASSIGNMENT POLICY

Page 1 of 3

Policy:

It is the intent of Orange County Government to provide the most effective and efficient service possible at all times. To facilitate this process, the County uses Toll Cards issued by Florida Department of Transportation (FDOT) as charge cards for tolls incurred on local expressways. The County is billed monthly by FDOT.

Toll cards shall be assigned to County vehicles and are to be used by authorized operators of those vehicles to charge tolls for on-duty transportation.

Toll cards may also be assigned to County employees who are authorized to use their privately owned vehicles for on-duty transportation.

Any request for exceptions to this policy must be approved by the County Administrator or designee. Requests must be in writing prior to the incident or, in the case of an emergency, within 24 hours of the incident.

ii.

PROCEDURES:

A. An employee may be authorized to use a County toll card if he/she is authorized to operate a County vehicle to which a toll card has been assigned by the Department Manager and approved by the Division Director.

B. An employee may also be authorized to use a County toll card if he/she is using a personal vehicle and has been assigned a toll card by the Department Manager and approved by the Division Director.

The FDOT application form used to procure a toll card must be completed by the Department Manager and submitted through the Division Director.

FOR MORE INFORMATION CONTACT: Office of Management & Budget

REFERENCE: None

ORANGE COUNTY
ADNNISTRATIVE REGULATIONS

D In order to ensure accountability -of toll cards, Department Managers through their Division Directors, will provide the County Administrator, or designee, an annual listing of all County vehicles and employees to which toll cards are assigned. The listing should account for all outstanding toll cards showing each vehicle number for card assigned to a vehicle, each employee's name for card assigned to an employee, assigned toll card number and justification for approval. The toll card listing will be submitted by all Departments using toll cards. Quarterly notification will be made of any permanent changes to this list during the previous quarter.

E Department Managers will ensure that toll cards are used only for the purpose and in the manner intended.

F. Violations of this policy may be grounds for disciplinary action under Section 8; Item 3"Personal use of County equipment, materials, tools, supplies, etc., without proper authorization" and Item 10- "Violation of any County or departmental policy or procedure" of the Orange County Personnel Policy Manual.

Toll cards issued to County departments shall be assigned to specific County vehicles and to other authorized employees for on-duty transportation.

H. When a vehicle is replaced, the toll card will be re-assigned to the new vehicle and the annual listing updated to reflect the change.

When an employee's employment status changes and the employee is no longer eligible to use a County toll card, the toll card must be returned to the Department Manager for re-assignment or cancellation. The annual listing must be updated to show the change.

ORANGE COUNTY NO: 8.07.06
ADNNISMATIVE REGULATIONS Page 3 of 3

I Precautionary efforts shall be made-to prevent loss or damage to toll cards due to improper usage or negligence. Toll cards should **remain with assigned vehicles and in possession of employees** who are assigned toll cards. Cards are to be kept secured in glove compartments of vehicles. An operator is responsible to check whether a card is in the glove compartment. When a vehicle is traded, the operator at the time is responsible for removing the card and placing it in the new vehicle.

J A lost, stolen, damaged, or canceled toll card will be expeditiously reported to the Department Manager through the employee's chain of command. The Department Manager will then notify the Office of Toll Operations, Florida -Department of Transportation concerning a lost, stolen, damaged or canceled toll card.

K. Operators authorized to take County vehicles home and other employees authorized to use toll cards shall not use toll cards or be reimbursed for tolls incurred for routine travel to begin and end the normal tour of duty. Such tolls shall be considered out-of-pocket expenditures.

managers or designees shall review each monthly bill from FDOT for reasonableness in comparison to the average amount of prior months' bills and their awareness of the relevant level of transportation activities for their departments. If, in the judgment of the Manager, the monthly bill seems unreasonable, the Manager shall notify FDOT in writing.

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No: 8.08

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ORANGE COUNTY
ADMINISTRATIVE
REGULATIONS

OFFICE MACHINE
MAINTENANCE AND
REPAIR

Approved By: BCC

Page 1 of 1

Date: 9-18-89

POLICY:

A. The operating department shall maintain a file of existing service agreements for the repair and maintenance of office machines as required.

A. At the expiration of the original warranty period of the piece of equipment concerned, the using department at its discretion shall submit a requisition to Purchasing to contract for a maintenance/service agreement for the time specified by the using department.

b. Purchasing shall then issue a purchase order to encumber funds for the contract.

FOR MORE INFORMATION CONTACT:

REFERENCE: None

Purchasing Department

II. PROCEDURES:

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title: **DEVELOPMENT OF FACILITIES EXEMPT FROM COUNTY
ZONING REGULATIONS; PUBLIC MEETING PROCEDURES**

1. POLICY.

No: R-(9)

Date: 09/19/97

Approved By: BCC

Page

A. In order to ensure that Orange County governmental facilities can be developed by Orange County and developed in a timely and cost efficient manner, the Orange County Board of County Commissioners adopted Section 38-5 of the Orange County Code on April 29, 1997 exempting those facilities from the zoning regulations set forth in Chapter 38 of the Orange County Code.

B. Nevertheless, in accordance with Section 38-5, the County Commissioners and the County Chairman can annually review the County's capital improvements program to decide which proposed governmental facilities, if any, a District Commissioner and/or the County Chairman believes should be discussed at a public meeting in accordance with the procedures set forth in this Administrative Regulation.

C.

li. PROCEDURES.

The sole purpose behind establishing a process whereby a District Commissioner or the County Chairman may call for a public meeting regarding a proposed governmental facility is to afford affected property owners an opportunity to appear at the public meeting to express their views and opinions regarding zoning related issues. Notwithstanding that a public meeting may not be called and held, may be called and held, or may be called but not held pursuant to the notice procedures set forth below, Orange County governmental facilities being exempt from Orange County zoning regulations, no person shall have standing to judicially challenge the development of a governmental facility pursuant to Section 38-5.

A. I If a governmental facility is proposed to be located in a single County Commission District, the District Commissioner, and/or County Chairman shall decide whether a public meeting should be held.

2. If a governmental facility is proposed to be located in more than one County Commission District, any District Commissioner in whose district the facility would be partially located and/or the County Chairman shall decide whether a public meeting should be held.

B. If the County Chairman and/or a District Commissioner decides that a public meeting should be held, the County Chairman and/or the District Commissioner shall designate such project for a public meeting under one of the following three categories described below:

Category "J." A Category "I" public meeting is a neighborhood meeting held in the affected community. At least ten (10) days before the meeting, the owners of property located adjacent to the boundary of the proposed governmental facility shall be mailed notice of the meeting. The District Commissioner or his/her designee shall host the meeting.

2. *Category "2."* A Category "T" public meeting is a meeting held at the Orange County Administration Center at 201 South Rosalind Avenue in downtown Orlando. At least ten (10) days before the meeting, the owners of property located within three hundred (300) feet of the boundary of the proposed governmental facility shall be mailed notice of the meeting. The District Commissioner or his/her designee shall host the meeting.

Category "3." A Category "Y" public meeting is a meeting held before the Board of County Commissioners in the Board's chambers at the Orange County Administration Center. At least ten (10) days before the meeting, the owners of property located within five hundred (500) feet of the boundary of the proposed governmental facility shall be mailed notice of the meeting, a legal notice shall be published in *The Orlando Sentinel*, and a conspicuous notice shall be posted on the property where the facility is planned for development.

FOR MORE INFORMATION CONTACT: Zoning Department

REFERENCES: Section 38-5, Orange County Code

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ORANGE COUNTY

No: 8.11

ADMINISTRATIVE REGULATIONS Date: 6/18/91

Approved By: BCC

Tide:

CHILDREN, YOUTH AND FAMILY SERVICES DEPARTMENT

RECREATION FACILITIES

Page 1 of 1

I. POLICY:

The Department of Children, Youth and Family Services provides care for children and youth who are unable, for a variety of reasons, to live with their own families. At times it is necessary to provide protective care for children whose safety and welfare has been threatened by others. It is also important to provide recreational activities for the children under the department's care. In order to assure the safety of the department's clients as well as to assure that they have access to recreational opportunities, the use of the department's recreational facilities must be carefully controlled.

It is the County's policy that the use of recreational facilities is limited to:

of this department's

A. Clients and staff of the department as part of the department's general recreation and activities program.

B. With the approval of the Department Manager, community groups who are sponsoring activities which directly benefit the department's clients.

With the approval of the Department Manager, activities which are provided by County employees as part of the County's Wellness Program.

II. PROCEDURES:

Requests from those who are eligible to use the department's recreation facilities should be directed to the Manager, Department of Children, Youth and Family Services.

FOR MORE INFORMATION CONTACT:

services

Department of Children, Youth and Family

REFERENCE: None

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ORMGE COUNTY No: 8.12
ADMINISTRATIVE REGULATIONS Date: 11/24/92

Approved By BCC

Title:

USE OF COUNTY FACILITIES

Page I Of 2

I. POLICY:

A. County buildings and other facilities can be made available for use by the general public on a "cost use" basis when such buildings or facilities:

1. are open and available and not otherwise required for County use or can be made open and available.

2. the space or facility desired is reasonably designed for or can accommodate the desired public use without safety risk, the risk of abuse or harm to County property or breach of County security.

3.

the use of the space or facility is for a purpose which will not constitute an illegal or immoral activity, a breach of peace or good order or which will not reflect unfavorably upon the County government or the residents of the County.

B. Fees for facility use will be based on estimated cost attributable to each use and will be developed and presented in the County's annual service and user fee justification process.

Departments having jurisdiction over those certain facilities which lend themselves to frequent and/or customary use by the public will establish set and specific use policies and cost schedules. These policies and cost schedules shall be uniformly applied in the use of such facilities. Such policies and cost schedules shall be developed by the Department having jurisdiction over the facility and the Office of Management and Budget. Standard fee proposals will be submitted to the Board of County Commissioners for approval. The department manager is responsible for ensuring general conformity with other facilities use agreements.

FOR MORE INFORMATION CONTACT: Facilities Management Department

REFERENCE: Operational Procedures for community Centers, Department of Community Affairs. Facility Use Contracts, Parks and Recreation Department. Policy Statement and Agreement, Co-operative Extension Service.

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II. PROCEDURES:

County buildings or facilities can be used at no cost if the use will not require any additional or unscheduled janitorial, security, or staffing services. To obtain the use of a County building or facility or space **without a fee**, a member of the general public must submit a request to the **Manager** of the Department having jurisdiction over the facility. The requested use must be consistent with the criteria in Policy A (1), (2), and (3) and there must be a demonstrated reason why it is in the County's interest to allow the use of the County facility at no cost.

A. Those departments with use policies and cost schedules in place on the date of approval of this Administrative Regulation may continue to operate pursuant to these guidelines. Any use of facilities of these Departments which is not presently covered by such Policies and Cost Schedules shall be developed and approved in accordance with this regulation.

B. 1. Upon request by a member of the general public for the use of a County building or facility or space therein, the Manager of the Department having jurisdiction over such facility (or his/her designee) shall ascertain whether use of the facility is consistent with this regulation.

2. Upon a finding by the Department Manager (or his/her designee) that the requested public use will meet the criteria set forth herein, then, the Department Manager (or his/her designee) will request the Manager of the Facilities Management Department to develop the amount of fee to be charged by the County for the requested use based upon the Fee Schedule adopted by the Board of County Commissioners. Such determination shall be made in accordance with the criteria of Policy Statement B.

3. The Manager of the Department having jurisdiction of the facility in question shall then present a facility use agreement to the requesting proposed user. The agreement will set forth the terms and conditions of the proposed use and will be accompanied by full payment, in advance, of the facility use fee. The Manager must submit the facility use **agreement to the** County Attorney and the Risk Management Department, to insure that the facility use agreement fully protects the property and interests of the County Government and County residents.

4. Cases may be referred by Division Directors to the County Administrator's Office if such involve questions of unusual business or economic judgment or novel use or other novel circumstances.

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No: 9.01.07
ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 1-30-89

Approved BY: BCC

TWe: Revised 4-3-89

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE

GOOD FAITH EFFORT Page 1 Of 6

I. POLICY:

The County Administrator shall establish procedures for monitoring and **evaluating program performance and** compliance. The Board of County Commissioners reserves the right to reject any proposal deemed **non-responsive for** failing to meet the Minority/Women-Owned Business Enterprise (M/WBE) requirements, the Fairness in Procurement contract specifications and failing to submit all the required forms and documentation.

II. PROCEDURES:

A. Contract Pre-Award Review

1. The requirements for achieving Orange County M/WBE subcontracting goals and the criteria for determining "good faith effort" shall be included in the instruction section of the bid documents.

2. Each page of the bid documents designed to collect M/WBE information or fulfill M/WBE requirements shall be marked with:

"This page is not to be left blank" and

"Failure to complete this page shall result in rejection of this bid as non-responsive."

3. A sample Letter of Intent shall be included in the bid package to be used by the Prime Contractor to report the specific M/WBE subcontractor to be used, scope of work and dollar amount of the subcontract. This letter must be completed and signed by the Prime Contractor for each M/WBE to be used and submitted forty-eight (48) hours (two business days) after bid opening. The Letters of Intent must be co-signed by the M/WBE subcontractors within 48 hours (two business days) of the bid opening unless the M/WBE manager grants an extension.

FOR MORE INFORMATION CONTACT: Minority/Women-owned Business
Enterprise Office

REFERENCE: Fairness In Procurement Ordinance

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 9.01.07

Page 2 of 6

4. Prime Contractors shall contact the M/WBE Office immediately for guidance and assistance in the event that:

- a. The contractor anticipates or has difficulty in identifying and/or obtaining M/WBE's for subcontracting participation.
- b. The contractor is unable to identify portions of the work that can be broken down for M/WBE subcontract participation.
- c.

The contractor determines that breaking down the work is not possible.

d. A subcontractor or supplier cannot perform as required by the bid document.

5. Subcontractors may contact the M/WBE office:

- a. When the subcontractors are having difficulty making follow-up contacts with the Prime Contractors.
- b. When the subcontractors do not get a response from the Prime Contractors to submitted bids.
- c. When the subcontractors or suppliers cannot perform as required by the bid document.

All M/WBE's must be certified by the County M/WBE Department or the City of Orlando MBE Department prior to bid solicitation.

B. Good Faith Effort

This section applies when the contractor fails to meet the 18% MBE subcontract dollar amount/6% WBE subcontract dollar amount. Contractors meeting and exceeding the goals need not attach good faith documentation in the bid package.

The following criteria are guidelines for evaluation that a Prime Contractor can follow to meet the M/WBE goals. While each criteria is important, failure to comply with each and every criteria as set out in (a) to (1) does not make compliance fatal. Once a Prime Contractor has received a definite and unequivocal non-response or non-availability, there is no need to proceed with further good faith effort with respect to that dissenting M/WBE. The totality of effort will be taken into account.

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ORANGE COUNTY ADMINISTRATIVE REGULATIONS

No: 9.01.07

Page 3 of 6

1. The criteria for determining good faith effort shall include but may not be limited to the following:

a. Prime Contractors and M/WBE's may attend pre-bid conferences scheduled by the County to learn about the type of work to be done, what goals are to be met and how they can be met.

b. Prime Contractors shall advertise in general circulation media, trade association publications and/or M/WBE-focus media concerning the subcontracting and suppliers opportunities. The Prime Contractor should notify M/WBE subcontractors by phone and/or post cards.

c.

The contractor, within reasonable time in the case of subcontract goals, shall provide written notice by certified mail, return receipt requested, or hand delivery, with receipt, to certified MBE's and WBE's which perform the type of work that the contractor intends to subcontract, advising the MBE's and WBE's:

- 1) of the specific work the contractor intends to subcontract;
- 2) that their interest in the contract is being solicited; and

how to obtain information about and review of the contract plans and specifications.

d. Prime Contractors shall select economically feasible portions of work as found in normal industry practice, to be performed by M/WBE's including where appropriate, breaking up of contracts or combining elements of work into economically feasible units. A Prime Contractor is not required to subcontract out work that it normally **would perform with its own work** force. However if after award of a bid, the Prime Contractor chooses to subcontract non-M/WBE firm, the Prime Contractor may face penalties pursuant to the "Fairness In Procurement" ordinance. Additionally, if during the fiscal year the County has failed to meet its M/WBE goals, the County reserves the right to award the contract to

Contractor chooses to subcontract non-M/WBE firm, the Prime Contractor may face penalties pursuant to the "Fairness In Procurement" ordinance. Additionally, if during the fiscal year the County has failed to meet its M/WBE goals, the County reserves the right to award the contract to

the next responsive, responsible bidder who has subcontracted scopes of work to meet the 18% MBE and 6%WBE goals.

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No: 9.01.07

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

e.

Prime Contractors shall follow up initial solicitations **of interest by contacting minority/women-owned business enterprises**, sufficiently documenting the date, time, and contact person.

f. For those instances where a majority contractor is selected for a scope of work in which M/WBE bids were submitted, the contractor shall submit all quotations received from M/WBE's and the selected majority contractor, and for those quotations not accepted, offer an explanation of why the M/WBE's will not be used during the course of the contract. Receipt of a lower quotation from a non-M/WBE prior to or at the time of bid opening will not in itself excuse a contractor's failure to meet contract goals. However, a contractor's good faith efforts obligation does not require a contractor to accept a quotation from an M/WBE which is an unreasonable price. For the purpose of this subsection, an unreasonable" price is a price above competitive levels which cannot be attributed to the M/WBE's attempt to cover costs inflated by the present effect of disadvantage or discrimination.

g. Prime Contractors shall provide interested M/WBE's with assistance in reviewing the contract plans and specifications.

h. The Prime Contractor assisted interested M/WBE's in obtaining required bonding lines of credit or insurance.

The Prime Contractor contacted interested minority/women-owned business enterprises, not rejecting minority/women-owned business enterprises as unqualified without sound reasons based on a thorough and documented investigation of their capabilities.

Whether other bidders met the requirements relating to the use of subcontractors as minority/women-owned business enterprises.

k. The Prime Contractor elected to subcontract types of work that match the capabilities of solicited M/WBE's.

l. The Prime Contractor has on other contracts within the past six (6) months utilized M/WBE's.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 9.01.07

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C. Bid

3.

Evaluation

1. Incomplete bids (blank M/WBE information pages) shall be immediately rejected as non-responsive.

Each responsive bid shall be evaluated based on the signed Letters of Intent with certified M/WBE's to determine the dollar percentage of the contract made up by those M/WBE subcontracts.

If a contractor fails to meet the goals as listed herein but in the opinion of the M/WBE manager has substantially complied with good faith as contained in Part II above, the M/WBE manager may provide an extension of no more than two (2) business days to meet the M/WBE- goals. At the end of that period, the M/WBE manager shall once again review the contractor's efforts to subcontract with M/WBE's to ensure that the contractor has made a good faith effort to comply.

Failure to comply with the M/WBE subcontract goals pursuant to the "Fairness in Procurement Ordinance,"

Section 1 (5), Article IV of Chapter One of the Orange County Code, may result in the County invoking penalties.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 9.01.07

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SAMPLE LETTER OF INTENT

INSTRUCTIONS Contractor shall place the following on their letterhead, executed by their authorized agent. The Contractor shall submit this Letter forty-eight (48) hours (two business days) after bid opening, listing any and all MBE/WBE subcontracts (including suppliers) obtained by the Contractor.

In the event a Contractor fails to meet the entire MBE/WBE percentage goals as required by the attached documents, the Contractor shall complete and submit this Letter of Intent and shall provide evidence of a good faith effort as required by the "Orange County Construction Contract Bid specifications Minority and Women-owned Business Enterprise Participation," forty-eight (48) hours (two business days) after bid opening. The Letter of Intent must be signed by the MBE/WBE's and the Prime Contractor and returned to the M/WBE Department no later than two business days after bid opening.

Dear M/WBE Manager:

I, J, have entered into an agreement(s) with
(Name of Contractor)
the following Minority and/or Women-Owned Business Enterprise(s) to do
the following work for the listed, total contract amounts.

MBE/WBE Subcontractor/Supplier

(Scope of Work)

(Subcontract Price)

(NOTE: Execute a separate letter for additional MBE/WBE's as needed)

I understand that I shall not be allowed to substitute or change MBE/WBE subcontractors nor their scope of work nor the percentage of work performed by them, without the express prior approval of the M/WBE Manager.

I was unable to meet the total MBE and/or WBE goals on the project. My "good faith effort" documentation is attached to this Letter.

Under penalty of perjury, I declare that I have read the foregoing and the facts stated in it are true. (Failure to answer the above questions honestly may result in criminal prosecution for a felony of the third degree as provided for in #92,525(3) Florida Statutes).

Authorized Agent of Prime Contractor

Date

Authorized Agent of MBE/WBE Date

Must be signed by Prime Contractor and M/WBE within forty-eight (48) hours (two business days) after bid opening.

DO NOT LEAVE THIS PAGE BLANK FAILURE TO COMPLETE THIS PAGE SHALL RESULT IN REJECTION OF THIS BID AS NON-RESPONSIVE.

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REFERENCE: None

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M111Cg, "

R.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

-title:

PROCEDURES FOR SELECTION OF ARCHITECTS AND ENGINEERS

No: 9.01.08

Date: 08/04/92

Approved BY: BCC

Page I of 5

I. POLICY:

Orange County's selection process for professional architectural, engineering, landscape architectural and landsurveying services shall be in accordance with Florida Statute 287.055, Consultants' Compliance Negotiation Act.

II. PROCEDURES:

The purpose of these procedures is to establish a fair, equitable and impartial process by which the County selects architects and engineers in accordance with F.S. 287.055, The following items delineate specific responsibilities of appropriate parties during the selection process:

Purchasing and Contracts Department

B. Confirms selection criteria with Initiating Department.

E. Reviews received proposals to determine responsiveness.

A. Obtains budget amount from the Initiating Department allocated for design and for construction of the project.

C. In accordance with the County Procurement ordinance, advertises and issues Request for Proposal (RFP, including identification of evaluation criteria and weights). Such advertisement (legal notice) shall be in the standard format of Exhibit 5*. Such RFP shall be in the standard format of Exhibit 6*.

D. Provides the Final Selection Team members with a list of projects for which RFPs have been issued.

F. Distributes proposals to members of the Final Selection Team and the Initiating Department with a list of proposals deemed non-responsive (with reasons for determining non-responsiveness).

FOR MORE INFORMATION CONTACT: Purchasing-Department

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ORANGE COUNTY No: 9.01.08
ADMINISTRATIVE REGULATIONS Page 2 of 5

2. M/WBE Department

A. Reviews and evaluates proposals according to M/WBE criteria and forwards a recommendation to the Initiating Department with a copy to the Purchasing and Contracts Department.

3. Initiating Department

A. May request PSRC consider additional criteria or changing of criteria weights prior to RFP issuance in accordance with item 1B above. criteria **and weights may be** revised by majority vote of the Final Selection Team prior to RFP issuance only.

B. Establishes a short-list team of three (3) or more persons within the department.

C.

D.

Each member of the short-list team shall independently evaluate and score each proposal based on criteria (attached Exhibit 1*) as defined in Exhibit 4* if construction costs are estimated at less than \$5 million; or evaluates and scores each firm based on short-list criteria (attached Exhibit 2*) as defined in Exhibit 4* if construction costs are estimated to be greater than \$5 million.

Total scores and present a recommendation of the Initiating Department to the Final Selection Team.

Final Selection Team (PSRC)

A. This team shall include representatives from County Administration, Public Works, Public Utilities, M/WBE Department, and Construction Administration. The Initiating Department may also designate a voting representative. The County Administrator shall appoint specific individuals from each department named, and may rotate such individuals as deemed appropriate.

B. The Team Chairperson shall be the Chief of Purchasing and Contracts as a non-voting member. The Chairperson shall assume those duties and responsibilities conducive to adherence to proper procedures, and fair and consistent evaluation of all proposers.

Team members shall individually review submittals by consultants prior to the Initiating Department presentation to the team at a public meeting.

D. A majority of the members of the Final Selection Team shall constitute a quorum for all team meetings.

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E. The Chairman of the Final Selection Team will ensure a record of the meeting is maintained, either **through a written or recorded method.**

F. An announcement of each meeting of the Final Selection Team shall be posted at the Purchasing and Contracts Department at least one (1) working day prior to the meeting.

G.

The team shall review evaluations by the Initiating Department.

1. Alternatives:

a. send back to Initiating Department for further review by the Initiating Department

b. validate evaluations of Initiating Department

c. amend the evaluation prepared by the Initiating Department

H. Schedule oral presentations, if applicable. Oral presentations shall be mandatory for projects where construction costs exceed \$5 million and studies exceeding \$100,000. At the discretion of the PSRC, oral interviews may be required at lesser construction amounts. The firm's project manager who is named as the day-to-day contact must be present at such oral presentations,

I. If oral presentations are held, the top 3-5 firms are evaluated in accordance with the final selection criteria (attached Exhibit 3*).

1. Should any member of the team be unable to view the presentations of all short-listed firms, his/her evaluation(s) shall not be considered.

2.

Discuss merits of each presentation. This shall include perceived strong points and weak points without discussion of, or reference to, actual scoring.

3. By unanimous vote of the team prior to scoring, a consensus evaluation may be used.

4. If consensus evaluation is not used, shall score each short-listed firm. members shall be totaled.

5. Rank firms in order.

each team member

Scores of all

J. The ranking of firms shall be posted for 72 hours in the Purchasing and Contracts. Department for allowance of possible protest hearing(s) or appeal to the Chilt_,-f of Purchasing and Contracts in accordance with the County Procurement Ordinance.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

5. Purchasing and Contracts Department

A. Submits ranked short-listed firms to the Board of County commissioners for approval.

6. Initiating Department

A. Preliminary negotiations with top ranked firm.

B. Submit recommended agreement to Purchasing and Contracts Department for scheduling with Final Selection Team (PSRC).

7. Final Selection Team (PSRC)

A. Review negotiated final contract, necessary.

8. Purchasing and Contracts Department

and/or negotiate as

A. Prepare recommendation for award of contract to the Board of county Commissioners for approval.

All discussions with consultants regarding projects for which a Request for Proposals has been issued, but selection not yet made, must first be routed through Purchasing and Contracts Department. This includes the time frame from advertisement until contract execution (except for negotiations).

A statement must be included in each Request for Proposals (RFP) which advises prospective proposers to contact the Purchasing and Contracts Department should they have any questions or concerns related to the proposal. Should technical concerns/questions arise outside the expertise of the Purchasing and Contracts Department, the Initiating Department will be contacted by Purchasing staff to obtain the answer(s). Purchasing staff will request the Initiating Department to respond or relay the answer(s) to the inquiring consultant and may issue an addendum (to all prospective proposers) when the answer involves an issue of importance to the prospective proposers. It is also expected that the majority of the RFPs will require technical questions be submitted in writing.

The decisions of the PSRC are not final and must be ratified by the Board of the County Commissioners. Therefore discussions with consultants regarding projects

for-which they have proposed, after PSRC meetings and prior to Board approval, must be routed through the Purchasing and Contracts Department.

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Except for negotiation sessions with the Board-approved consultant, departments should continue referring consultants to the Purchasing and Contracts Department until after Board approval of the final contract.

3.

These procedures will serve the following objectives:

provide better communications and prevent misunderstanding between prospective consultants and County staff;

provide a centralized control point (Purchasing) through which consultants may obtain information; and,

provide a focal point (Purchasing) through which consultants may submit proposal and appeal staff recommendations.

* Please see the Purchasing Department for specific forms and exhibits.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:

RECYCLED PRODUCT PROCUREMENT POLICY

I. POLICY:

No: 9.01.09

Date: 11/24/92

Approved By: BCC

Page 1 Of 2

The volume of solid waste disposed of within Orange County has been increasing annually; and landfill space is at a premium and it is becoming increasingly difficult to site new landfills; and much of the material that enters the solid waste stream can be recycled, reused or incorporated in the manufacture of new products; and the County's participation in and promotion of recycling programs can reduce this volume of material entering the waste stream thereby extending landfill life expectancy, and reducing infrastructure cost; and for recycling programs to be effective, markets must be developed for products that incorporate post-consumer materials in their manufacture, are reusable, or are designed to be recycled; and the Board of County Commissioners wishes to establish a procurement policy which will encourage and promote the use of recycled products and materials in addition to paper and to strengthen its recycled paper policy.

II. PROCEDURE

A. County departments and units shall develop product specifications to incorporate a requirement for the use of recycled materials, reusable products, and products designed to be recycled to the maximum extent practicable, subject to an alternative showing that either the performance of the product will be jeopardized or that the product will negatively impact health, safety or operational efficiency. The County shall use such specifications in issuing Invitations to Bid and Requests for Proposal.

B. The Chief of Purchasing and Contracts for the County shall have authority to review product and service specifications to determine whether they require or exclude the use of recycled products, reusable products, or products designed to be recycled.

FOR MORE INFORMATION CONTACT: Purchasing Department

REFERENCE:

None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

In the event that such specifications do exclude the use of recycled products or require -the use of virgin materials, and a product or service exists with recycled content, then such exclusions or requirements must be eliminated unless the pertinent department or unit can demonstrate to the satisfaction of the Chief of Purchasing and Contracts that these recycled products would not achieve a necessary performance standard.

D. Vendors competing to provide products or services to the County, including printing services, must demonstrate that they will comply with the specifications developed pursuant to this resolution.

E. Recycled paper shall be purchased and used in all copy machines that will accept it. County staff will work to encourage the copier industry to develop copiers that will accept recycled paper.

F. The Purchasing and Contracts Department shall purchase copiers which are capable of utilizing recycled paper, provided that they meet the needs of the County with regard to function.

G.

When recycled products are purchased,- the County shall require the vendor to undertake reasonable efforts to label these products to indicate recycled materials content. The County shall use for its stationery and envelopes recycled paper, that includes post-consumer recycled content and indicate on the paper and the envelope that they contain recycled material.

H. Any person or vendor who can demonstrate that a particular product or material with recycled content may be beneficially used instead of another product may request the County to evaluate such product or material. If such product or material is found to be beneficial, the County may **incorporate** the specifications of such product or material into its approved specifications for future Invitations to Bid or Requests for Proposal.

I. The County will cooperate to the greatest extent feasible with neighboring city and county governments in an effort to develop a comprehensive, consistent and effective procurement effort intended to stimulate the market for recycled products, reusable products, and products designed to be recycled.

All related County departments and units shall work cooperatively to further the purposes of this resolution.

Ira ADMINISTRATIVE REGULATIONS

Approved By: BCC

Tide: HANDLING OF CONTINUING (LONG-TERM) CONTRACTS
FOR ENGINEERING; ARCHITECTURAL# SURVEYING AND/OR
LANDSCAPE ARCHITECTURAL SERVICES Page 1 Of 4

I. POLICY

It is in the best interest of the County to maintain effective control over contract expenditures, in part through maximizing competition, specifying scope of work, establishing authority and approval levels, and defining terms used in contractual matters.

This Regulation applies to contracts with architects, engineers, land surveyors, and landscape architects which are entered into in compliance with Florida Statutes 287.055.

This Regulation is intended to apply to a majority of routine contract situations which can be efficiently handled by County staff but shall not limit the ability of the Board of County commissioners or County Chairman to implement specific policies for present or future major County projects.

II. PROCEDURES

A. Definitions:

"Continuing Contract" shall mean a contract for architectural/engineering/surveying/landscape architectural services established on an annual or ongoing basis whereby the firm provides professional services to the County for projects in which construction costs do not exceed \$500,000, for study activity when the fee for such professional services does not exceed \$25,000, or for work of a specified nature as outlined in the contract required by the County. The continuing contract specifies the types of services or projects to be performed, hourly rate schedule, overall multiplier (including overhead and profit), and duration of the contract. Services for specific projects which constitute a single or grouping of designs for construction, renovation, or rehabilitation

FOR MORE INFORMATION CONTACT: Purchasing Department

REFERENCE: Orange County Procurement Ordinance,
Florida Statute 287.055

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activities are rendered on an as needed basis by means of a negotiated task authorization as defined below. Pricing shall be included in project-specific task authorizations issued against the continuing contract. Continuing contracts are established by means of competitive Requests for Proposal with award approved by the Board of County Commissioners in accordance with the Administrative Regulation entitled Procedures for Selection of Architects and Engineers.

"Task Authorization" shall mean a project-specific work order issued against a continuing contract. Task authorizations specify the specific project, project schedule and completion time, detailed scope of services and total compensation for the task authorization.

"Study Activity" shall mean professional services involving research, investigation and/or evaluation which result in the presentation of findings, recommendations and/or a general plan for resolving a problem or need, but which do not involve the preparation of specific project designs, plans, specifications or other documents for use in obtaining priced proposals or awarding construction contracts.

B. Engineering and architectural services contracts may be established on a continuing basis for a period of one (1) year, renewable at one (1) year intervals for a maximum period of three (3) years as approved by the PSRC. Contracts will include a clause which allows the County to terminate at any time without cause, with payment made for services satisfactorily performed through the effective date of termination.

C.

Any firm selected to perform two (2) continuing contracts for the same services for six (6) consecutive or successive years shall not be eligible for re-selection until a minimum of one (1) year has elapsed.

D. Specific projects shall be identified and in accordance with the scope of work in these long-term contracts. More than one (1) project exceeding \$500,000 in construction costs or \$25,000 in study activities shall not be permitted within a continuing contract without proper justification by the initiating department and approval by the PSRC.

F.

G.

E. Additional specific projects may be added during the term of the contract so long as these projects are below the threshold dollar amounts previously stipulated, and are within the consultant's overall scope of work, schedule, and pricing. Work in progress on task authorizations at the time of expiration of the contract will continue until completion of all work specified in the task authorization.

"Additional Services" clauses within the contract shall include a statement that the consultant shall submit a proposal to the County, prior to being authorized begin these additional services. Said proposal shall include scope of services, schedule and a "not to exceed" or "lump sum" cost.

All task authorizations should be negotiated on a lump sum basis to the extent possible. Such task authorizations should include an attached fee proposal showing the manpower classifications, hours, contract hourly rate, break-even multiplier, profit margin, reimbursable amounts, and subconsultant fees to determine overall lump sum cost.

Any amendment, task authorization or additional service exceeding the limitations specified in this policy must be approved by the Board of County Commissioners

prior to notice to proceed being issued to the consultant. Task authorizations, amendments and additional services must be directly related to the scope of work delineated in the continuing contract.

H. Prior to an amendment, task authorization, or additional service being approved under the terms of this Regulation, sufficient funds for the services must be available in an appropriate, approved budget line item.

I. The following approval authority is hereby effective for authorization of task authorizations, amendments, and additional services to continuing contracts:

1. The Chief of Purchasing and Contracts shall be authorized to approve individual task authorizations and additional services, within the overall scope of the continuing contract, up to and including the amount of \$10,000.

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2.

The PSRC shall be authorized to approve individual task authorizations and additional services, within the overall scope of the *continuing contract*, up to and including the amount of \$50,000.

3. The Chief of Purchasing and Contracts shall be authorized to approve amendments to individual task authorizations up to \$50,000 or 20% of the original task authorization amount, whichever is lower.

4. Task authorizations shall not be artificially divided to circumvent the above approval requirements.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:

**PROCEDURES FOR COMPETITIVE PROPOSAL
AWARDS**

No: 9.01.13

Date: 08/04/92

Approved BY: BCC
04/13/93

Page 1 Of 8

I. POLICY:

Orange County's commitment to full and open competitive procurement requires that the Board of County Commissioners approve the award of procurements in accordance with the Orange County Procurement Ordinance, Chapter 17, Article III, Orange County Code. Such awards are made under the "competitive proposal" process when the competitive sealed bidding process can not be conveniently used.

Also, Orange County's selection process for professional architectural, engineering, landscape architectural and land surveying services must be in accordance with Section 287.055, Florida Statutes, The Consultants, Competitive Negotiations Act.

II. PROCEDURES:

The purpose of these procedures is to establish a fair, equitable and impartial process by which the Board of County Commissioners makes awards in "competitive proposal" procurements for services of all types and when the Board otherwise selects architects, engineers, landscape architects and surveyors in accordance with the requirements of Section 287.055, Florida Statutes.

The Chief of Purchasing and Contracts and the staff of the Purchasing and Contracts Department retain overall control of the administration of the "Competitive Proposal" process including scheduling, record keeping, distribution of proposals, and other materials and preparation of all documents and recommendations required by the Board of County Commissioners, County Chairman and County Administrator.

The following delineates specific responsibilities of appropriate parties during this process. These procedures also incorporate the methodology whereby the Board of County Commissioners makes awards in "competitive proposal" procurements.

FOR MORE INFORMATION CONTACT: Purchasing Department

REFERENCE: None

Purchasing and Contracts Department

- A. Obtains budget amount from the Initiating Department allocated for the project.
- B. Confirms selection criteria with Initiating Department.
- C.

In accordance with the County Procurement Ordinance advertises (if required) and issues Request for Proposal (RFP, including identification of evaluation criteria and weights).

- D. Provides the Procurement Committee members with a list of projects for which RFPs have been issued.
- E. Reviews received proposals in order to determine "prima facie" responsiveness.
- F. Distributes proposals to members of the Procurement Committee and also distributes a list of non-responsive proposals, if any, including thereon the reasons for such determination.

2. M/WBE Denartment

Reviews and evaluates proposals according to M/WBE criteria and forwards recommendations to the Procurement Committee members.

Initiating Department

- A. May request that the Procurement Committee consider additional criteria or changing of criteria weights prior to RFP issuance in accordance with item 1B above. Criteria and weights may be revised by majority vote of the Procurement Committee prior to RFP issuance only.
- B. May establish a short-list team of three (3) or more persons with the department.
- C.

Each member of the short-list team may independently evaluate and score each proposal. Such evaluation shall be based on criteria (attached Exhibit 1*) as defined in Exhibit 2*.

- D. Total scores and present a recommendation of the Initiating Department to the Procurement Committee.

Exhibits can be obtained from the Purchasing and Contracts.,Department.

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4. Procurement Committee

A. General.

No: 9.01.13

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ORANGE COUNTY
ADMNISTRATIVE REGULATIONS

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Various "Procurement Committees" shall be formed from time to time for the purpose of providing technical expertise, information and evaluations to the Board regarding proposals.

Initially, standing Procurement Committees shall be formed for in the following categories of competitive proposals:

Information and Telecommunications
Administrative Services and Facilities
Architects, Engineers, Landscape Architects,
Surveyors,
Construction Management and Planning Services
Legal, Financial and Human Resource Services
"Countywide Projects" (i.e., projects involving the
Board
and one or more other elected County or State
officials)

From time to time, other ad hoc procurement committees shall be formed to evaluate competitive proposals in categories not listed above, as necessary or desirable. All procurement committees, whether standing or ad hoc, shall be formed and shall operate substantially in compliance with this administrative regulation.

B. Procurement Committee ComDosition

The Procurement Committee shall be comprised of the following voting and non-voting members:

Board Delegate. One member of the Board of County Commissioners (including the County Chairman) shall be the monthly delegate to the Procurement Committee. The Board members shall serve as delegates in numerical order of District, the Commissioner for District One first sitting for the month of May 1993 (as well as for the remainder of April, 1993), the Commissioner for District 2 in June, et cetera, with the Chairman sitting for the month of November, 1993, and such order continually repeating itself thereafter.

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The Board member shall sit on the Procurement Committee for one full calendar month. If a Board delegate cannot attend any one or more meetings of the Procurement Committee during his or her assigned month, the Board member assigned to serve as delegate in the next month shall serve as substitute delegate for the affected meeting or meetings.

User-Division or User-Agency Delegate. The director of the division or agency of county or state government which will be the primary user or consumer of the procured service shall serve, or appoint a member of the using division or agency to serve on the Procurement Committee.

County Administration-Delegate. The County Administrator shall serve or appoint a representative to serve on the Procurement Committee.

Rotating Delegate. The County Administrator shall designate a person to serve on the Procurement Committee who shall have special expertise germane to the procurement, or shall represent a second user division or agency (if more than one division or county agency is expected to make extensive use of the procured services), or shall otherwise be a person that provides useful assistance to the particular procurement.

MBE/WBE Delegate. The County Administrator shall designate a person to serve on the Procurement Committee who shall represent the County's MBE/WBE program.

Selection Team Chairperson. The Procurement Committee shall be chaired by the Chief of Purchasing and Contracts, who shall be a non-voting member. The Chairperson shall assume those duties and responsibilities conducive to adherence to proper procedures and fair and consistent evaluation of all proposers and shall be in charge of all administrative processes and procedures concerning the Procurement Committee and its deliberations.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

C. Procurement Committee Procedures

5.

1. Procurement Committee members shall individually review and score all submittals by proposers, And such individual scorings shall be **done on ranking** sheets provided for in the County's administrative regulations or otherwise provided by the Chief of Purchasing and Contracts. Also, scorings shall be based on the criteria provided in the RFP or in administrative regulation.

2. The Chairman of the Procurement Committee shall insure that minutes of Procurement Committee meetings are maintained.

3. An announcement of each meeting of the Procurement Committee shall be posted at the Purchasing and Contracts Department at least on (1) working day prior to the meeting.

The Procurement Committee may require oral presentations for any proposal. Presentations may be required from any or all proposers on any project, and the proposer's project manager who is named as the "day to day project manager" may be required to be present at such oral presentations.

After any oral presentations are held, the top four proposers shall be selected in accordance with the final selection criteria.

Should any member of the Committee be unable to view the presentations of all proposers who make presentations, his/her evaluation(s) shall not be considered.

b. There shall be discussion of the merits of each proposal and any presentation thereon.

c.

The four best qualified proposers shall then be selected by the Procurement Committee. For contracts where the aggregate fees to be paid by the County for services rendered is expected to equal or exceed \$50,000, the four selected proposers shall be listed in alphabetical order, without ranking. For all other contracts that may come before the Board for approval, the four best proposers shall be listed in order of ranking assigned by the Procurement Committee.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

A majority of the members of the Procurement Committee shall constitute a quorum.

Selection and, if applicable, ranking shall be by consensus if possible. If the Chairman deems consensus impossible, he may so declare, and selection and ranking then shall take place by majority vote.

Chief of Purchasing and Contracts

Posts the recommended short-list and handles formal protests in accordance with Section 17-313 of the Orange County Code.

Submits the alphabetized or ranked list, as appropriate, of the top four proposers to Agenda Development for submission to the Board of County Commissioners. Also, the Chief of Purchasing and Contracts shall submit a report summarizing the findings of the Procurement Committee.

6. Board of County Commissioners

Votes and selects proposer (and two ranked alternates) favored for award. The Board will confirm this award after report to the Board by the Procurement Committee of successful negotiations as to terms and conditions of award contract.

User Division or Agency.

A. Enters into award contract negotiations with initial awardee candidate chosen by the Board. Such negotiations shall be conducted by the user agency or division with assistance, as necessary or desirable, from the County **Administrator**, the County Attorney, the Purchasing Department, and other County departments.

B. Submits recommended award contract to Procurement Committee.

8. Procurement Committee

Reviews recommended contract and approves same for recommendation to Board or re-negotiates contract, if necessary.

9. Chief of Purchasing and Contracts

A. Prepares recommended contracts for submission to the Board of County Commissioners.

APPLICATION OF "COMPETITIVE PROPOSAL" RFP ISSUANCE AND SELECTION PROCEDURES.

The foregoing procedures and the general considerations of application as set forth below will serve:

o to provide better communications and prevent misunderstanding between prospective proposers and County staff;

o

to provide the Purchasing Department as a control point through which proposers information; and

centralized may obtain

o to provide the Purchasing Department as a focal point through which proposers may submit proposal recommendations.

APPLICATIONS:

All discussions between staff and *consultants regarding* projects for which a Request for Proposals has been issued, but selection not yet made, must first be routed through Purchasing and Contracts Department. This includes the time frame from advertisement until contract execution (except for negotiations).

A statement must be included in each Request for Proposals (RFP) advising prospective proposers to contact the Purchasing and Contracts Department should they have any questions or concerns related to the proposal. Should technical concerns/questions arise outside the expertise of the Purchasing and Contracts Department, the Initiating Department will be contacted by Purchasing staff to obtain the answer(s). Purchasing staff will request the Initiating Department to respond or relay the answer(s) to the inquiring consultant and Purchasing Staff then shall issue an addendum to all prospective proposers when the answer involves an issue of importance to prospective proposers. RFPIS will require technical questions to be submitted in writing.

The decisions of the Procurement Committee are not final and must be ratified by the Board of County Commissioners. Therefore discussions between -County staff and consultants regarding projects for which they have proposed, after Procurement Committee meetings and prior to Board approval, must be routed through the Purchasing and Contracts Department.

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Any proposer who initiates any discussions with staff in any manner other than as described above is subject, at the sole discretion of the Board, to disqualification from the particular procurement.

Except for negotiation sessions with the Board-approved indicated awardee, departments should continue referring proposers to the Purchasing and Contracts Department until after Board approval of the final contract.

All RFP's must state that Orange County is bound by statements made or information given during the procurement consideration and award process ONLY when such statements or information are written and executed under authority of the Chief of Purchasing and Contracts or his designee.

Notice is hereby given that these policies and procedures exist solely for the convenience and administrative efficiency of Orange County. No proposer or other third party gains any rights by virtue of these policies and procedures or the application thereof, nor shall any proposer or third party have any standing to sue or cause of action arising herefrom.

IV. RE-EVALUATION:

The Board intends that this administrative regulation shall be evaluated and modified or revised as necessary or desirable no later than December 31, 1993.

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Approved By: BCC Title:

EMERGENCY COUNTY OPERATIONS, NATURAL Page I Of

1. POLICY-

The Orange County Comprehensive Emergency Management Plan for the disaster preparedness of Orange County and the Emergency Management of Resources has been adopted by the Board of County Commissioners; and in support of this plan, it is necessary that the divisions, departments, offices and units of Orange County make effective preparation to discharge emergency responsibilities for management of the several conditions of possible major emergencies and/or disaster and to promote rapid recovery from the effects thereof.

11. PROCEDURES:

A. Each County Department shall have a complete copy of the Orange County Comprehensive Emergency Management Plan (CEMP); or, contact the Office of Emergency Management to obtain a complete copy.

B.

C.

The Executive Policy Group, composed of the County Chairman, or his/her designee, Deputy County Administrators, Executive Director of Emergency Management, Sheriff, Fire Chief and County Attorney, as well as other local municipal or county representatives as deemed necessary shall refer to the CEMP, Paragraph 111, A thru 1, (pp.23-26); Paragraph IV, B, (p.28); Paragraph V, C thru F, (pp. 40-44); and Paragraph IX, A & B, (pp. 83-85) to ascertain their specific responsibilities.

Orange County utilizes an Emergency Support Function (ESF) System to assign specific tasks and responsibilities to various agencies tasked with response and recovery operations during times of emergency. Responsibilities for each ESF are referred to in the CEMP, Paragraph IV, A thru H, (pp.28-37) and Paragraph V, I, (pp.47-55).

D. Individual divisions and departments shall refer to the Orange County CEMP, Paragraph IV, B, (p.28), Paragraph IX, A, (p.83) and the ESF responsibilities explained in Section ESF, (pp. 1-1 thru 20-8).

FOR MORE INFORMATION CONTACT: Office of Emergency Management

REFERENCES: Chapter 252, Florida Statutes
Orange County Comprehensive Emergency Management Plan

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

Adopted: 6/18/91; 11/11/97

Repealed:

**DISASTER
PLANNING AND
CONTROL**

Page Of

I. POLICY:

Safeguarding the life and property of its citizens is an innate responsibility of the governing body of each political subdivision of the state. The Board of County Commissioners, in their effort to protect the life and property of citizens, both resident and transient, established the Office of Emergency Management for the purpose of comprehensive planning through mitigation, preparedness, response and recovery. This office (Office of Emergency Management) comes under the supervision of Fire Administration.

PROCEDURES:

The Office of Emergency Management shall develop a Comprehensive Emergency Management Plan as required by Chapter 252.38(2), Florida Statutes.

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B. The Office of Emergency Management shall prepare the local government emergency management plans consistent with Rule 9G-7, Florida Administrative Code.

In disasters resulting from natural, accidental or intentional causes as provided in Chapter 252, Florida Statutes, County employees should refer to the Comprehensive Emergency Management Plan.

FOR MORE INFORMATION CONTACT: Office of Emergency Management

REFERENCES:

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Chapter 252, Florida Statutes

Rule 9G-7, Florida Administrative Code

Public Law 920, Federal Civil Defense Act of 1950

State of Florida Executive Order 80-2

Orange County Comprehensive Emergency Management Plan

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ORANGE COUNTY No: 10-01 -0?
ADMINISTRATIVE REGULATIONS Date: 6/18/9 1; 11 /11/97

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EMERGENCY COUNTY OPERATIONS, MANMADE Page I Of

1. POLICY:

The Orange County Comprehensive Emergency Management Plan for the disaster preparedness of Orange County in the event of a manmade disaster has been adopted by the Board of County Commissioners. In support of this plan, it is necessary that the divisions, departments, offices and units of Orange County make effective preparation to discharge emergency responsibilities for management of the conditions of a manmade disaster and to promote rapid recovery from the effects thereof.

ii. PROCEDURES:

C.

D.

A. The Governor of Florida shall exercise overall control of crisis relocation; however, local direction and control shall be the responsibility of the County Chairman and Mayors/City Managers of municipalities.

The Executive Policy Group, composed of the County Chairman, or his/her designee, Deputy County Administrators, Executive Director of Emergency Management, Sheriff, Fire Chief and County Attorney, as well as other local municipal or county representatives as deemed necessary, shall refer to the Comprehensive Emergency Management Plan, Paragraph III, A thru 1, (pp.23-26); Paragraph IV,B, (p.28); Paragraph V, C thru F, (pp.40-44); and paragraph IX, A&B, (pp.83-85) to ascertain their specific responsibilities.

Individual divisions and departments shall have primary responsibilities as outlined in the Comprehensive Emergency Management Plan, Paragraph IV,B,(p.29), Paragraph IX, A, (p.83) and the Emergency Support Functions responsibilities explained in Section ESF, (pp. I -I thru 20-8).

All County departments and municipalities shall have a complete copy of the Orange County Comprehensive Emergency Management Plan or contact the Office of Emergency Management to obtain a copy.

FOR MORE INFORMATION CONTACT: Office of Emergency Management

REFERENCES: Chapter 252, Florida Statutes
Orange County Comprehensive Emergency Management Plan

**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

EMERGENCY COUNTY OPERATIONS, HAZARDOUS MATERIALS INCIDENTS

POLICY:

APPrOved %, BCC

Page Of

The Orange County Comprehensive Emergency Management Plan for response and recovery from hazardous material incidents has been adopted by the Board of County Commissioners. In support of this plan, it is necessary that the divisions, departments, offices and units of Orange County make effective preparations to discharge emergency responsibilities for management of the conditions of a hazardous materials incident.

PROCEDURES:

A. Initial response to all haza dous material incidents shall be the responsibility of local fire and law enforcement agencies.

Federal organizations shall refer to Public Law 99-499, Emergency Planning and Community Right to Know Act of 1986 to ascertain responsibilities.

No: 10.01.03

Date: 6/18/91; 11/11/97

Local Government shall refer to the Orange County Comprehensive Emergency Management Plan, Paragraph III, A thru 1, (pp.23-26); Paragraph IV, B, (p.29); Paragraph IV, C thru F, (pp.40-44); Paragraph IX, A&B, (pp.83-85), to ascertain responsibilities.

2. State Government shall refer to Chapter 252, Florida Statutes, to ascertain responsibilities.

FOR MORE INFORMATION CONTACT: Office of Emergency Management

REFERENCES: Chapter 252, Florida Statutes
 Public Law 99-499, Emergency Planning and Right to Know
 Act of 1986.
 Orange County Comprehensive Emergency Management Plan

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 10/29/90

Approved BY: BCC

Title:

LANDFILL OPERATIONS

Page 1 Of 3

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I. POLICY:

The Orange County Landfill and its three satellite transfer stations operate as a service to Orange County residents and businesses in providing a centralized location for refuse disposal. Protection of public health and the **environment** are the Department's primary goals. All acceptable refuse must be disposed at the Orange County Landfill, the transfer stations or at authorized private landfills.

ii. PROCEDURES:

A. Transfer Stations

The Resource Recovery Department operates three transfer stations located at Good Homes Road and White Road (Porter Transfer Station), 5000 McLeod Road (McLeod Road Transfer Station) and Tangerine (weekends only).

1. The weighmaster at each transfer station is responsible for:

Determining the fee category

b. Determining the proper account for billing based on net weight of refuse

Collecting tipping fee from fixed fee customers

d. Directing customers to the proper off-loading area

e. Screening the load for any "special waste."

2. The spotter is located at the entrance to the tip floor and is responsible for:

FOR MORE INFORMATION CONTACT:

REFERENCE: None

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Resource Recovery Department Public Utilities Division

No:11.01.02

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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Page 2 3

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Collecting weigh ticket copies from fixed fee customers

b. Directing vehicles to an appropriate area on the tip floor for off-loading refuse

c.

Screen loads for "special waste" and remaining items such as paints, solvents, etc., for alternate disposal

d. Receives or directs customers to an appropriate area for off-loading lead acid batteries and waste oil

3. As the transfer trucks at the transfer stations are filled, they will transport their loads to the landfill.

B. Landfill

The Orange County Landfill located at Young Pine Road in east Orange County is the main repository for all refuse.

1. The weighmaster performs the same duties as the weighmaster at the transfer stations.

2. The spotter is located on top of the refuse cell in current use and is responsible for:

a. Collecting weightticket copies from fixed fee customers

b. Directing vehicles to the operating/disposal area

c. Assisting in freeing stuck vehicles

d. Screening loads for "special wastes" and removing items such as paints, solvents, etc., for alternate disposal.

e.

Receives or directs customers to an appropriate area for off-loading lead acid batteries and waste oil

C. Special Waste Procedures

The Orange County Landfill does not accept hazardous waste materials as defined in 40 CFR Part 261 and has in place procedures to handle special wastes. Special wastes are materials which exhibit a potential for classification as hazardous wastes and must be inspected to insure safe disposal. Included in this category are waste materials such as empty drums, asbestos, oil or fuel contaminated soil, wastewater treatment sludge, automotive batteries, and empty pesticide cans.

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

The Environmental Coordinator deals with waste generators, specifying any back-up documentation required and filling out a "**Special Waste Approval Form.**" This form describes the waste material, designates a contact person from the waste generator, specifies a quantity and delivery date, and describes the conditions for acceptability of a given waste (e.g. pesticide containers must be triple rinsed and punctured to prevent re-use).

Supervisors in the Landfill operations section use the Special Waste Approval Form to inspect incoming loads for compliance with specified acceptability conditions. Discrepancies are either referred to the Environmental Coordinator for review or indicated on the approval form as reason for denial of disposal of the load.

3. In the absence of the Environmental Coordinator, the operations Coordinator or his Foreman II's may approve disposal of certain well defined wastes and fill out the appropriate approval form. When in doubt, operations personnel are instructed to deny disposal access.

Weighmasters at the Landfill screen incoming loads and pull loads for acceptability.

5. The Environmental Coordinator or operations Supervisor inspect loads for acceptability.

6. Spotters at the disposal area screen materials dumped and notify supervision if "special wastes" which have not been approved are present. Spotters also remove automotive batteries observed in the waste dumped.

7.

Heavy Equipment Operators act as final oversight, notifying supervision if non-approved drums or other special wastes are observed on the disposal site.

8. Wastes deemed unacceptable are removed and returned to the disposer for alternate disposal.

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS [)ate: 9-18-89

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INDUSTRIAL PRETREATMENT PROGRAM

Page 1 of 4

POLICY:

The Industrial Pretreatment Program is established to prevent the introduction of pollutants into the sewer system which interfere with or pass through a Wastewater Treatment Facility and/or contaminate wastewater sludges from these facilities and to provide for equitable distribution of costs between domestic and industrial users.

Ii. PROCEDURES:

A. Permitting Requirements

Orange County Wastewater System rules require that significant users of the County Sewer System are to obtain discharge permits from the Public Utilities Division. The following dischargers are considered significant users for permitting purposes:

- 1. Categorical dischargers listed
CFR part 403, Appendix C.

2.

in Federal Regulations 40

All nondomestic users who discharge 10,000 gallons of wastewater or more per day during any day during any calendar year.

- 3. All industrial users whose discharges have significant impact either singularly or in combination with other contributing discharges.

All nondomestic users whose discharges contain BOD greater than 300 mg/l, total suspended solids (TSS) greater than 300 mg/l, total phosphorus greater than 10 mg/l, or total nitrogen greater than 50 mg/l.

FOR MORE INFORMATION CONTACT: Public Utilities Division

REFERENCE: orange County Code, Section 28-44
Orange County Resolution No. 87-SW-03
Federal Regulation 40 CFR Part 403

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B. Discharge Standards

All the dischargers to the Orange County Sewer System are required to meet the discharge limits specified in orange County Code 28-44 of the Orange County Wastewater System user rules. In addition, categorical dischargers are required to comply with the applicable Federal Categorical Standards and the General Pretreatment Regulations in 40 CFR, Part 403.

C. Pretreatment Facilities

The following guidelines will pretreatment of discharges:

be used to determine the

1. All categorical dischargers will be required to pretreat their wastes to the County or the Federal Categorical Standards, whichever is more stringent.
2. All the users who discharge priority pollutants will be required to pretreat their wastes to the levels set in the County Standards.
3. The Public Utilities Division reserves the right to require pretreatment of wastewater from any user, if the acceptance of such wastes, in the opinion of the Director, causes an inequity to the other users connected to the wastewater system.

All nondomestic users whose discharges exceed the County Standards for BOD, TSS, total phosphorus and total nitrogen, may be required to pay a surcharge in accordance with all the county rate resolutions, in lieu of pretreatment.

D. Procedural Recuirements, (Baseline Monitoring Report)

Baseline Monitoring Reports (BMR) should be completed by all nondomestic users when the user is applying for a building permit from Orange County. In addition, BMR's should be submitted when it is specifically requested by the Public Utilities Division.

Blank BMR forms are available at the offices of the Public Utilities Division! 3rd Floor Orange County Administration Center, 201 South Rosalind Avenue, Orlando, Florida 32801.

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ADMINISTRATIVE REGULATIONS

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E. Accidental or Slug Discharges

Each industrial user is required to provide a detailed plan to prevent accidental discharge of prohibited and/or regulated pollutants, or any pollutant in concentrations or "slug" discharges that cause violation of the County's wastewater treatment facilities permit limits.

MONITORING

All the users who are issued pretreatment permits will be required to submit self monitoring reports to the Public Utilities Division as specified, at a frequency determined by the Director.

G. Enforcement

1. Revocation of the Permit

The Director or his designee may revoke the permit of any user who violates any of the following conditions:

- a. Violation of the conditions of the permit.
- b. Failure of the user to factually report the wastewater constituents and characteristics of the user's discharge.
- c.

Failure of the user to report *significant changes* in operations, or wastewater constituents and characteristics.

- d. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring.

Obtaining of a permit by misrepresentation or failure to disclose fully all relevant facts.

2. Notice of Violations

Whenever the County finds that any user has violated or is violating the permit limits or any other requirements of the County, the County, at its discretion, may serve upon such discharger a written notice **stating the nature of the** violation(s). The user will be required to submit to the County within 30 days of the date of the notice, a plan for the satisfactory correction of the violation(s).

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3. suspension of service

The Director or his designee may suspend the wastewater service or its permit in order to stop an actual or threatened discharge which represents or may represent an imminent or substantial endangerment to the health or welfare of persons, to the environment, causes interference to the Treatment Works, or causes the County to violate any condition of its operation permits, or its effluent disposal requirements.

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ADMINISTRATIVE REGULATIONS

Date: 9-18-89

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Title:

PUBLIC UTILITIES CONSTRUCTION INSPECTION

Page 1 of 1

I. POLICY:

All facilities which will be owned and/or operated by the Public Utilities Division will be inspected during construction. Such inspection may be performed by inspectors from the Utilities Construction Department or through a contract with a private firm for resident inspection services. Inspections are performed to ensure compliance with contract drawings and specifications and applicable standards and regulations.

PROCEDURES:

1. Review all applicable specifications and drawings.
2. Attend pre-construction meetings and job site meetings, as appropriate.
3. Maintain records of construction progress and prepare updated "as-built" drawings reflecting field changes.
4. Determine satisfactory completion of the' work and recommend final acceptance of the constructed facilities.
5. Respond to citizen complaints. Complaints are usually received from residents in the construction area and calls are directed to the Construction Department at 244-7270. The complaint will be investigated and the complainant will be notified regarding the appropriate resolution.

FOR MORE INFORMATION CONTACT: Public Utilities Division

REFERENCE: None

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ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-18-89

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Title: **WATER DEPARTMENT** **PUBLIC CONTACT**
Page 1 of 3

I. POLICY:

The Orange County Water Department is responsible for the operation and maintenance of the water production, transmission and distribution facilities, which deliver the drinking water to our customers.

The following guidelines are designed to assist the water customer or general public in communicating with the department in the following categories:

ii. PROCEDURES:

A. Requests Regarding Water Quality

1. For general information regarding the quality of the water, calls are directed to the Water Production section at 352-4330.

2. For complaints regarding taste/odor or the aesthetic quality of the water, calls are directed to Dispatch, 352-4300. The Water Distribution section will be notified and will evaluate each call for appropriate action.

All calls will be documented by the Section receiving the call and each customer request will receive a response.

- Requests Regarding Water Quality
- Requests Regarding Water Meters
- Requests Regarding Water Mains/Fire Hydrants
- Requests Regarding Low/No Water Pressure

FOR MORE **INFORMATION CONTACT:** Public Utilities Division

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATION

No: 11.01.05

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1. Requests of this nature typically involve installation of new water meters, leaks in existing water services, and questions about water consumption.

2.

Requests for new meter installations are generally received from contractors inquiring about the status of a work order for a new meter installation. First, Customer Service (236-5515) is contacted by the customer to check if a work order has been issued. If a work order has been issued, the Distribution Section is to be checked for the scheduled date of installation.

3. Information needed for meter installation will be the address, block and lot number, subdivision and date fees were paid. Persons requesting meter installation or inquiries as to their status will be told when the meter installation is scheduled.

Requests regarding leaks in the meter box are first received at Dispatch who will then contact the area foreman or supervisor to evaluate the situation. Water customers are advised that if the leak is on the customer side of a meter, it is their responsibility for repair. A request for a water leak repair can either be handled immediately by responding crews or scheduled if additional personnel or work crew are needed.

In an emergency, the repair will be made immediately. In any case, once work is completed, site restoration will be completed as soon as possible. If there are any problems with site restoration once completed, calls will again be directed to the Distribution Section.

Requests Reaarding Water Mains

1. These requests include water main line locations and emergency water main breaks.

2. Calls requesting line locations are received at the Distribution Section at 352-4340. The individual requesting the line location should be prepared to identify the areas requiring line locations in a specific manner. The line locations are then scheduled and the requesting party is advised of the scheduled date. Information regarding water main breaks is **typically received from the** general public. The party observing a water main break calls Dispatch at 352-4300.

B. Requests Regarding Water Meters

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Water main breaks are considered emergency repairs and will be implemented immediately. Site restoration will then follow. Site restoration can vary **depending on** the size and nature of the water main break.

D. Requests Regarding Low or No Water Pressure

1. Calls for low or no pressure are received at Dispatch (352-4300) who will advise the customer if there is a water main break in the area or subdivision affected.

2.

4.

If there is no water main break or emergency outage yet a customer has low or no pressure (a single occurrence), Dispatch will contact the Distribution Section for investigation.

In the case of planned water outages, notices will be sent to the customers affected regarding the date and time of the planned water shutdown.

These planned outages are necessary at times so that improvements can be made to the water distribution system. Customers are advised to store water for the duration of the planned outage.

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Approved BY: BCC TWe:

WASTEWATER DEPARTMENT PUBLIC CONTACT

Page 1 of 3

I. POLICY:

The Wastewater Department is responsible for operation and maintenance of the County's wastewater treatment plants, pumping stations and collection system. Its primary goal is to protect the public health and well being and to guard our environment. Smooth and efficient daily operation is essential for the achievement of ,~his goal.

Routine operation and maintenance is performed daily at all facilities and ongoing TV inspection, cleaning and sealing are utilized to help prevent major raw wastewa-ter transmission and collection system failures. Preventive maintenance with daily checks are performed as a precaution against pump station breakdowns. Larger treatment facilities are manned 24 hours with the smaller plants checked daily in accordance with state regulations.

II. PROCEDURES:

The following are the administrative procedures followed by each section when in contact with the public. Such contact is classified as 1) Inquiry, 2) Facility Visits, and 3) Trouble Calls/Scheduled Repairs.

A. Inquiry:

1. Treatment Section - Manned treatment plants receive phone calls from the public concerning a variety of topics. The facility's Chief Operator and/or Receptionist determines the callers needs then either answers them satisfactorily or refers the caller to the appropriate operating Section or other County department. Messages are recorded and forwarded to facility staff as necessary. Most telephone inquiries are routine and are handled at staff level.

FOR MORE INFORMATION CONTACT: Public Utilities Division

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 11.01.06

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2. Pump Stations - Administrative employees of this Section are located at the South Water Reclamation Facility. Calls are to be handled using the same procedure as the Treatment Section. The Section is divided into three operating lift station groups that are housed in their geographic area and very rarely receive calls from the public.

3. Collections - This Section is also located at our Conway Complex. It consists of three distinct operating groups--Sewer Televising and Sealing, Sewer Main Repair, and Special Services.

Requests for line locations are received and scheduled by the Special Services Group. Emergency location requests (line breaks, etc.) are dispatched immediately.

1. Treatment - Our treatment facilities are visited daily by the public for many of reasons--the general public asking for directions or employment applications, salespeople, contractors, delivery people, and tour groups. Each is directed according to their requests.

2. Pump Stations - Same as Treatment.

Collections - Same as Treatment.

Trouble Calls/Scheduled Repairs

1. Treatment - Trouble calls regarding treatment facilities are rare, however, occasionally a call is received by the Department Manager, Section Superintendent or plant Chief regarding a specific complaint, noise levels or odor problems. These

Operator normally concerning calls are considered of an emergency nature and are handled immediately. After-hour trouble calls are received at the Dispatch Center located at the South Water Reclamation Facility (Phone No. 352-4300). The Dispatcher notifies on-call standby personnel--Electricians, **Maintenance** Technicians, Emergency Tanker Operators, etc. After-hours operational problems are also dispatched to the standby personnel. Scheduled repairs are performed within the plant and are rarely of concern to the public.

B. Facility Visits

2.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 11.01.06

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Pump Stations - In case of failure, mechanical or electrical problems, all County pump stations are required to have both a visual and audible alarm system. It is the public who normally report that the alarms have been activated. A call is typically received at our Dispatch Center. During normal working hours, these calls are dispatched to the operating group in the geographic area of the malfunctioning station. Trouble calls received after normal working hours are dispatched to either the east or west on-call standby crew. Each standby crew consists of a Station Operator, a Maintenance Technician and a back-up Electrician. Also on standby is a Supervisor to oversee all emergency calls.

3. Collections - This Section is the most visible to the public, responding to emergency calls regarding sewer back-ups, street cave-ins, broken mains, manhole overflows and odor complaints. This section also handles scheduled main repairs that require street closings, barricading and/or rerouting. Before a scheduled repair, letters are hand delivered to all residents of the affected area reporting the nature and estimated duration of the repair. Street closings, etc., are coordinated with the Public Works Engineering Department. Repair work affecting major arteries or intersections are given to the news media for broadcast and publication as public service announcements.

Trouble calls received during normal working hours are dispatched to the appropriate crew for response. After hours trouble calls are handled by an on-call standby crew. The Dispatcher notifies the on-call Foreman who investigates the complaint. The Foreman then notifies the standby personnel as necessary to correct the problem. The standby crew consists of the Foreman, Heavy Equipment Operator, Sewer Cleaner Inspector and Trades Helper.

Each trouble call is handled with customer service as the first priority. The initial *investigation is* to determine if the problem is from the County's system. If it is a problem caused by a failure in the County system and damage is incurred by the customer, Risk Management is requested to respond to the scene and information on the damage is sent to the Department Manager and Division Director.

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No:11.01.07

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-18-89

Approved By: BCC

Title:

**OPERATIONAL SUPPORT SECTION/FISCAL CUSTOMER
SERVICE - PUBLIC UTILITIES DIVISION - PUBLIC CONTACT** Page 1 of 2

I. POLICY:

A. Warehouse

The Operational Support Section's responsibilities consists of warehouse, material acquisition, and dispatching functions to provide direct support to the other Public Utilities Division departments, often requiring contact with the public.

The Public Utilities warehouse maintains-a stock of materials required for immediate issue to repair and maintain water and wastewater systems.

Contact with the public takes place as follows:

1. Obtain price quotations from vendors to purchase warehouse stock items which are not on contract. Price quotations are obtained by the Inventory Control Supervisor or designated Storekeeper via the telephone.

2.

Onsite visits by vendors to discuss merchandise problems and/or to present new products for stock consideration.

These visits should occur only with prior knowledge and approval of the Operational Support Supervisor.

B. Material Acquisition

The Operational Support material acquisition section serves as a point of contact for purchasing materials and services for the Division through Orange County Purchasing Department. Purchasing documents are prepared, outstanding purchases monitored, and completed transactions processed for payment.

Ii. PROCEDURES:

FOR MORE INFORMATION CONTACT: Public Utilities Division

REFERENCE: Non

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Page 2 of 2

Contact with the public takes place as follows:

1. Receive and resolve vendor **telephone inquiries regarding delays** in vendor payment, duplicate shipments, invoice problems.
2. obtain or verify, via telephone, price quotations with vendors or other pertinent information required to prepare purchase documents from purchase requests.

Dispatching

The Fiscal and Customer Service Department's dispatching operation serves as the primary point of contact for the general public to report system malfunctions; communicating such reports to the applicable operating department for problem resolution via telephone and radio procedures.

Contact with the Public takes place as follows:

4.

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Dispatcher receives via telephone, customer reports of water and wastewater system problems, logs "trouble call" acknowledging receipt, prepares work order, and notifies appropriate department personnel via radio or telephone. After normal working hours, notifies the appropriate department's standby personnel.

occasionally, operational personnel may be required to call customer back to obtain additional information to resolve the problem.

At times, angry or unreasonable callers are referred to supervisory personnel, when requested by the caller.

It is noted that all dispatching radio and telephone communications are recorded on a monitoring device. The caller is advised of this fact as a matter of procedure.

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS Date: 9-18-89

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Approved By: BCC

Title: **UTILITY FACILITY PERMITS**

Page 1 of 2

I. POLICY:

Utility facility permits are required for all water treatment, wastewater treatment, collection, wastewater transmission, water distribution and transmission, or effluent disposal facilities which are being constructed, expanded, or modified by any person or utility within the unincorporated parts of Orange County, except as excluded by County rules or agreements.

ii. PROCEDURES:

A. A preliminary utility facility permit -may be submitted for consideration prior to a final submittal. No permit fee is required at that time as the purpose is to present the proposed utility design scope and potential impact as related to water and wastewater utility facilities.

B. The applications for permits and the applicable fees are to be submitted in triplicate, on forms prescribed by the Director, to the Public Utilities Office at 201 S. Rosalind Avenue, Orlando, Florida 32801. Proof of proper -zoning for treatment or disposal facilities are to be submitted with the application.

C. The applications shall reflect construction improvements that have been designed in accordance with good professional engineering practices and, therefore, the accompanying plans shall be certified by a professional engineer registered in the State of Florida.

D. The Director or his designee shall make a determination as to the completeness of the application and acceptability of the design and subsequently submit the application for consideration by the Board of County Commissioners at earliest regularly scheduled meeting when time is available consideration of the application. The County may, in discretion, schedule the consideration of an received pursuant to the codes during any hearing County to determine the issuance or denial of a permit.

the for its application held by the

FOR MORE INFORMATION CONTACT:

REFERENCE:

Public Utilities Division

Orange County Code, Article 13

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**ORANGE COUNTY
ADMINISTRATIVE REGULATIONS**

No: 11.01.08

Page 2 of 2

E. In general, the County may only issue a utility facility permit if the applicant complies with applicable goals, objectives and policies contained in the Orange County Growth Management Policy and the Orange County Water and Wastewater Capital Improvements Programs and other minimum requirements delineated in Section 28-227 of the Orange County Code.

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HYDRANT METERS

I. POLICY:

ORANGE COUNTY ADMINISTRATIVE REGULATIONS

11.01.09 No:

Date: 03/17-/92

I Page I Of 1

Portable hydrant meters are provided for use by builders, developers, contractors, etc., when water service is not reasonably available.

II. PROCEDURES:

A. An application for hydrant meter service must be completed in the Customer Service Office.

B. A deposit is required for all hydrant meter accounts. Interest, on deposits held a minimum of six (6) months, will be applied to the account monthly. The deposit, less any outstanding charges, will be refunded when the account is terminated.

C.

If the meter is lost, the deposit will be forfeited, the account will be charged \$850.00 for the meter, and a bill for estimated usage will be generated.

D. Meter readings must be reported monthly.

1. Self addressed cards will be supplied to hydrant meter customers to mail in the meter readings.

2. Every three (3) months, hydrant meters must be brought into the Customer Service office to be read by staff.

E. If a meter reading is not reported for two (2) consecutive months, a charge of \$850.00 will be assessed to that account and the meter will be reported as stolen.

F. All hydrant meters will be equipped with a backflow prevention device which must remain connected at all times.

G. Customers will be charged to repair damages to meter incurred while in their use.

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department

Public Utilities Division

REFERENCE: Rate Resolution

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ORANGE COUNTY No: 11.01.10

ADMINISTRATIVE REGULATIONS Date: 03/17/92

Approved By: BCC

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~OSTS OF COLLECTING OUTSTANDING BALANCES DUE

Page 1 Of

I. POLICY:

Reasonable costs incurred to collect outstanding balances due shall be paid by the debtor.

II. PROCEDURES:

The following costs shall be added to the outstanding balance due from each customer wherein the collection of same results in the expense:

1. filing and satisfaction of lien charges
2. collection agency fees;
3. legal fees and expenses; and,
4. any other costs that are outside the normal activity of the Division.

FOR MORE INFORMATION CONTACT:

REFERENCE:

None

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Customer Service Section
Fiscal & Customer Service Department
Public Utilities Division

ORANGE COUNTY No: 11.01.11

ADMINISTRATIVE REGULATIONS

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Approved By: BCC

Title:

APPLICATIONS FOR SERVICE

Page 1 of 1

I. POLICY:

All utility customers must complete appropriate forms prior to the initiation of service.

A. New customers may apply for service:

1. in person at the Customer Service Office; and.,
2. by mail; however, service will not be initiated until all properly completed forms and payments are received in the Customer Service Office.

B. Existing customers may transfer service to a new address by mail.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department
Public Utilities Division

REFERENCE: None

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DISHONORED CHECKS

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I. POLICY:

A dishonored check charge, accordant with County rate resolutions, shall apply to all dishonored checks unless:

- 1. The dishonored check resulted from a bank processing error; and,
- 2. Written verification of this is received from the customer"s bank.

II. PROCEDURES:

Dishonored checks must be replaced in cash or by money order within seven (7) days of mailing of notification.

B. The Delinquent Accounts Section will provide a seven (7) day notice of a dishonored check to the maker at the address of record, prior to discontinuation of service.

C. If service is discontinued due to a dishonored check, all charges due must be paid prior to a service turn-on.

FOR XORE INFORXATION CONTACT: Customer Service Section
Fiscal & Customer Service Department
Public Utilities Division

REFERENCE: Rate Resolution
Bond Covenants Section 6.14

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Revised: 11/24/92

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WASTEWATER CAPACITY CAPITAL CHARGE REFUND

Refunds will be made from the revenues generated by new wastewater capacity sales for each service area. Refund requests will be considered on a first come first served basis.

a. The sales of new capacity purchased by small users shall be used to refund capacity capital charge refunds requested by small users.

b. The sales of new capacity purchased by large users shall be used to refund capacity capital charge refunds requested by large users.

2. Capacity paid for by Letter of Credit is not eligible for use in processing wastewater capital charge refunds.

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Dept.
Public Utilities Division

I. POLICY:

NO: 11.01.13

Date: 03/17/92

REFERENCE:

Wastewater capacity capital charges will be refunded to permit holders in accordance with provisions of County Code Chapter 37.

Definition: A small user is hereby defined as a project which requires fifteen thousand (15,000) gallons per day or less of sewer service capacity and is not part of nor related to a larger existing, pending or anticipated project. A large user project requires- in excess of fifteen thousand (15,000) gallons per day of sewer service capacity or is part of a larger existing, pending or anticipated project.

II. PROCEDURES:

A. Requests for refunds must be applied for by completion of a Wastewater Capacity Capital Charge Refund Form.

B. All requests for refund, approved by the Division Director will be processed according to Chapter 37 of the Orange County Code, subject to the following:

County Code Chapter 37

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5.

When capacity purchased for a particular service area is not of a sufficient amount to cover the refund requests, reimbursement will be made up to the amount of money collected for the service area in which the capacity capital charges requested to be refunded were originally sold.

All applicable Revenue and Maintenance Fees must be paid or will be deducted from the approved reimbursements.

Any refund request for which there is insufficient capacity sold to accommodate the repurchase, will be carried over until sufficient sales are made to cover the amount of the refund request(s).

6. All refunded amounts will be based only on previous unit purchase price. No interest will be paid on unused capacity awaiting refund by the County.

If no refund requests are held by the County at the time capacity is sold, all sale proceeds will be utilized to fund Construction in Progress and not be available for refund.

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Title:

DISCONTINUATION OF SERVICE

Page 1 Of 1

I. POLICY:

Utility services will be discontinued for non-payment of bills in compliance with bond covenants.

II. PROCEDURES:

A. Any customer who has an outstanding balance greater than the minimum monthly bill for their type of service for 30 days or more shall have service discontinued until all charges are paid in full in accordance with bond covenants and Florida Statute 153.12.

B. The term "all charges due" shall include, but not be limited to, past due charges, related specific service charges, deposits, and current charges.

Service charges shall be assessed as follows:

1. A turn-off fee is payable if payment is not rendered prior to service turn-off.

A turn-on fee is payable if payment is not rendered at the time the service is turned-off and the field representative must return to collect monies due.

3. Additional turn-on fees will be due each time thereafter that a collect and turn-on visit is requested by the customer and payment is not made.

A meter removal fee is payable if the meter is removed by a field representative due to tampering with the meter by anyone other than Public Utilities Division staff.

Collection costs.

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department Public Utilities Division

REFERENCE: Bond Covenants Section 6.1 and 6.15 Florida Statute 153.12

Approved By: BCC

11~e:

DUSTOMERS ON LIFE SUPPORT

Page I Of

I. POLICY:

While no laws require the continuation of service to non-paying customers, the County wishes to ensure that its customers on life support systems requiring water do not have their services discontinued erroneously or inadvertently.

II. PROCEDURES:

A. The Customer Service Department must be notified by the customer or his representative; and documentation from a valid health care provider attesting to the -medical condition and necessity of our Utility Services, over and above normal needs, must be provided.

B. The Customer Service Department will verify the condition and need with the health care provider.

Upon verification, the Customer Service office will:

1. Forward a memo to the Water Department advising them of locations of subject customers, and to the Drafting Section for inclusion on the 1/4 section maps;

2. Cap and lock the curb stop in the on position, paint it red and attach a warning to call our office prior to turning the service off; and,

3. Flag the account, and prior to service termination for account delinquency, mail a certified letter to the service address advising that service termination is scheduled to occur.

D. If a delinquency is not paid, service will be discontinued after the date noted in the certified letter.

E. In the case of scheduled repairs or other system work, the Water Department should advise the affected customer(s) in sufficient time before service is interrupted to allow the customer to make adequate medical arrangements.

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department Public Utilities Division

REFERENCE: None

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Title:

AFTER HOURS CHARGES Page of 1

I. POLICY:

After hours charges for customer requested turn-on or turn-off service *on* weekends, holidays, or after 5:00 p.m. *on* regular work days shall be assessed.

II. PROCEDURES:

A. Additional charges will be charged on the following services:

1. Initiate service.
2. Delinquent account turn-off.
3. Turn-off for customer convenience.
Turn-on for customer convenience.

B. All after hour charges may be billed to the customer, except delinquent account charges which must be paid in full prior to resumption of service.

C. After hour services will be provided as follows:

1. Monday through Friday (except holidays) 5:00 p.m. 9:00 p.m.
2. Saturday 9:00 a.m. - 12:00 p.m.

FOR MORE INFORMATION CONTACT:

REFERENCE:

Customer Service Section

Fiscal & Customer Service
Department
Public Utilities Division

Rate Resolutions
Bond Covenants Section 6.14

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No interest charges.

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TERMS FOR PAYMENT IN INSTALLMENTS

I. POLICY:

No: 11-01.17

Date: 03/17/92

Terms for payment in installments for utility bills of \$100.00 or greater may be made prior to discontinuance of service for non-payment.

II. PROCEDURES:

A. Prior to discontinuance of service, terms may be made as follows:

1. Maximum term of six months.

3. Default of any payment for more than 15 days will be grounds for discontinuance of service.

4. All other charges not subject to the terms are due as normally scheduled.

B. No terms for payment in installment will be made after a customer's service has been disconnected for non-payment.

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer service Department Public Utilities Division

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Page 1 of

REFERENCE: None

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ORANGE COUNTY No: 11.01.18

ADMINISTRATIVE REGULATIONS Date: 03/17/92

Approved By. BCC

Title:

METHOD OF PAYMENT

Page I Of 1

I. POLICY:

Payment of all fees, deposits, charges, etc., must be made in U.S. monies.

Any costs resulting from collecting U.S. monies from payment by check, money order, etc., drawn on a foreign bank will be charged to and payable by the customer presenting the foreign check.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Customer Service section
Fiscal & Customer Service Department Public Utilities Division

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

Title:
DEPOSITS

I. POLICY:

No: 11.01.19

Deposits are required for all residential accounts maintained by the Orange County Public Utilities Division, except as specified, and for all commercial accounts, without exception.

II. PROCEDURES:

A. New residential customers must pay a deposit unless they:

1. Have been a customer of any electric or water utility in the United States within 120 days of application to Orange County; and,
2. Can provide a letter of reference from the utility showing that they have met the following criteria:

a. Been a customer for a minimum of twelve (12) consecutive billings; and, During the last twelve (12) billings, had none of the following:
Involuntary turn-off Dishonored check More than two (2) delinquent notices.

B. Current residential customers transferring service to a new location on the County's system:

1. Will not be required to pay a deposit if they meet the following criteria:
 - a. Been a customer for a minimum of twelve (12) consecutive billings; and,

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department
Public Utilities Division

REFERENCE: Rate Resolution
Bond Covenants Section 6.14

Date: 03/17/T2-

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b. During the last twelve (12) billings, had none of the following:

Will have the service at the new location terminated if the bill from the previous location is not paid.

Customers who do not have a deposit on their account may be required to pay a deposit if:

- 1. Their service is cut-off for non-payment; or
- 2. A dishonored check occurs; or,
- 3. They receive more than two (2) delinquent notices in any consecutive 12-billings period.

D. Interest on deposits held a minimum of six (6) months, is credited to customer accounts monthly.

E. In lieu of a cash deposit, commercial customers may provide one of the following if the deposit amount is in excess of \$1,000.00:

- 1. A letter of credit from a bank doing business in orange County; or,

A surety bond.

F. Deposits for commercial accounts will be returned only upon termination of the account.

Deposits on residential accounts will be refunded when the following criteria are met:

- 1. Been a customer for, and have paid, a minimum of twelve (12) consecutive billings; and,
- 2. During the last twelve (12) billings, had none of the following:

Involuntary turn-off Dishonored check More than two (2) delinquent notices.

- More than two (2) delinquent notices.

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Involuntary turn-off

- Dishonored check

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H. Upon termination of the account, any deposit held by Orange County will be applied against the final bill. Any remaining credit balance will be forwarded to the customer of record.

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ORMGE COUNTY No: 11.01.20

ADNNISMTIVE REGULATIONS Date: 03 / 1T/7-92

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BILLING ADJUSTMENTS

Page 1. of 2

In accordance with bond covenants, Orange County cannot supply free water and/or wastewater service.

II. PROCEDURES:

A. No adjustments will be made for water consumed by leaks, breaks, third party use or other cause past the point of County responsibility which ends at the outflow side of the meter.

B. Billing adjustments for water and/or wastewater may be made when the Water Department verifies:

1. Meter inaccuracy above acceptable parameters established by the American Water Works Association after conducting a flow test, or

2. A leak in the meter that has registered on the meter, or

A meter malfunction that results in a charge to the customer when no such charge should occur.

C. Wastewater billings for commercial accounts may be adjusted by up to 50% of the estimated water loss if:

1. There is a leak on the customer's side of the meter;

2. The flow did not go to the wastewater system; and

3. Items 1 and 2 above are verified by the Water Department or the Orlando Utilities Commission.

D. Wastewater billings for residential accounts may be adjusted by the amount of the estimated water loss over the average consumption if.-

1. There is a leak on the customer's side of the meter:

FOR MORE INFORMATION CONTACT: Customer Service Section
Fiscal & Customer Service Department Public Utilities Division

I. POLICY:

REFERENCE:

None

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2. The flow did not go to the wastewater system; and

Items 1 and 2 above are verified by the Water Department or the Orlando Utilities commission.

E. Wastewater billings may be adjusted for water used in filling swimming pools if:

1. Water use is in excess of the minimum chargeable for wastewater; and,

2. Written verification of pool filling and the amount of water used therefore is received from a pool company.

F. Water and/or Wastewater adjustments for residential accounts may be made for non-recurring, unexplainable high consumption utilizing the following guidelines:

1. To be eligible for consideration for an adjustment, the consumption must be:

at least four (4) times the average consumption

and,

b. more than
consumption

and,

c.

twice the previous highest

total consumption must be more than 20,000 gallons

and,

d. the service must have been connected to the orange County system for at least twelve (12) months

and,

e.

the customer must have been in continuous residence for at least twelve (12) months.

2. A minimum of 12 months worth of previous consumption data will be used to calculate the average and determine the prior highest consumption.

3.

All adjustments of this type must be approved by the Manager of the Fiscal and Customer Service Department or his designee.

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**THRESHOLD CRITERIA FOR AFFORDABLE HOUSING PROJECTS
SINGLE AND MULTI-FAMILY DEVELOPMENTS**

The Board of County Commissioners has determined that the provision of affordable housing is a critical need in Orange County and that projects which meet the definition of affordable, as outlined in these threshold criteria, should be given priority processing and/or economic concessions to improve their viability and encourage additional affordable housing developments. The criteria set forth in this regulation represent the minimum standards necessary for a project to qualify as an affordable housing project. It is the intent of this criteria to encourage innovative and creative developments which provide affordable housing.

II. PROCEDURE:

A. Each developer/builder seeking certification for an affordable housing project will be provided an application to be completed and submitted to the Department of Housing and Community Development for evaluation, determination and disposition.

B. Orange County uses the following definitions to establish levels of affordability:

Low income means total household income between fifty-one percent (51%) and eighty percent (80%) of Orlando MSA income.

2. Very low income means total household income at fifty percent (50%) and below the Orlando MSA median income.

C. Single Family Fee Simple Developments:

In order to receive an affordable housing certification, at least thirty percent (30%) of the units in a fee simple single family development (attached or detached units)

I. POLICY:

Date: 09/17/90

Approved By: BCC
Revised 06/16/92; 10/29/96

Page 04

FOR MORE INFORMATION CONTACT: County Administrator's Office
Department of Community Development
and Housing Assistance

REFERENCE: Affordable Housing Task Force Report

D.

No: 11.02.06

Page 2 of 4

shall be set aside for households earning eighty percent (80%) or less of the area's median income, except as provided in II.E. of this regulation. Single family fee simple developments shall not include condominiums, and will have a maximum sale price, established by the Department of Housing and Community Development.

2. A single family housing unit which will be affordable to families earning eighty percent (80%) or less of the Orlando Metropolitan Statistical area may be eligible for a fifty percent (50%) discount of impact fees, sewer **capital charges and water** capacity demand fees.

3. The execution of a developer's agreement between Orange County and the developer/builder will set forth the terms and conditions under which Orange County will provide discounts and deferrals of impact fees, sewer capital charges and water capacity fees.

4. The Department of Housing and Community Development, County Attorney's Office, Orange County School Board, Building Department and Public Utilities Division will coordinate the discounting of impact fees, sewer capital charges and water capacity fees in an efficient and effective manner.

5. The impact fee lien required for home buyers that have received the discount is eliminated. The amount of the financial assistance provided does not warrant a five year lien. In some instances, this requirement has been a disincentive to participate in the program.

Multi-Family Rental Developments:

Each developer/builder seeking certification of a multi-family rental development as affordable must set aside a minimum portion of the project units for low wage earning tenants as follows:

Twenty percent (20%) of the units must be set aside for households earning fifty percent (50%) or less of the area's median income; or

2. Forty percent (40%) of the units must be set aside for households earning sixty percent (60%) or less of the area's median income.

The maximum allowable rents to be charged for units assisted under this regulation shall not exceed thirty percent (30%) of adjusted family income for households earning sixty percent (60%) of the annual median income for area families. In addition, affordable rents will be adjusted by the number of bedrooms and utilities

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

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allowances. Rent schedules for set-aside units will be provided by the Department of Housing and Community Development.

3. Each developer/builder must commit to a fifteen (15) year affordability period and shall acquire finding from the Low Income Housing Tax Credit (LIHTC) Program, State Apartment Incentive Loan (SAIL) Program, Tax Exempt Bond

Financing, HOME Orange County.

Program or any other program determined to be acceptable to

4. A multi-family housing development in which twenty percent (20%) of the units will be affordable to families earning less than fifty percent (50%) of the areas median income or forty percent (40%) percent of the units will be affordable to families earning less than sixty percent (60%) of the area's median income, may be eligible for a twenty-five percent (25%) discount of impact fees, sewer capital charges and water capacity demand fees.

The execution of a developer's agreement between Orange County and the developer/builder must set forth the terms and conditions under which Orange County will provide discounts and deferrals of impact fees, sewer charges and water capacity fees.

Individual Units:

A developer/builder may receive discounted impact fees for individual single family fee simple units affordable to low or very low income families; however, no individual builder/developer shall receive discounted impact fees for more than five (5) individual single-family fee simple units within a single platted subdivision, unless the platted subdivision is certified pursuant to II.C. of this regulation. These units are subject to all other applicable conditions contained in these regulations.

A single family housing unit which will be affordable to families earning eighty percent (80%) or less of the Orlando Metropolitan Statistical Area median income may be eligible for a fifty percent (50%) discount of impact fees, sewer capital charges and water capacity demand fees.

3. The execution of a developer's agreement between Orange County and the developer/builder must set forth the terms and conditions under which Orange County will provide discounts and deferrals of impact fees, sewer capital charges and water capacity fees.

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ORANGE COUNTY
ADMNISTRATIVE REGULATIONS

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III. ADDITIONAL REQUIREMENTS:

A. In order to receive economic, planning, permitting or regulatory concessions for single family developments or individual single family units, applicants shall certify in advance that units will be sold in fee simple to and occupied by families or individuals meeting the income ranges specified in the application for discounted impact fees for individual units.

In order to receive economic, planning, permitting or regulatory concessions for multi-family rental developments, applicants shall certify in advance that units will be rented to and occupied by families or individuals meeting the income ranges specified in the application for certification of affordable housing, subject to the rate schedule established pursuant to ILD of this regulation.

B. The developer/builder or its principals must have prior experience in housing construction or development, except for an owner/builder.

C.

D.

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The proposed development must be consistent with Orange County's affordable housing goals and objectives and the Orange County Comprehensive Policy Plan.

If the proposed project is located in the Rural Service Area, a pre-application meeting with the Planning Department and the Department of Housing and Community Development will be required. In addition to all applicable ordinances, including the comprehensive plan, general guidelines to consider when preparing an application are:

Residential developments petitioning to expand the urban service area shall commit at least forty-five percent (45%) of the total development area to affordable housing.

Residential developments in existing rural settlements or growth centers shall provide a minimum of forty-five percent (45%) of the total development area as affordable housing.

3. Residential developments petitioning to expand rural settlements shall commit at least forty-five percent (45%) of the total development area to affordable housing.

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ORANGE COUNTY No: 11.03
ADMINISTRATIVE REGULATIONS Date: 6/18/91

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Approved By: BCC

Title:

CONVENTION/CIVIC CENTER REGULATIONS Page 1 of

I. POLICY:

The Orange County Convention/Civic Center was conceived and constructed to encourage and promote the growth and enhancement of the community.

II. PROCEDURES:

A. The Convention/Civic Center shall operate in accordance with the general procurement, budgetary, and personnel policies and procedures adopted by the Board of County-Commissioners.

B. To obtain information on promotion of the Convention/Civic Center refer to Administrative Regulation 11.03.01.

C.

To obtain information on pricing and rates at the Convention/Civic Center refer to Administrative Regulation 11.03.02.

FOR MORE INFORMATION CONTACT:

Orange County Convention/Civic
Center

REFERENCE: None

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Approved By: BCC

Title:

CONVENTION/CIVIC CENTER PROMOTION

Page 1 of 2

I. POLICY:

A. The Board of County Commissioners has constructed a Convention/Civic Center to accommodate civic events, large conventions and trade shows, ticketed performances, sporting events, and other private and public functions and activities.

B. The Board intends to promote the Convention/Civic Center vigorously, on regional and national levels, to ensure the greatest possible benefit for the citizens of Orange County. To accomplish the promotion effectively and efficiently, the Board has created a Marketing Department ("Department") within the Convention/Civic Center Division, and the Department will be a "county agency" created pursuant to sub-paragraph 125.0104(5)(a)3, Florida Statutes.

C.

PROCEDURES:

As permitted by subsection 125.0104(9), Florida Statutes, the Board intends to provide, arrange and make expenditures from time to time for transportation, lodging, meals and other reasonable and necessary items and services for its county Administrator, its Convention/Civic Center Director, its Marketing Department Manager, and other authorized employees of the Department to ensure the effective promotion and operation of the Convention/Civic Center.

A. The Board declares the Department to be a "convention bureau" funded as a "county agency" under authority of section 125.0104(5)(a)3, Florida Statutes.

B. The Board hereby authorizes the County Administrator and his designees to provide, arrange, and make expenditures from time to time for transportation, lodging, meals, and other reasonable and necessary items and services in connection with promotion of the Convention/Civic Center.

FOR MORE INFORMATION CONTACT: Orange County Convention/Civic Center

REFERENCE: Board of County Commissioners Resolution;

June 10, 1 984

F.S. 125.0104(5)(a)(3)

125.0104(9)

112.061(3)(a)

112.061(12)

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C.

ORANGE COUNTY
ADMINISTRATIVE REGULATIONS

No: 11.03.01

Page 2 of 2

The Board hereby designates the County Administrator and his designees pursuant to section 112.061(3)(a), Florida Statutes as its representatives to authorize and approve all travel and promotion expenditures for the Convention/Civic Center. Furthermore, the Board directs the monitoring of all travel and promotion expenditures carefully and to ensure that they are incurred and paid strictly pursuant to law.

D. To facilitate the expeditious processing of promotion expenditures, the Board has authorized its chairman and clerk to execute appropriate documents to obtain from commercial banks one or more credit cards as reasonably necessary or desirable for use by its personnel. The Board deems these credit cards to be "advancements" authorized by section 112.061(12), Florida Statutes.

E. The Board has declared that this regulation shall be construed strictly in conformity with general law, particularly section 112.061, Florida Statutes. To the extent any *inconsistencies* may exist, general law shall prevail.

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Approved By: BCC

Title:

CONVENTION/CIVIC CENTER PRICING

Page 1 Of

I. POLICY:

The Director of the Orange County **Convention/Civic** Center is responsible for the pricing of the following categories of rates.

- A. Facility Rental Rates (exhibit halls, meetings, room and parking)
- B. Equipment Rental Rates
- C. Service Rates (electrical, air, office and parking)
- D. Personnel Rates
- E. Miscellaneous Rates (review of pricing with service sub-contractor, e.g., food/audio-visual required in the service contract)

ii. PROCEDURE:

The Director of the Orange County Convention/Civic Center shall:

- A. Develop pricing strategies
- B. Monitor rates without competitive marketplace
- C. Establish rates
- D. Administer rates (required by Bond Covenants)
- E. Review rates annually

water, drain, telephone, box

FOR MORE INFORMATION CONTACT:

REFERENCE: None

-1 11

Orange County Convention/Civic Center

ORANGE COUNTY

0~7 Date: 11-19-90

ADMINISTRATIVE REGULATIONS

Approved By:

'riUe: BCC

MANAGEMENT INFORMATION SYSTEMS ADVISORY COMMITTEE-

Page 1 of 3

I. POLICY:

The Board of County Commissioners, in their effort to ensure effective use of computer resources, has established a Management Information Systems Advisory Committee. The Committee's objective is to provide advisory and policy guidance in the effective utilization of county-wide electronic data processing.

A. Committee Membership

Committee membership shall consist of not more than seven (7) members appointed by the Board of County Commissioners, as recommended either by the County Administrator or by the appropriate elected official.

1. one decision-making representative shall be appointed from the office of the following agencies:

a.

Comptroller

b. Property Appraiser

2. Representatives from the following functions (who report to the Board of County Commissioners) shall be appointed to the Committee:

Office of Management and Budget

b. County Administrator

c. One member from each of the following divisions:

Fire and Rescue, Health and Human Services, Public Works, Public Utilities, and Corrections.

3. The Director, Information Services Division and the Data Systems Manager shall be permanent non-voting members and shall have responsibility for the preparation of the agenda and minutes.

ii. PROCEDURES:

FOR MORE INFORMATION CONTACT: Information Services Division
Data Center

REFERENCE: Orange County Resolution dated
January 19, 1981

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4. All members except the Director, Information Services and the Data Systems Manager shall have voting privileges and shall serve on the Committee at the discretion of the appropriate elected official or the Board of County Commissioners.

B. Responsibilities

1. The MIS Advisory Committee shall:

c.

a. In cooperation with the Director, Information Services Division and the Data Systems Manager develop long term data processing goals and implementation priorities to achieve these goals.

Monitor major system development projects by reviewing scheduled major milestones.

Monitor the scope of major new system implementation proposals to ensure systems integration and proper priorities relative to long range goals.

d. Review major policy statements or standards that affect all members of the Data Systems department user Community.

e. Provide direction to the Data Systems department relative to user Community projects that conflict with resource requirements.

f. Support the Data Systems department in the enforcement of data processing standards and policies to ensure an efficient, secure, and effective information processing environment in Orange County.

2. The Data Systems Manager shall:

Prepare the agenda.

b. Publish meeting notices, specifying time and date.

c. Prepare and distribute minutes of the Committee meetings.

d. Provide overall administrative requirements for the Committee.

e. Provide quarterly progress reports on the status of major projects in progress within the Data Systems department.

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Committee Actions and Recommendations

1. After reviewing the long range goals, major projects or plans of the Data System department, the MIS Advisory Committee shall recommend approval or disapproval. Recommendation shall be determined by a majority vote and recorded in the minutes of the meeting.
2. Any long range goal, plan, or major project that is disapproved by the Committee shall be given to the Data Systems Manager with instructions for resolution.
3. The Committee shall forward all affirmative recommendations of data processing long-range goals, plans, or major projects to the County Administrator. The County Administrator shall forward the Committee's recommendation to the Board of County commissioners along with the County Administrator's approval or disapproval.
4. The Board of County Commissioners reserves the right to approve or disapprove any recommendations of the Committee. Any recommendation that is disapproved will be returned to the Committee with instructions for resolution.

ORANGE COUNTY

ADMINISTRATIVE REGULATIONS

Date: 9-18-89

Approved By: BCC

TiUe:

MICROCOMPUTER SOFTWARE COPYRIGHTS

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I. POLICY:

The continuing expansion of the County's office automation system requires that the Board of County Commissioners clarify the federal law regarding copyrights of microcomputer software. The Federal Copyrights Law presently states that it is unlawful to use a purchased software product simultaneously in more than one location without the permission of the license holder.

The Board County Commissioners supports the Federal Copyrights Law and any County employee found in violation of this procedure may be subject to disciplinary action in accordance with the County's Personnel Policies.

ii. PROCEDURES:

A. Microcomputer software may be copied for backup purposes, provided that the backup copies are not being used at the same time as the original. Since a backup copy would only be used in the case of destruction of the primary copy, the copyrights law should not be violated by this procedure.

B. County employees may not make copies of software for personal use or to distribute to coworkers.

FOR MORE INFORMATION CONTACT: Orange County Data Center

REFERENCE: 17 USCS Section 117

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LOT PIPE
INSTALLATION

Date: 9-18-89

Approved By. BCC

No: 11.05.03

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Title:

I. POLICY:

If a citizen wishes to enclose a County ditch located on his/her property and the enclosure is not required or a result of a County action, it will be the citizen's responsibility to design the enclosure to comply with all governmental regulations and to submit a plan for approval to the County Engineer. It shall be the responsibility of the citizen to design, obtain a permit and install the enclosure.

The County shall not participate in enclosures of ditches that are not of a benefit to the County. The County may participate in an enclosure of a ditch if there is a benefit to the County.

A. The citizen shall submit to the County Engineer plans, prepared by a Registered Professional Engineer in the State of Florida, for approval.

B. After approval of the plans and all other applicable permits have been obtained, the owner shall contact the Orange County Engineer to arrange for inspection of the construction.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Highway Construction & Maintenance Dept.

REFERENCE: None

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ORANGE COUNTY
ADMINISTRATIVE REGULATIONS Date: 9-18-89
Approved By: BCC

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EXCESS FILL
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I. POLICY:

Citizens may request fill material that is unsuitable for County use from the Highway Construction and Maintenance Department.

The Highway Construction and Maintenance Department will deliver fill material (usually material from ditch cleaning operations) to the property of a requesting citizen under the following conditions:

- A. The citizen signs a release of liability form.
- B. The delivery site is closer to the point of origin than the County's disposal area.
- C.

No more than three loads (50 c.y.) are delivered to the site without a fill permit.

- D. Fill material will be delivered to the front of the citizen's property.

II. PROCEDURES:

FOR MORE INFORMATION CONTACT: Highway Construction & Maintenance Dept.

REFERENCE: None

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Approved By: 13CC

Date: 9-18-89

COSMETIC MAINTENANCE

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I. POLICY:

The Highway Construction and Maintenance Department will not perform cosmetic maintenance on ornamental entrances or center median islands in subdivisions.

FOR MORE INFORMATION CONTACT: Highway Construction & Maintenance Dept.

REFERENCE: None

ORANGE COUNTY No: 11.05.07
ADMINISTRATIVE REGULATIONS

Date: 10/29/90

Approved By: BCC

TWe: **SIDEWALK POLICY**

Page Of

I. POLICY:

1. Orange County will generally fund sidewalk construction and repair projects in a manner consistent with the Capital Improvements Program. Funds will be provided if, and when, available.

2.

PROCEDURES:

If an interested group of citizens request the construction of a sidewalk and there are no capital improvement funds available to implement the project, the County may assist by establishing a special taxing district to fund the project.

1. Requests for construction of sidewalks shall be submitted for approval/denial to the Board of County Commissioners by the Engineering Department.

2. If the request is approved, the Engineering Department shall coordinate the design and construction of sidewalk projects.

3.

The Highway Construction and Highway Maintenance Departments are responsible for the repair of sidewalk projects. Sidewalks shall be constructed, whenever practical, in conjunction with road-widening projects.

4. The Board of County Commissioners shall contract the construction of sidewalk projects whenever it is deemed necessary.

FOR MORE INFORMATION CONTACT: Planning Department
Engineering Department
Highway Maintenance Department
Highway Construction Department

REFERENCE: None

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Approved By: BCC

Title:
LOST OR ABANDONED PROPERTY FOUND BY COUNTY EMPLOYEES

Page 1 Of 1

I. POLICY:

1. Each County department shall designate a representative to process all lost or abandoned property reports for that department.

Each department manager shall provide the General Services Department Manager with a list of their designated representative(s).

ii. PROCEDURES:

1. Whenever any County employee finds any lost or abandoned property during the course of his official duties, such person shall report it to his department representative.

The department representative shall report the description and location of the lost or abandoned property to the Orange County Sheriff's Office.

The Sheriff's Office shall process the report in the manner stated in Chapter 705, Florida Statutes.

The title of any unclaimed property reported to the Sheriff's Office by an Orange County employee shall be vested in the County and not in the employee as per Section 705.104, Florida Statutes.

It is unlawful for any Orange County employee who finds any lost or abandoned property to appropriate the same to his own use or to refuse to deliver the same when required.

FOR MORE INFORMATION CONTACT: General Services Department

REFERENCE: Chapter 705, Florida Statutes

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ORANGE COUNTY Date: 11-10-97

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Revised: 6/22/99

Title: **ENVIRONMENTALLY SENSITIVE LANDS** Page I of 5
ACQUISITION

POLICY

A. Since 1992, it has been the policy of Orange County that the acquisition of environmentally sensitive lands is an important and appropriate role for government to assume and that environmentally sensitive lands are important to the health and well being of the citizens and the natural environment.

B. The Board deems it necessary to re-evaluate, as necessary, these environmentally sensitive lands pursuant to certain ecological criteria, evaluate new land, if necessary, and evaluate the results of purchase negotiations, to ensure that acquisition of environmentally sensitive property complies with certain standards.

A portion of the Public Service Tax has been dedicated towards environmentally sensitive lands and it is necessary to ensure that proceeds from the Public Service Tax Bond issue are applied solely toward the purchase price, including but not limited to, associated appraisal, survey, title and due diligence investigation costs of these environmentally sensitive land.

D. It is necessary to ensure that proceeds from the Public Service Tax Bond Issue are effectively and efficiently expended for acquisition of environmentally sensitive lands such that the greatest public benefit is obtained for the least cost.

A. The County Administrator or his designee shall have the following responsibilities:

Establish a primary list of environmentally sensitive lands based on the criteria set forth in Section II.C. below. The list shall provide the sites for which purchase negotiations and due diligence investigations shall be

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conducted. For the purpose of this regulation, due diligence shall mean but not be limited to independently conducted appraisals, surveys, title search, environmental audits and any other items deemed necessary for acquisition. The County Administrator or his designee upon approval by the Board of-

II. PROCEDURES

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County Commissioners may revise the list based upon the results of purchase negotiations and due diligence investigations, but in all cases shall maintain a list of lands that oversubscribe the amount of available funds by at least 100% in order to create competition among sellers for scarce funds. All

properties in the primary list shall be treated equally for purposes of acquisition.

2. Based on the list, results of purchase negotiations and the due diligence conducted by the Orange County Real Estate Management Department, Risk Management Department, Environmental Protection Division, or other appropriate agencies, make recommendations to the Board of County Commissioners in connection with each specific property purchase to be made with funds from the Public Service Tax Bond proceeds.

3.

Evaluate new lands as may be submitted by property owners or other entities.

For projects on the list that are not currently proposed for joint acquisition, the County Administrator or his designee shall submit these properties to the appropriate funding agency for consideration.

Prepare an annual report for the Board of County Commissioners on the status of the environmentally sensitive lands acquisition program. The annual report shall also include an evaluation of the program.

Persons or organizations desiring to submit new lands for consideration of acquisition by the County shall submit a completed application to the County Administrator or his designee. Application forms may be **obtained from the** Environmental Protection Division . The County Administrator or his designee shall review each application for completeness of **information**. If the application is incomplete, the applicant shall submit the **required** information within thirty (30) days of submittal. If incomplete, the **applicant** shall submit the required information within thirty (30) days or the applicant shall be considered withdrawn. Once the application is complete, the County Administrator or his designee shall complete evaluation of the new lands within six (6) months pursuant to Section II.C. of this regulation. The

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B. Application Process for New Properties:

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applicant shall be notified in writing of the decision.

2.

New properties recommended by the County Administrator or his designee and approved by the Board of County Commissioners shall be added to a waiting list of properties. As properties contained in the list are acquired or removed by recommendation of the County Administrator or his designee and approved by the Board of County Commissioners, then properties on the waiting list shall be added to the primary list in order of rank and as estimates of value as determined by the Property Appraisers Office will allow.

Evaluation and Selection Criteria:

The funds provided by the sale of Public Service Tax Bonds shall only be used to purchase environmentally sensitive lands which:

I. Are lands that:

(a) Are listed; or

(b) Have public benefits compared to those sites listed, as determined by application of the following criteria:

(1) Rarity in Orange County of the native ecosystems present on the project site;

(2)

Diversity of the native ecosystems, plants and animals present on the project site;

(3) Presence of species listed as endangered, threatened, rare or of special concern by the U.S. Fish and Wildlife Service, Florida Game and Freshwater Fish Commission, Florida Committee on Rare and Endangered Plants and Animals, or the Florida Department of Agriculture;

(4) Contiguity with other publicly owned lands;

Manageability of the project site;

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(6) Availability of funding from other government agencies or non-profit organizations;

(7) Likelihood of events which might degrade or destroy the site; and

(8) Amount of protection afforded by existing County regulations.

2. Lands which are considered to be in the public interest for which no public entity is willing to participate; or

3. Lands which are considered to be in the public interest and for which a private partner is willing to pay all, or a portion of the costs, and will dedicate all development rights for a permanent conservation easement to Orange County.

I To ensure flexibility that monies for the acquisition of environmentally sensitive lands are expended for the greatest public benefit at the least cost, the following items shall be considered during the acquisition process:

(a) Partial donation, conservation easements and bargain sales shall be pursued to the greatest extent;

(b)

Projects facing imminent threat of development activities that will degrade, destroy, or increase the market value of the project shall be brought back to the County Administrator or his designee for re-evaluation;

(c) The projects on the primary list shall be considered equally important so that the County has the flexibility to move on to other equally significant environmentally sensitive lands when negotiations have failed to acquire the project at or below fair market value as established by appraisals paid for by the County; and

D. Acquisition Criteria and Process

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(d) A proposal or recommendation for purchase may be submitted to the Board wherein the purchase price of the site exceeds its average appraised value as established by appraisals paid for by the County if it is deemed that the property is of sufficient value and importance to ensure its preservation.

2. The acquisition process shall follow County procedure and regulations.

This Regulation may not be amended, changed, altered, waived, modified, or repealed without an affirmative vote of the Board of County Commissioners.

E. Amendments or Repeal

FOR MORE INFORMATION CONTACT: Environmental Protection Division

REFERENCE:None

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