



**Charlotte County
Board of County Commissioners**

Administrative Code

Adopted: July 22, 2008

Revised: January 10, 2023; April 25, 2023

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Section 1.00

Purpose

SECTION 1.00 PURPOSE

This Administrative Code is prepared by Charlotte County Administration and adopted by the Charlotte County Board of County Commissioners (BCC) pursuant to Section 125.87 of the Florida Statutes and Section 2.3.E of the Code of Laws and Ordinances of Charlotte County, Florida.

The Administrative Code sets out the organization and function of all county departments, boards, committees and agencies under the authority of the BCC, and provides contact information to enable the public to obtain information or to make submissions or requests. It also includes important policies of the BCC that affect the public. The Administrative Code shall be updated as necessary to ensure current and accurate information.

Section 2.00

Organizational Overview

SECTION 2.00 ORGANIZATIONAL OVERVIEW

Form of Government

Charlotte County is a political subdivision and home rule charter county of the state of Florida, with the authority and duties as set forth in Chapters 125 through 164 of the Florida Statutes and the Charlotte County Home Rule Charter, effective Jan. 1, 1986. Charlotte County retains all the powers of local self-government not inconsistent with general law or special law approved by the voters.

The county operates under an elected county commission and appointed county administrator form of government, with separation of legislative and executive functions. The County Commission is comprised of five members representing five districts, elected on a countywide basis and serving staggered, four-year terms.

Nondiscrimination

The BCC does not discriminate on any basis, including on the basis of disability. This nondiscrimination policy involves every aspect of the county's functions, including access to and participation in meetings, programs and activities. Persons requiring reasonable accommodation, auxiliary aids or services for effective communication, or a modification of policies or procedures to participate in Charlotte County BCC meetings, programs, services, or activities, should contact 941.764.1381 or TTY 941.743.1234.

Public Records

The county is governed by Florida's public records laws, Art. 1, §24 of the Florida Constitution and Chapter 119 of the Florida Statutes. All non-exempt public records are available for inspection and copying upon request.

Ordinances, resolutions, meeting minutes and other official documents of the BCC may be obtained by contacting the Charlotte County Clerk of Court, Minutes Division, 941.743.1404, online at, CharlotteClerk.com/departments/minutes/ or by public records request, below.

Requests for public records may be made online at, Records@CharlotteCountyFL.gov, or by contacting the Records Management Liaison Officer, 18500 Murdock Circle, Suite 109, Port Charlotte, FL 33948, 941.743.1441, Fax 941.743.1989.

Charlotte County Code of Ordinances

The Charlotte County Home Rule Charter and the Code of Laws and Ordinances of Charlotte County, Florida are also available online at, [Code of Ordinances | Charlotte County, FL | Municode Library](#).

Constitutional Officers

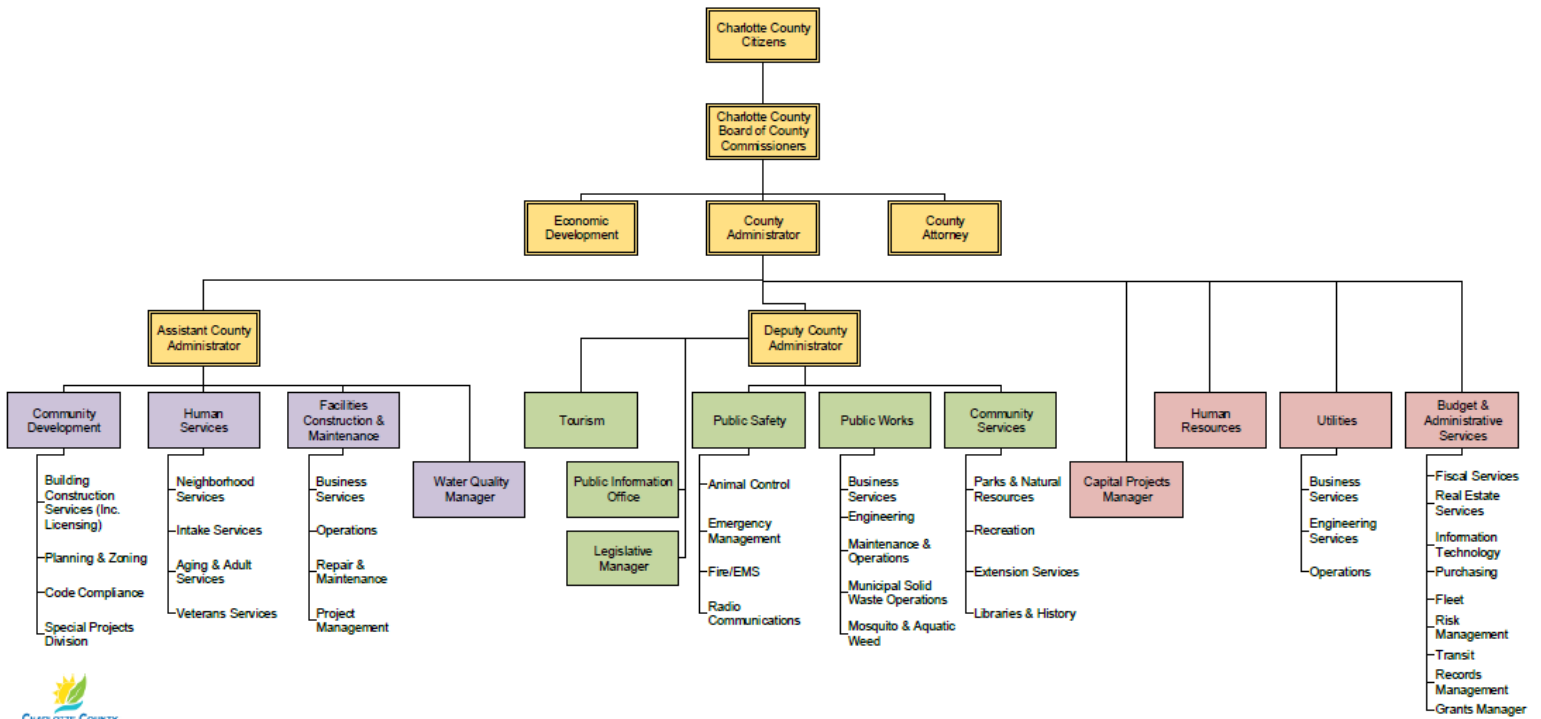
The Charlotte County Clerk of the Circuit Court, the Charlotte County Property Appraiser, the Charlotte County Supervisor of Elections, the Charlotte County Sheriff and the Charlotte County Tax Collector are separate, elected government officers pursuant to the Florida Constitution and, while affiliated with the BCC, **are not under the direct supervision or control of the BCC.**

Pursuant to statutory authority, the Clerk of the Circuit Court acts as Ex Officio Clerk to the Charlotte County BCC.

Attachments

- 2.01. Charlotte County Board of County Commissioners Organization Chart
- 2.02. Advisory Boards, Councils, Committees and Agencies
- 2.03. Organizational Mission, Vision, Values and Goals

SECTION 2.01 Charlotte County Board of County Commissioners Organization Chart



August 2022

SECTION 2.02 Charlotte County Advisory Boards and Committees

Advisory Boards and Committees meet semi-regularly and may have interruptions in their meeting schedule. If you are unsure a meeting is scheduled for a particular day, please call the contact person listed to confirm.

- Affordable Housing Advisory Committee
- Agricultural and Natural Resources Advisory Committee
- Beaches and Shores Advisory Committee
- Board of County Commissioners
- Board of Zoning Appeals
- Charlotte County Finance Committee
- Charter Review Commission
- Code Enforcement Special Magistrate
- Community Action Agency Advisory Board
- Construction Industry Licensing Board
- Environmentally Sensitive Lands Oversight Committee
- Grove City Advisory Board
- Historical Advisory Committee
- Little Gasparilla Island Advisory Committee
- Manasota and Sandpiper Key Advisory Committee
- Marine Advisory Committee
- MPO-Bicycle Pedestrian Advisory Committee
- MPO-Board Meeting
- MPO-Citizens Advisory Committee
- MPO-Local Coordinating Board
- MPO-Technical Advisory Committee
- Parks and Recreation Advisory Board
- Planning and Zoning Board
- South Gulf Cove Community Plan Advisory Committee
- Tourist Development Council

MSBU/MSTU

An MSBU/MSTU is a geographic area within the county, created by ordinance and defined by specific boundaries, through which particular services are provided. Some examples of services that MSBUs may provide are: road & drainage maintenance, waterway dredging, stormwater utility, fire protection or sanitation service.

Units with Advisory Boards

- Alligator Creek Waterway Unit
- Barrier Islands Fire Service Unit
- Boca Grande Street and Drainage Unit

- Buena Vista Area Waterway Unit
- Burnt Store Village Street and Drainage Unit
- Charlotte Ranchettes Street and Drainage Unit
- Deep Creek Non-Urban Street & Drainage Unit
- Don Pedro and Knight Islands Street and Drainage Unit - MSTU
- Edgewater North Waterway Unit
- Englewood East Non-Urban Street & Drainage Unit
- Gardens of Gulf Cove Street and Drainage Unit
- Greater Port Charlotte Street and Drainage Unit
- Grove City Street and Drainage Maintenance Unit
- Gulf Cove Street and Drainage Unit
- Gulf Cove Waterway Maintenance Benefit Unit
- Harbour Heights Street and Drainage Unit
- Harbour Heights Waterway Maintenance District
- Manasota Key Street and Drainage Unit - MSTU
- Manchester Waterway Benefit Unit
- Mid-Charlotte Stormwater Utility Unit
- Northwest Port Charlotte Street and Drainage Unit
- Northwest Port Charlotte Waterway Unit
- Pirate Harbor Street and Drainage Unit
- Pirate Harbor Waterway Unit
- Placida Area Street and Drainage Maintenance Unit
- Rotonda Heights Street and Drainage Unit
- Rotonda Sands North Street and Drainage Unit
- Rotonda West Street and Drainage Maintenance Unit
- South Burnt Store Street and Drainage Unit
- South Gulf Cove (Non-Urban) Street & Drainage Unit
- South Gulf Cove Waterway Benefit Unit
- West Charlotte Stormwater Utility Unit

Units without Advisory Boards

- Ackerman Waterway Maintenance Unit
- Cook and Brown Street Unit
- Don Pedro Knight Islands Beach Renourishment Unit
- Farabee Road Street and Drainage Unit
- Hayward Canal Area Waterway Unit
- Lemon Bay Street and Drainage Maintenance Unit
- Manasota Key Beach Renourishment Unit
- Neal Road Street and Drainage Unit
- Peace River Shores Street and Drainage Unit
- Punta Gorda (Non-Urban) Street and Drainage Unit
- Rotonda Lakes Street and Drainage Unit
- Rotonda Meadows/Villas Street and Drainage Unit
- Sandhill Municipal Service Taxing Unit - MSTU
- South Bridge Waterway Unit

- South Charlotte Stormwater Utility Unit
- South Punta Gorda Heights East Street and Drainage Unit
- South Punta Gorda Heights Street and Drainage Unit
- South Punta Gorda Heights West Street and Drainage Unit
- Stump Pass Dredging – MSTU
- Suncoast Boulevard Street and Drainage Unit
- Suncoast Waterway Maintenance Unit
- Town Estates Street and Drainage Unit
- Tropical Gulf Acres Street and Drainage Unit

Community Redevelopment Agencies

In accordance with the Redevelopment Act of the Florida State Statutes, Charlotte County government has established Community Redevelopment Agencies in areas where "slum" and "blight" exist. The goal of these CRAs is to encourage local initiative to revitalize older downtowns and declining neighborhoods.

- **Charlotte Harbor**
Located in the southern part of Port Charlotte immediately northwest of the Peace River Bridge on U.S. 41 and measures approximately 766 acres.
- **Murdock Village**
Located in the northwest section of Charlotte County, within one mile of the spring training complex of the Tampa Bay Rays and measures approximately 1,200 acres.
- **Parkside**
Located in the mid-section of Port Charlotte, northeast of U.S. 41, south of Midway Boulevard and Morningstar Waterway, northwest of Fordham and Yale Waterways and measures approximately 1,100 acres.

2.03 ORGANIZATIONAL MISSION, VISION, VALUES AND GOALS

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
July 22, 2008

PURPOSE: Mission and Vision

The mission of this organization is delivering exceptional service. Charlotte County government is committed to the vision: to preserve and enrich our community's quality of life for those who live, work and play in our paradise.

Values

To meet this mission, employees should recognize these fundamental values, and these values should serve as a guide to employee conduct and actions where policies are silent or in apparent conflict.

Employees of Charlotte County will work to practice and promote the following standards for the organization – Charlotte CARES:

- Committed: dedicated and loyal to work, team, organization, and community
- Accountable: taking responsibility for own actions/decisions and those of the team
- Resourceful: ability to adapt to dynamic situations, problem solve and overcome challenges
- Energetic: exhibiting great enthusiasm and engagement in all activities/assignments
- Supportive: providing encouragement or help to others and valuing inclusion that respects the different perspectives and talents each person

County Goals

1. Infrastructure — To build and maintain countywide infrastructure that meets our evolving needs and enhances our community appearances, improves public safety and protects our natural resources.
2. Public Services — To maintain a safe and healthy community by delivering essential services from skilled, professional and dedicated public servants.
3. Efficient & Effective Government — To manage fiscally sound county operations with a culture of transparency, accountability, citizen engagement and innovation.
4. Economic & Community Development — To create a business climate that promotes a diversified, growing economy.

SCHEDULED REVIEW DATE:
Annually

AMENDED:
September 22, 2020

Section 3.00

County Commission

SECTION 3.00 COUNTY COMMISSION

Commission Office

The Commission Office is located at 18500 Murdock Circle, Suite 536, Port Charlotte, Florida 33948, Telephone: 941.743.1300, email to Assistant@CharlotteCountyFL.gov.

County Commissioners

Detailed information on the current membership and positions on the Board of County Commissioners, contact information, commission districts, term dates, BCC rules, procedures, meetings, agendas, focus goals, strategic plans and commission news may be accessed online at: CharlotteCountyFL.gov/commission-office

County Administrator, Attorney and Director of Economic Development

A county administrator is appointed by the BCC and has the authority and responsibility to manage the day-to-day operations of the county consistent with BCC policies and directives and pursuant to Sections 125.70 to 125.74 of the Florida Statutes and Art. II, Sec. 2.3 (Executive Branch) of the Home Rule Charter.

A county attorney and a director of Economic Development Office are hired by, and report directly to, the BCC. The county attorney acts as legal advisor and representative to the BCC, county administration and county departments. The Economic Development Office promotes business activity and development in Charlotte County. Detailed information concerning the duties and responsibilities of, and how to contact, the County Attorney's Office and the Economic Development Office may be accessed at CharlotteCountyFL.gov/departments.

Advisory Boards

The BCC has appointed a number of advisory boards, committees, councils, agencies, Municipal Service Benefit Units and Municipal Service Taxing Units to serve in limited capacities. Detailed information concerning the duties and responsibilities of, and how to contact, each advisory board, committee, council, agency, MSBU or MSTU under BCC control may be accessed at CharlotteCountyFL.gov/boards-committees.

Board Meetings

Unless otherwise exempted by law, all meetings of the BCC, all advisory bodies and all MSBUs/MSTUs are noticed and open to the public pursuant to Florida's Government-in-the-Sunshine laws, Art. 1, §24 of the Florida Constitution and §286.011 of the Florida Statutes. BCC agendas, meeting minutes and video archives may be accessed online at CharlotteCountyFL.gov/agendas.

BCC Policies

The public should be aware of the following BCC Policies/Procedures:

- 3.01. BCC Rules of Procedure
- 3.02. Board Agenda
- 3.03. Title VI Nondiscrimination
- 3.04. Code of Ethics
- 3.05. Budget and Administrative Services [includes Financial Reserve Policy, Debt Policy, Financial Structure, Budgetary Basis, Capital Improvement Program]

3.01 BOARD OF COUNTY COMMISSIONERS RULES OF PROCEDURE

ORIGINATING DEPARTMENT:
County Commission Office

ADOPTED:
July 22, 2008

PURPOSE:

The purpose of these rules is to provide for the smooth and orderly functioning of the business of the Commission and to provide a basis for resolving questions of procedure when they arise.

POLICY/PROCEDURE:

- 1.01 **Governing Rules** — Except as may be provided in the charter or by these rules, or by questions of order, the methods of organization and the conduct of business of the Board of County Commissioners (Commission) shall be governed by the procedures set forth herein.
- 1.02 **Introduction** — The purpose of these rules is to provide for the smooth and orderly functioning of the business of the Commission and to provide a basis for resolving questions of procedure when they arise.
- 1.03 **Definition** — As used herein, the following terms shall be defined as follows: Commission or Board shall mean the Charlotte County Board of County Commissioners; member or commissioner shall mean the individual elected or appointed to the Board of County Commissioners; county administrator shall mean the person appointed by the Commission in a full time or interim capacity or his or her designee; county attorney shall mean the person appointed by the Commission in a full time or interim capacity or his or her designee; the clerk shall mean the person elected or appointed to the position of the Clerk of the Circuit Court or his or her designee.
- 1.04 **Regular Meetings**
 - A. The Commission shall hold regular meetings on the second and fourth Tuesdays of each month unless otherwise approved by the Commission; and when the day fixed for any such regular meeting falls on a day designated by law as a legal holiday, such meeting may be canceled at the discretion of the Commission. Regular meetings shall commence at 9 a.m. Regular meetings may be otherwise postponed or canceled by resolution or motion adopted at a regular or special meeting by a majority of the Commission members present. All regular meetings shall be held in the Charlotte County Administration Center or such place or time as may be approved by resolution or motion adopted at a regular or special meeting by a majority of the Commission members present and shall be open to the public and all news media.
 - B. Meetings held for land use items shall be held at 2 p.m. on the fourth Tuesday of every month, unless otherwise approved by the Commission.
- 1.05 **Special Meetings, Emergency Meetings, Workshops**
 - A. **Special Meetings** — A special meeting of the Commission may be called by the chair or by a majority of the Commission members present at a meeting of the Commission. Whenever a special meeting is called, written and verbal

notice shall be given by the administrator to each member of the Commission, the clerk, the county attorney, any persons entitled, as a matter of law, to written or verbal notice, and the press, stating the date, hour and place of the meeting and the purpose(s) for which the meeting is called. Twenty-four hours must elapse between the time the meeting is noticed and the time the meeting is to be held. The minutes of the special meeting shall show the manner and method of notice.

- B. **Emergency Meetings** — An emergency meeting of the Commission may be called by the highest-ranking officer of the Commission available. An emergency meeting of the Commission may be called only when the person(s) calling the meeting believes that an emergency exists which requires immediate consideration or action by the Commission. Whenever such emergency meeting is called, person(s) calling the meeting and the county administrator shall make a good-faith attempt to notify each member of the Commission, the clerk, the county attorney, any person entitled to notice as a matter of law, and the press, stating the date, hour and place of the meeting, the nature of the emergency and the purposes for which the meeting is being called. If possible, this notice shall be in writing. No other business shall be transacted at the meeting, and the minutes of each emergency meeting shall show the nature of the emergency and the manner and method of notice.
- C. **Workshop Meetings** — The chair, or vice chair in the absence of the chair, may call a workshop meeting to discuss items of special importance or complexity which require longer than usual staff presentation and Board questions. The purpose of a workshop meeting is to allow staff to make presentations and to allow questions by the Commission. Public comment may be allowed at the direction and discretion of the Commission but will be no more than three minutes for each person unless the Commission wishes to extend the time limit. An agenda of the order of business at the workshop meeting shall be prepared by the county administrator and made available to the public at least seven calendar days before the workshop meeting. Official action may be taken upon any of the items discussed at the workshop meeting and any of the items of official business that require immediate consideration and decision by the Commission, provided public notice has been given and public input has been allowed.
- D. **Public Hearing Procedures** — The purpose for establishing these procedures is to provide fundamental fairness to the parties at the hearing. Should the Commission decide to grant any party additional time or other consideration, they should also provide the same amount of time or consideration to the other parties. Failure to strictly adhere to these procedures shall not invalidate any action of the Commission. The public is always invited to speak at a public hearing, however, the following time limits shall apply: Petitioner presentation – twenty minutes; public comments – five minutes per speaker; petitioner rebuttal – five minutes. These times may vary due to subject matter (for example, there may be no petitioner or applicant.)

1. General Public Hearings

- a. Persons presenting testimony may be required to complete and sign the request to speak card.
- b. The chair then reads the description of the agenda item(s) to be considered.
- c. The chair opens the public hearing.
- d. The staff will then make a presentation for the agenda item being considered.
- e. The chair then inquires as to whether there is any discussion or questions of staff.
- f. The petitioner, if any, then makes its presentation, limiting the time to 20 minutes unless otherwise agreed.
- g. Public input follows and unless otherwise determined by the chair, shall be limited to five minutes per speaker. Petitioner rebuttal is limited to five minutes.
- h. A commissioner will make a motion to close public input.
- i. After a second to the motion, and a vote on the motion, the chair closes public input and inquires if there is any discussion. Vote is taken to close the public hearing.
A motion and a second is made on the matter, and after any discussion.
- j. The vote is taken.

2. Quasi-Judicial Hearings

The procedures to be followed for quasi-judicial hearings are generally the same as given above for general public hearings:

- a. Florida law requires that the County Commission's decision in a quasi-judicial action be supported by competent substantial evidence presented to the Commission during the hearing on the application. Competent substantial evidence is such evidence as a reasonable mind would accept as adequate to support a conclusion. There must be a factual basis in the record to support opinion testimony from both expert and non-expert witnesses. All testimony must rely on factual information.
- b. With leave of the Board, those who desire to be recognized with objector status may be provided additional time to present competent substantial evidence (e.g. through counsel, expert testimony or cross-examination).
- c. Disclosure must be made before or during the public meeting at which a vote is taken if any commissioner received any oral or written communications regarding the matter. The substance of the communication and identity of the person making the communication must be disclosed, allowing reasonable opportunity for others to refute or respond to the communication.
- d. Ex-parte Communications

- 1) Definition: Written or oral communications regarding quasi-judicial matters pending before the Board received outside the record of the related public hearing.
 - 2) The County Attorney's Office suggests that commissioners refrain from participating in ex-parte communication whenever possible regarding a quasi-judicial matter to avoid the creation of the presumption of prejudice.
 - 3) The presumption of prejudice may be overcome if the context of the ex-parte communication and the identity of the person is disclosed and made a part of the record at the public meeting before the final action on the matter.
 - 4) A written communication that relates to quasi-judicial action pending before the Commission (such as a zoning decision) shall be made a part of the record before the final action on the matter.
 - 5) If a commissioner conducts an investigation or site visit or receives expert opinions regarding a quasi-judicial action pending before the Commission, such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit or expert opinion is made a part of the record before final action on the matter.
- e. Commissioners shall not text or email or have any off the record discussions during quasi-judicial hearings.

1.06 **Quorum**

- A. A majority of the whole number of members of the Commission shall constitute a quorum. Any member of the Commission who announces a conflict of interest on a particular matter and a decision to refrain from voting or otherwise participating in the proceedings related to that matter shall be deemed present for the purpose of constituting a quorum. The Commission may entertain motions for continuances and may in its discretion grant such motions upon a showing of good cause. Lack of a full Commission for public hearings on land use items shall not be deemed good cause.
- B. Should no quorum attend within 30 minutes after the hour appointed for the meeting of the Commission, the chair or the vice chair, or in their absence, the administrator may adjourn the meeting. The names of the members present and their action at such meeting shall be recorded in the minutes by the clerk.

- 1.07 **Meeting Attendees** — All meetings of the Commission shall be open to the public. Promptly at the hour set for each meeting, the members of the Commission, the county attorney, the county administrator, and the clerk to the Commission shall take their regular station in the Commission chamber, and the business of the Commission shall be taken up for consideration and disposition in accordance with the agenda for the meeting.

- 1.08 **Call to Order** — The chair shall call the Commission to order at the hour appointed for the meeting. In the absence of the chair and vice chair, the administrator shall then determine whether a quorum is present and, in that event, shall call for the election of a temporary chair. Upon the arrival of the chair or the vice chair, the temporary chair shall relinquish the chair upon the conclusion of the business immediately before the Commission.
- 1.09 **Chair Presiding Officer Duties**
- A. The Commission shall select a chair and vice chair at the second regular meeting following the first Monday in November of every year. The chair of the Commission shall preside at all meetings at which the chair is present. In the absence of the chair, the vice chair shall preside.
 - B. The presiding officer shall preserve strict order and decorum at all meetings of the Commission. The chair shall repeat every motion and state every question coming before the Commission and announce the decision of the Commission on all matters coming before it. A majority vote of the members present shall govern and conclusively determine all questions or order not otherwise covered. The chair may vote on all questions, the chair's name being called last when a roll call is requested. In the absence of the chair or in the event of the chair's inability to serve by reason of illness or accident, the vice chair shall perform the duties and functions of the chair until the chair's return to the county or recovery and resumption of duty.
 - C. The chair, or vice chair in the absence of the chair, is authorized to sign any documents approved by the Commission.
 - D. The chair shall have the authority to assign honorary or administrative duties to other members of the Commission with members' consent.
- 1.10 **Parliamentarian** — County attorney shall act as parliamentarian and shall advise and assist the chair in matters of parliamentary law. In the absence of a Rule of Procedure as provided for by these rules, the parliamentarian shall refer to Robert's Rules of Order on all rulings.
- 1.11 **Agenda**
- A. There shall be an official agenda for every meeting of the Commission, which shall determine the order of business conducted at the meeting. All proceedings and the order of business at all meetings of the Commission shall be conducted in accordance with the official agenda.
 - B. A portion of the agenda shall be designated as a consent agenda, and all items contained therein may be voted on with one motion, except that any commissioner may withdraw an item from the consent agenda, and it shall be voted on individually.
 - C. Any departure from the order of business set forth in the official agenda shall be made only upon majority vote of the members of the Commission present at the meeting.
 - D. Additions, deletions, or corrections to the agenda may be considered by the Commission and adopted by the passage of a single motion. Items may be added to the agenda by four-fifths vote of the Commission or when deemed necessary by the majority in emergency situations when the issues are time

- E. critical to the county or cost sensitive to the county. Non-agenda matters shall be confined to items that are informational only.
- F. The agenda shall be prepared by the administrator in appropriate form approved by the Commission. The administrator shall make available a copy of the regular agenda, and supporting documentation in the possession of the county, seven calendar days before every non-emergency meeting and post same on the county's public website. If the support information is not available, the agenda item may be removed from the agenda and considered at a later meeting. Matters may be placed on the agenda by any member of the Commission, the administrator, the county attorney and the clerk. Only a member of the Commission and the county administrator may place a citizen on the official agenda.
- G. A copy of each resolution or non-emergency ordinance shall be furnished to the office of the members of the Commission not later than seven calendar days before a vote may be called on the resolution or ordinance. The provisions of this rule shall be deemed waived unless asserted by a commissioner before the Commission takes action on the resolution or ordinance in question.

1.12 Public Input: Addressing Commission, Manner, Time

Each person who addresses the Commission on an agenda item shall complete a public input card and submit the card to the receptionist. When the person's name is called, the person shall step up to the speaker's lectern and shall give the following information in an audible tone of voice for the minutes:

- A. name;
- B. and, if requested by any commissioner, the person may be required
 - to state place of residence; and
 - whether the person speaks for a group of persons or a third party; if the person represents an organization, whether the view expressed by the person represents an established policy or position approved by the organization; and
 - whether the person is being compensated.
- C. Persons desiring to address the Board shall keep their comments concise and to the point. Persons desiring to distribute documents to the Board shall provide same to the sheriff's deputy who in turn will distribute to the Board members. No one, except staff, may approach the dais. No question shall be asked a member of the Commission except through the presiding officer.
 - All remarks under public input shall be limited to no more than three minutes unless the chair extends the time and shall be addressed to the Commission as a body and not to any member thereof.
 - Any person addressing the Commission during a public hearing shall limit remarks to five minutes unless the Commission extends the time. No person, other than members of the Commission and the person

having the floor, shall be permitted to enter into any discussion, without the permission of the presiding officer.

- D. No person who has addressed the Commission during any given public input on agenda items shall be allowed to make additional comments on the agenda item except with the permission of the Commission. The public may make additional comments on specific items being heard during a public hearing.
- E. For those matters in which input is heard by the Commission, the chair shall close the input portion of the meeting upon the conclusion of the last speaker's comments. No additional input shall be allowed, except in specific response to questions by members of the Commission or if an extension of time for public comment is approved by the Commission.
- F. Any person making slanderous remarks or who becomes boisterous while addressing the Commission shall be barred from making any additional comments during the meeting by the presiding officer, unless permission to continue or again address the Commission is granted by the majority of the Commission members present. Any person who becomes disruptive or interferes with the business of the Commission may be removed from the audience for the remainder of the meeting. If a law enforcement officer is the person removing the member of the public, the decision of whether to take action shall be made by the law enforcement deputy based on state and federal law.
- G. Any person shall be entitled to submit written comments/input for consideration by the Commission. Written comments submitted may be considered and entered into the record of the meeting.
- H. For public safety purposes, no signs, posters or placards mounted on sticks, posts, poles or similar structures will be allowed in County Commission meeting rooms.
- I. A member of the public may act as a spokesperson for a group of people and audience members may raise their hands to show support for their spokesperson's comments.
- J. All electronic devices, including cell phones and pagers, shall be either turned off or otherwise silenced.
- K. Prolonged conversations shall be conducted outside commission chambers.
- L. Clapping, whistling, heckling, gesturing, loud conversations, or other disruptive behaviors are prohibited.
- M. Comments at public hearings shall be limited to the subject being considered by the Board. Input at the end of every regular Board meeting shall be directed to county issues.
- N. All public comments/input shall avoid personal attacks, abusive language and redundancy.
- O. No person attending a board meeting is to harass, annoy or otherwise disturb any other person in the room.
- P. **Member Decorum** — To ensure every member has a fair opportunity to participate and meetings are conducted in an orderly fashion, the following procedures are in effect:
 - 1. **Confinement of Remarks** — In discussion, the remarks made by the

2. Board members shall be confined to the motion or matter immediately before the body.
 3. **Personal Attacks Prohibited** — 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.
 4. **Breach of Decorum** — The chair 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.
 5. **Comments Addressed to Chair** — 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.
 6. **Order of Discussion** — 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.
 7. **Disruptiveness** — 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.
 8. **Rulings from the Chair** — 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.
 9. **Refusals to Comply** — If a member of the Board refuses to comply with these rules, the following procedure shall be used:
 - a. The member shall be “called to order” by the presiding officer or by a majority of the members present.
 - b. 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.
 10. Members are prohibited from using text messaging and instant messaging during public hearings or meetings.
- 1.13 **Clerk Minutes** — The clerk shall sit or appoint a deputy clerk as clerk of the commission. The clerk shall certify all ordinances and resolutions adopted by the Commission. The clerk shall duplicate the minutes and all resolutions and ordinances and shall furnish copies to persons desiring them at the prescribed rates.
- 1.14 **Reading Minutes** — Unless a reading of the minutes of a meeting is required by a majority of the Commission, such minutes, when approved by the Commission and signed by the chair and the clerk, shall be considered approved without reading.
- 1.15 **The Record**
- A. **Automatically included in the record** — The following documents shall

automatically be included in the records of the Commission:

1. Agenda packet or staff report.
2. Any documents, exhibits, diagrams, petitions, letters or other materials presented to the Commission in support of, or in opposition to, an item to be considered by them shall be entered into the record, unless clearly inadmissible and irrelevant. The Commission may accept wholly or partially inadmissible items into the record, provided that members of the Commission shall not consider those items, or parts thereof, which are inadmissible. In the event the Commission has any question as to the relevancy and admissibility of any item placed into the record, the Commission may request an opinion from the County Attorney's Office. The Commission, the clerk, county attorney and county administrator shall be provided hard copies of any PowerPoint or electronic displays prior to their presentation. In addition, administration should be provided with a duplicate electronic copy in an acceptable format for posting to the county website prior to presentation of the item to the Commission. All presentations, except as stated below, will be uploaded to the county website before consideration by the Board. Procurement presentations which are called for by the Board after rejection of the Professional Services Committee recommendations will be uploaded to the county website following the conclusion of the meeting where final selection of the firm occurs.

- B. **Custodian** — The Clerk of the Circuit Court shall be custodian of the record.
- C. **Correction of errors in the record** - In the event the Commission determines that there was an error, either of commission or omission regarding the placement of an item into the record, any member of the Commission may move to correct such errors, and such act of correction shall be done upon a majority vote of the members of the Commission present.
- D. **Exhibits** — Unless an oversized exhibit is absolutely essential, documentary paper or photographic exhibits shall not exceed 24 inches by 36 inches and, if mounted on a backboard, shall be removable therefrom.
- E. **Substitution of copies of exhibits** — A person submitting an exhibit for the Board's consideration in support of, or in opposition to a pending matter, must file the original thereof with the clerk. The Commission may approve substitution of a copy or duplicate thereof after viewing the original and the copy or duplicate. In the case of a written document, the person may furnish the clerk with an exact duplicate and, upon verification thereof, the clerk may return the original to said person. Alternatively, the clerk may, in the clerk's discretion, and at the expense of the person requesting the return of the original, make or arrange for the making of a copy of the exhibit after which the original may be returned to the person requesting it.

1.16 **Method of Voting**

- A. **General** — The vote upon any ordinance, resolution, motion or other matter may be voice vote, providing that the chair or any other member of the Commission may require a roll call vote to be taken. Upon every roll call vote, the names of the commissioners shall be called alphabetically by surname, except that the names shall be rotated after each roll call vote, so that the commissioner who voted first on a preceding roll call shall vote last upon the next subsequent

matter; provided, however, that the presiding officer shall always cast his or her vote last. Upon relinquishing the chair, the chair shall vote in alphabetical order with the other commissioners. The clerk shall call the roll, tabulate the votes and announce the results.

B. Voting

1. **Voting** — Unless otherwise provided by law, ordinance or statute, when the Commission has finished discussion and is ready to vote a question, the chair shall call for the vote, and there shall be no further discussion by any member voting. Each member shall vote aye or no, and silence shall be considered an “aye” vote. When a matter is brought up for a vote on a motion to approve it and said motion fails, the status quo ante shall be maintained, and the matter shall be considered denied. Such a vote shall not preclude a subsequent motion at the same meeting to approve with modifications to the motion.
After any vote, any member may give a brief statement to explain his or her vote, and such explanation should be consistent with the vote registered. A member shall have the privilege of filing with the clerk a written explanation of his or her vote which shall become part of the record of the proceeding.
2. **Roll call** — Upon any roll call, there shall be no discussion by any member prior to voting, and each commissioner shall vote aye or no.
3. **Vote change** — Any commissioner momentarily absent for a vote on a particular item may record his or her vote, or any commissioner may change his or her vote before the next item is called for consideration or before a recess or adjournment is called, whichever occurs first, but not thereafter, except with the consent of all the commissioners who voted thereon.
4. **Abstention**
 - a. No commissioner may abstain from voting on any matter before the Commission upon which official action is to be taken unless there is or appears to be a possible conflict of interest pursuant to Sections 112.311, 112.313, 112.3143 or 286.012, Florida Statutes. In such cases, said commissioner shall comply with the disclosure requirement of state law.
 - b. If a commissioner has a conflict with an item appearing on the consent portion of the Commission’s agenda, that commissioner does not have to pull the item for the purpose of abstention if prior to the vote on the consent agenda the commissioner:
 - 1) publicly discloses the nature of interest in the matter from which the commissioner is abstaining, and
 - 2) notifies the clerk of the conflict.
 - c. The commissioner must supply the clerk with a completed Form 8B “Memorandum of Voting Conflict” form within 15 days after the vote occurs. Form 8B shall be received by the clerk and incorporated into the meeting minutes as an exhibit.

1.17 Rules of Debate

- A. As to the Chair** — The chair may second any motion, or, after relinquishing the chair, may make any motion. The chair shall not resume the chair until

after the Commission has acted upon the matter under consideration.

- B. **Getting the floor, improper references to be avoided** — Every member desiring to speak for any purpose shall address the chair and, upon recognition, shall confine discussion to the question under debate, avoiding all personalities and indecorous language.
- C. **Interruption** — member once recognized shall not be interrupted when speaking unless it is to call that member to order. If a member while speaking is called to order, the member shall cease speaking until the question of order is determined by the chair; and, if in order, the member shall be permitted to proceed. Any member may appeal to the Commission from the decision of the chair upon a question of order, whereupon without debate the chair shall submit to the Commission the question, “Shall the decision of the chair be sustained?” and the Commission shall decide by a majority vote of those present at the meeting.
- D. **Privilege of closing debate** — Any commissioner may move to close debate after every commissioner has had one opportunity to comment and call the question on the motion being considered which shall be non-debatable. By request of a commissioner, members of the Commission shall be polled to decide whether debate may be reopened.
- E. **Renewal** — Once the period for consideration of any ordinance, resolution, decision or motion has expired, then neither the same ordinance, resolution, decision or motion nor its repeal may be brought for discussion before the Commission for a period of six months.
- F. **Reconsideration** — An action of the Commission may be reconsidered only at the same meeting at which the action was taken or at the next regular meeting. For land use items, an action by the Commission may be reconsidered only at the same land use meeting at which the original action was taken or at the next land use meeting. A motion to reconsider may be made only by a member who voted on the prevailing side of the question and must be concurred in by a majority of those present at the meeting. A commissioner who was absent at the time the vote was taken shall be deemed on the prevailing side. Such motion shall not be entertained in any one of the following instances: (1) if the approved action has been partially or fully carried out; (2) if a contract, when the other party to the contract has received written notification by the county of the outcome; (3) if an ordinance or other action taken after a required public hearing; or (4) if the vote has caused something to be done that is impossible to undo. Adoption of a motion to reconsider shall rescind the action reconsidered; therefore, a new motion, second, and vote is required to take formal action on the item, if desired, and may take place at a future meeting. If a motion to reconsider is not brought forward in a timely manner, yet a commissioner would like to revisit the issue, the item may be placed on a future agenda provided that (1) new information has been discovered that if known at the time of the original vote, the outcome may have been different; (2) a majority of the Board approves; and (3) none of the instances set forth above that would prohibit a motion to reconsider exist. This rule on motions for reconsideration may not be suspended.

G. Tie votes — Whenever action cannot be taken because the vote of the commissioners has resulted in a tie, the proposed ordinance, resolution or motion that produced the tie vote shall fail; however, there is no prevailing party for purposes of a motion to reconsider. Whenever action cannot be taken due to a tie vote, the status quo shall continue, and the item can be placed on a future agenda for consideration.

- 1.18 **Commissioner Comments** — The purpose of commissioner comments is to promote the public discussion of matters relating to county business and to encourage the dissemination of information. Any commissioner may submit reports and information on items relating to county business. When possible, the other commissioners, the county administrator, and the county attorney should receive such materials in advance. Commissioners may also request the preparation of proclamations, resolutions, ordinances, reports, and other actions of the Board during this portion of the agenda, subject to majority consensus. All such requests shall be referred to the administrator or the attorney, as appropriate.
- 1.19 **Adjournment** — A motion to adjourn shall always be in order and decided without debate, except that the motion shall contain a time to hear the balance of the agenda if same has not been completed.
- 1.20 **Ordinances, Resolutions, Motions, Contracts**
- A. **Preparation of ordinances** — The county attorney, when requested by at least three commissioners, shall prepare ordinances which shall be delivered to the administrator for inclusion in the agenda. Copies of all proposed ordinances or resolutions shall be furnished to each commissioner and shall be made available to all interested persons at the normal copying cost.
- B. **Approval of documents by county attorney** — All ordinances, resolutions and contract documents, before presentation to the Commission, shall have been reduced to writing and shall have been approved as to form by the county attorney.
- C. **Passage of approval of ordinances** — Any action of the Commission which provides for a new law or a penalty to be imposed shall be by ordinance. Ordinances may be introduced and adopted by title and shall be read by title only before consideration by the Commission. The adoption of all ordinances shall require the affirmative vote of a majority of the total membership of the Board. Ordinances must be sponsored by a member or members of the Commission, except that either the administrator, clerk or the county attorney may present ordinances, resolutions and other matters, of an administrative nature, to the Commission for consideration, and any commissioner may assume sponsorship thereof by moving that such ordinance, resolution or other matter be adopted in accordance with law; otherwise, they shall not be considered.
- D. **When action to be taken by motion, resolution or ordinance** — All actions of the Commission may be taken by motion, resolution or ordinance. Approval of purely administrative matters may be accomplished by resolution or motion duly adopted and recorded in the minutes of the meeting. No resolution or motion shall be adopted by the Commission without the affirmative vote of the majority of all the members present.

E. Emergency ordinances — The Commission at any regular, special or emergency meeting may enact or amend any ordinance with a waiver of notice requirement by a vote of four members of the Commission declaring that an emergency exists, and that the immediate enactment of such ordinance is necessary.

1.21 **Committees**

Whenever the Commission deems it necessary or desirable that the Commission shall be represented at meetings, conference or other occasions involving other governmental entities, agencies, officials or groups, or non- governmental organizations, or departments, agencies or officials of the county government, the Commission may nominate members of the Commission to represent the Commission at such meetings, conferences or other occasions, with the consent of the nominated member. Such representative shall have no power to act for or on behalf of the Commission or to make any commitment or binding obligation on behalf of the Commission or the county. Such representatives may report to the Commission with regard to such meeting, conference or other occasion. The Commission may establish special committees of the Commission and/or citizens as specific needs arise. The Commission shall make nominations to such committees with the consent of the nominated person. Any special committees may be abolished by the Commission when its continued existence no longer is necessary.

Evaluations of Commission's Appointees' Performance — The Commission shall annually evaluate the performance of the county attorney, the county administrator and the economic development director. The chair may designate a time for the review of the Commission's appointees; however, if no time is designated, the evaluation shall take place in September of each year. The chair shall distribute evaluation forms, if any, and request input from each commissioner. Each commissioner shall forward the completed evaluation to the administrator's assistant. The administrator's assistant shall take the evaluations of all commissioners and develop a composite evaluation, averaging the numerical scores of each commissioner. The composite evaluation shall be placed on the Commission's agenda within three weeks. The agenda package for the Commission shall include the composite evaluation and the evaluation of each commissioner. The Commission shall review the composite evaluation and adopt it by majority vote of the members present. The chair may make recommendations on tenure, salary and other matters related to the appointees.

1.23 **Suspension of the Rules** — Unless otherwise stated, any of the rules of order adopted by this Commission may be temporarily suspended for the meeting in session by a majority of those commissioners present at said meeting, except as noted in Rule 1.17F.

1.24 **Effect of These Rules of Procedures** — In any instance where the procedure established by these rules of procedure is in conflict with state law, county ordinance or court order, or has the effect of violating any applicable law, ordinance or ruling, or order of a court or administrative agency, or rights thereunder, the procedures established hereunder shall be inoperative to the extent of such conflict or violation.

- 1.25 **Publication** — Upon adoption of these rules of procedure and any amendment hereof, the county administrator shall cause same to be posted on the county’s website. Copies shall be provided by the county administrator to all persons who request them at the standard charge. Copies shall be available for review by the public at all meetings of the Commission.
- 1.26 **Effective Day** — These rules shall become effective upon adoption by the Board of County Commissioners.

SCHEDULED REVIEW DATE:
Annually

AMENDED: September 22, 2020

3.02 BOARD AGENDA

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
July 22, 2008

PURPOSE:

To provide a standard format and procedures for use in requesting items to appear on an agenda of the Board of County Commissioners (“Board”) and to provide the board with an executive summary for each agenda item.

POLICY:

Unless otherwise specified, the Board of County Commissioners meets for regular meetings on the second and fourth Tuesdays of each month. Land Use meetings are held at 2 p.m. on the fourth Tuesday of the month. The third Tuesday is devoted to Board Workshops. All meetings begin at 9 a.m. unless otherwise specified. Requests for items to appear on the Board’s agenda shall be submitted to administration by certain due dates published yearly and available on Connect@Work.

PROCEDURE:

Agendas are prepared by the administrator’s office in a form approved by the Board. The agenda shall be made available to the commissioners and on our public website seven days before the meeting. Items to be considered are submitted to the agenda by the requesting department electronically. If a resident requests an item to be placed on an agenda, it must be approved by a commissioner or the administrator.

Invocation

The agenda clerk schedules clergy to open regular BCC meetings throughout the year. An item is submitted specifying the name of the minister and the church affiliation. A minister opens the meeting by delivering an Invocation; when one is not available, a commissioner will provide the invocation on a rotating basis.

Proclamations

Any party may request a proclamation for their cause — for example, Florida’s Water Conservation Month. Requests for proclamations are processed by administration, and will be included on a first-come, first-served basis, as per Proclamation Guidelines, Section 3.06.

Employee Recognition

The Human Resources Department submits this list. Employees who have completed milestone anniversaries are recognized. On a rotating basis, a commissioner may present an employee with a Customer Service Award.

Award Presentations

Any department as well as private organizations/citizens may schedule special recognition before the board. Always discuss requests with an administrator to determine suitability.

Committee Vacancies

This item is provided for informational purposes only as to vacancies on various advisory boards and is not an action item subject to public input. Assistants in the Commission Office provide informational items under this category, with the exception of MSBU/TU vacancies. The vacancy should be advertised on the agenda until filled. If there is only one applicant for a committee, or the current member wishes to be reappointed, the item(s) should be placed on the consent agenda. If there is more than one applicant and the board must select the replacement by ballot, the agenda item(s) is/are entered into the regular agenda along with ballots for board members and any attachments.

Reports Received and Filed

This agenda category may encompass annual reports or any informational report that the Board needs to review or approve.

Regular Consent Agenda

- **Clerk of the Court Finance Division and Minutes Division** — The agenda clerk enters these items based on information sent by the Clerk of the Court and Commission Minutes.
- **Departmental Items** — These items are considered routine business items to be submitted by each department in a timely manner. Approval of these items is made by one motion of the Board without discussion of each item. If a commissioner would like to discuss an item, that item will be pulled from the consent agenda before the motion for approval and considered separately.

All items must have a “Recommended Action” which states what action staff is asking the board to take. All items have a “Budgeted Action” which explains how the project will be funded.

There is space available under “Background Information” for each department to provide a detailed explanation of the item. Attachments may be uploaded to provide additional information (maps, etc.).

Should a resolution or ordinance constitute one of the attachments, originals of the documents are provided to recording secretary assigned to the meeting to obtain the necessary signatures.

Regular Agenda

Items on the regular agenda are discussed separately by the board. Any department may submit an item under regular agenda. These are items which require discussion or a ballot. All information pertaining to the item should be attached.

Public Hearings

These are held to allow the public an opportunity to address the board and express opinions before decisions are made. Public hearings are generally scheduled in advance to appear on an upcoming agenda. This allows enough time for legal advertisement of these hearings and

for board approval. The department setting the public hearing generally enters an item on the consent agenda two weeks before the public hearing is to be held. The department must also enter a new item under the public hearing category at 10 a.m. for the meeting at which the public hearing is held.

People wishing to address the board are allowed five minutes to do so. Public hearings may begin at or after the scheduled time but may not begin before that time. Advertising requirements for public hearings are set by state statute. Most require 10 days' notice to the public, though this may vary. Legal advertising is done by the County Attorney's Office and any questions regarding advertising should be directed to that office.

Land Use

The Land Use section of the agenda generally commences at 2 p.m. unless otherwise approved by the Board and is split into two sections:

- Land Use Consent Agenda: These items are routine in nature and may include items such as Final Plats, Transfer of Density Petitions, Final Detail Site Plan Reviews and other items for which discussion is rarely needed. Approval of these items is made by one motion of the Board without discussion of each item. If a commissioner would like to discuss an item, that item will be pulled from the Consent Agenda before the motion for approval and considered separately. The item that is removed from the consent agenda will require a full public hearing. The Community Development Department will create these items in a timely manner and advertise and notice the items according to Florida Statutes and the Charlotte County Code of Laws and Ordinances.
- Land Use Public Hearings: These items may be Legislative or Quasi-Judicial in nature and are items which require a public hearing. These are held to allow the public an opportunity to address the Board and express opinions before decisions are made. The Community Development Department will create these items in a timely manner and advertise and notice the items according to Florida Statutes and the Charlotte County Code of Laws and Ordinances. People wishing to address the Board are allowed five minutes to do so. Public hearings may begin at or after the scheduled time but may not begin before that time.

Workshops

Workshops are scheduled when the Board needs to devote more time to an issue than is available on regular agenda. Workshops are also approved by the Board, and the advertising requirement is usually one week. If the decision is made to allow public input before scheduling workshops, it should be titled "Public Workshop". Board workshops may also be set by the board; however, no public input is allowed.

Public Input

There are two opportunities for public input during a regular meeting. Immediately following award presentations, public wishing to address the Board may do so for three minutes, and discussion is limited to agenda items only. After all agenda items are completed, people are allowed to address the Board for three minutes on any county-related topic; on land use meeting days, public input on any county-related topic occurs at 1 p.m. time certain.

Administrator, Attorney, Economic Development and Commissioner Comments

The county administrator, county attorney, economic development director and the Board have an opportunity to address each other, conducting business in the “sunshine” as required by law.

Schedule of Future Closings, Hearings, Workshops

A calendar of upcoming events, etc. appears on the last page of the agenda. This is compiled by the agenda clerk. Only those hearings and workshops that are approved by and involving the Board will be placed on this schedule.

Finalizing and Distributing the Agenda packets

- **Approval Process:**
Each department has an established workflow for electronic approvals. All items are due to Administration pursuant to a schedule posted the beginning of the year. The agenda clerk will close the meeting in accordance with the approved schedule posted on Connect@Work.
- **After Approval Process:**
A commission assistant will prepare a printed agenda, including attachments for those board members who prefer a hard copy. The agenda will be posted online at CharlotteCountyFL.gov/agendas on Tuesday preceding the meeting date. A copy of the agenda with attachments is to be made available at the security desk for citizen and media access. Once posted online, the agenda is considered to be published. Any changes will be summarized on a change memo.

Pre-Agenda Meeting

The administrator holds pre-agenda meetings on the Thursday before the board meeting at 1:30 p.m. unless otherwise approved. These are advertised public meetings, which the Board attends and asks questions pertaining to the agenda or requests additional information before the meeting is held. Each department should be represented in the event that questions about an agenda item arise. The public may attend but must be silent during pre-agenda meeting. Any changes that may arise from pre-agenda are brought to the Board on the meeting day on a change memo.

Change Memo

The change memo notifies the Board of any changes to the agenda. These changes include additions, deletions, or edits made to an item. Some examples of change memos are items that did not meet the approval deadline; new items that either the commissioners, administrator or county attorney ask to be added to the agenda or verbiage changes to existing items. Once the agenda has been published the Tuesday prior to the meeting, all changes are reflected on the change memo. Meetings may have more than one change memo. The change memo must be approved by four members of the Board.

SCHEDULED REVIEW DATE:
Annually

AMENDED: September 22, 2020; December 13, 2022

3.03 TITLE VI - NONDISCRIMINATION

ORIGINATING DEPARTMENT:
Human Resources

ADOPTED:
August 20, 2015

PURPOSE:

Charlotte County Board of County Commissioners value diversity and welcomes input from all interested parties, regardless of cultural identity, background or income level.

POLICY:

Charlotte County believes that the best programs and services result from careful consideration of the needs of all its communities and when those communities are involved in the transportation decision making process. Thus, Charlotte County does not tolerate discrimination in any of its programs, services or activities. Pursuant to Title VI of the Civil Rights Act of 1964 and other federal and state authorities, the county will not exclude from participation in, deny the benefits of, or subject to discrimination anyone on the grounds of race, color, national origin, sex, age, disability, religion, income or family status.

PROCEDURE:

Complaints

The county has established a discrimination complaint procedure and will take prompt and reasonable action to investigate and eliminate discrimination when found. Any person who believes that he or she has been subjected to discrimination based upon race, color, national origin, sex, religion, age, disability, family or income status in any of county's programs, services or activities may file a complaint with the county's Title VI/Nondiscrimination Coordinator:

Heather Bacus
Nondiscrimination Coordinator
18500 Murdock Circle, A130
Port Charlotte, FL 33948
Heather.Bacus@CharlotteCountyFL.gov
941-743-1521
TDD/TTY 941-743-1234

If possible, the complaint should be submitted in writing and contain the identity of the complainant; the basis for the allegations (i.e., race, color, national origin, sex, religion, age, disability or family status); and a description of the alleged discrimination with the date of occurrence. If the complaint cannot be submitted in writing, the complainant should contact the Title VI/Nondiscrimination Coordinator for assistance.

The Title VI/Nondiscrimination Coordinator will respond to the complaint within 30 calendar days and will take reasonable steps to resolve the matter. Should the county be unable to satisfactorily resolve a complaint, the county will forward the complaint, along with a record of its disposition to the appropriate District of the Florida Department of Transportation.

The county's title VI coordinator has "easy access" to the county's chief executive officer and is not required to obtain management or other approval to discuss discrimination issues with

the CEO. However, should the complainant be unable or unwilling to complain to the county, the written complaint may be submitted directly to Florida Department of Transportation. FDOT will serve as a clearing house, forwarding the complaint to the appropriate state or federal agency:

Florida Department of Transportation
Equal Opportunity Office
ATTN: Title VI Complaint Processing
605 Suwannee Street MS 65
Tallahassee, FL 32399

ADA/504 Statement:

Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 and related federal and state laws and regulations forbid discrimination against those who have disabilities. Furthermore, these laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in transportation programs, services and activities.

The county will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The county will make every effort to ensure that its advisory committees, public involvement activities and all other programs, services and activities include representation by the disabled community and disability service groups. Please reference CharlotteCountyFL.gov/departments/human-resources/americans-with-disabilities-act.shtml and CharlotteCountyFL.gov/core/fileparse.php/447/urlt/grievance-procedures-and-form-ada.pdf for the associated grievance procedure.

The county encourages the public to report any facility, program, service or activity that appears inaccessible to those who are disabled. Furthermore, the county will provide reasonable accommodation to disabled individuals who wish to participate in public involvement events or who require special assistance to access facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the county asks that requests be made at least 10 calendar days prior to the need for accommodation.

Questions, concerns, comments or requests for accommodation should be made to the county's ADA Officer:

David Lyles
ADA Coordinator
18500 Murdock Circle
Port Charlotte, FL 33948
David.Lyles@CharlotteCountyFL.gov
941-743-1381
TDD/TTY 941-743-1234

Limited English Proficiency (LEP) Guidance:

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice and U.S. Department of Transportation require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which

LEP services are required and in which languages, the law requires the analysis of four factors:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by the county's programs, services or activities.
 - The frequency with which LEP individuals come in contact with these programs, services or activities.
 - The nature and importance of the program, service, or activity to people's lives and;
 - The resources available to the county and the likely costs of the LEP services.
1. Using census data, the county has determined that LEP individuals speaking English less than well represent approximately 3.3% of the community. Spanish and Creole were reported to be the prevalent LEP language.
 2. The county has not received any requests for translation or interpretation of its programs, services or activities into Spanish, Creole, or any other language.
 3. The county believes that transportation is of critical importance to its public, as access to health care, emergency services, employment, and other essentials would be difficult or impossible without reliable transportation systems. Additionally, the county will advise the public of how to access its nondiscrimination and public involvement policies.
 4. The county is fortunate to have a number of institutions of higher education which provide extensive language services. Further, the county maintains cordial relationships with a number of faith-based and community organizations who offer competent language services at no cost to the county.

The analyses of these factors suggest that LEP services are not required at this time. However, the county will annually examine its LEP plan to ensure it remains reflective of the community's needs.

Persons requiring special language services should contact the county's Title VI/Nondiscrimination Officer.

SCHEDULED REVIEW DATE:
Annually

AMENDED: August 26, 2016, September 22,
2020; December 13, 2022

3.04 CODE OF ETHICS

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
July 22, 2008

POLICY/PURPOSE:

It is the policy of the Board of County Commissioners that all Charlotte County officers and employees shall conduct their professional lives in a completely ethical, truthful and honorable manner in all dealings with the public, contractors, other governmental agencies and other county employees, so as to maintain public confidence and public trust.

It is further the policy of the BCC that all county officers and employees shall comply with this policy and all applicable federal and state laws, rules and regulations governing ethical conduct, conflicts of interest and required disclosures. In addition, all county officers and employees shall avoid actions or conduct, *whether or not specifically prohibited*, that present the *appearance* of a conflict of interest or a breach of the public trust.

The purpose of this Code of Ethics Policy is to inform officers and employees of: 1) unethical conduct prohibited by the laws of the State of Florida; 2) federal ethical standards required during the administration of federal grants, cooperative agreements, procurements and contracts involving federal funds; 3) federal and state prohibitions on certain political activities; 4) other employee ethical obligations; 5) penalties for violation of ethical laws; and 6) the processes by which officers and employees may inquire about any matter contained in this guideline.

REFERENCES:

- Article II, Section 8, *Florida Constitution* (Ethics in Government);
- Chapter 112, Part III, Sections 112.311 through 3135, *Florida Statutes* (the Code of Ethics for Public Officers and Employees);
- Chapter 838, *Florida Statutes* (Bribery; Misuse of Public Office);
- 5 U.S.C. Section 7321 - 7326 (Hatch Act);
- Section 104.31, *Florida Statutes* (Little Hatch Act);
- 28 C.F.R. Sections 200.112 and 200.113 (Conflicts of Interest and Mandatory Disclosure); and
- Appendix XII to 2 C.F.R. Part 200 (Award Term and Conditions for Recipient Integrity and Performance Matters).

STATE ETHICS REQUIREMENTS

General:

It is the policy of the State of Florida and of the county that no county officer or employee shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his or her public duties.

The Code of Ethics for Public Officers and Employees, Chapter 112 (Part III), Sections 112.311 through .3261 of the Florida Statutes (the "Code of Ethics"), prohibits certain conduct

as outlined below. It should be viewed as the fallback standard of conduct for all officers and employees. The county, however, imposes certain additional ethical requirements upon its officers and employees. This Policy is intended to provide County officers and employees with an overview of the Code of Ethics and other County requirements and is not intended to be a complete list of all prohibited acts or conduct.¹

It is the responsibility of all County officers and employees to read and be familiar with Chapter 112 (Part III), Florida Statutes, as it may be amended from time to time, and this Policy, and to abide by their terms.

Prohibitions:

The Code of Ethics and this Policy prohibit the following:

1. Solicitation or Acceptance of Gifts, Section 112.313(2), Florida Statutes:

A "gift" is defined as something given or paid to a County officer or employee, or to another person on his or her behalf, for which equal or greater consideration is not given. Gifts can include, but are not limited to, real or personal property or the use of such property; preferential treatment or rates on debts, loans, goods or services; forgiveness of indebtedness; accommodations, transportation, food or beverages; membership dues; entrance or admission fees or tickets; plants, flowers or floral arrangements; services and personal services; or any other thing having value to the recipient.

No employee may solicit any gift, regardless of value, if the gift is for the personal benefit of themselves, their family, or another person. No employee may accept a gift from a lobbyist or a lobbyist's principal, regardless of whether the thing is being given for the purpose of lobbying. No employee may accept a gift from any person or organization where the employee knows or reasonably should know that the value exceeds \$25. Accepting a meal of a value of less than \$25 in the ordinary course of business does not violate this prohibition. Gifts from relatives or personal friends are excepted from this prohibition.

2. Doing Business with the County, Section 112.313(3), Florida Statutes:

No officer or employee acting in his or her official capacity shall purchase or rent any goods, services or real property on behalf of the county from any business entity or organization of which the officer or employee, or his or her spouse or child, is an officer, partner, director, or proprietor, or in which the officer or employee or his or her spouse or child has a material interest. No County officer or employee acting in his or her private capacity shall sell or rent any goods, services or real estate to the county.

3. Unauthorized Compensation, Section 112.313(4), Florida Statutes:

No County officer or employee, or his or her spouse or minor child, shall accept any compensation, payment or thing of value when the county officer or employee knows or should know that it was given in return for official action.

¹ Elected officials and reporting individuals have additional responsibilities not outlined in this policy.

4. Misuse of Public Position, Section 112.313(6), Florida Statutes:

No County officer or employee shall corruptly use his or her official position or any County property or resource, or perform any official action, to secure a special privilege, benefit or exemption for him- or herself or for another.

5. Conflicting Employment or Contractual Relationship, Section 112.313(7), Florida Statutes:

No County officer or employee shall hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, the county. No county officer or employee shall hold any employment or contractual relationship with any entity that would create a continuing or frequently recurring conflict of interest between his or her public duties and private interests, or which would impede the performance of his or her public duties.

6. Disclosure or Use of Certain Information, Section 112.313(8), Florida Statutes:

A current or former County officer or employee may not disclose or use information not available to the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person.

7. Employees Holding Office, Section 112.313(10), Florida Statutes:

County employees may not serve as members of the Charlotte County Board of County Commissioners while employed by the county.

8. Restrictions on Employment of Relatives, Section 112.3135, Florida Statutes:

A "relative" is defined as an individual who is related to a County officer or employee as a father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, step father, step mother, step son, step daughter, step brother, step sister, half-brother or half-sister.

No county officer or employee with the authority to employ, promote, or advance individuals in or for employment, may employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement to a County position any person who is a relative of the county officer or employee.

Additional Statutory Prohibitions:

1. Bribery and Unlawful Compensation, Sections 838.015 and .016, Florida Statutes:

Bribery and the receipt of unlawful compensation or reward for official behavior by County officers or employees are felonies of the third degree and a violation of this Policy.

2. Political Activities, Section 104.31, Florida Statutes:

Pursuant to Florida's "Little Hatch Act," County officers and employees are prohibited from using their positions to interfere with an election or to coerce another person's vote; or directly or indirectly coercing or attempting to coerce any officer or employee to pay or contribute part of his or her salary or any other money to any political party,

committee or organization. In addition, County employees may not participate in any political campaign for an elective office while on duty.

Nothing in this prohibition prevents an officer or employee from expressing his or her opinions during the employee's off-duty hours.

3. Penalties:

Officers or employees in violation of the Code of Ethics for Public Officers and Employees may be subject to civil penalties as defined in Chapter 112 (Part III), Section 112.317 of the Florida Statutes, which include but are not limited to, public censure, civil penalties not to exceed \$10,000, an order of restitution, dismissal or suspension from employment or reduction or forfeiture of salary.

Officers or employees convicted of any offense against the public trust as outlined in Section 112.3173, Florida Statutes may be required to forfeit any or all rights and benefits under the Florida Retirement System.

Officers or employees in violation of the laws regarding bribery, receipt of unlawful compensation or misuse of public office may be subject to criminal penalties as defined in Sections 838.015, 838.016, 775.082, 775.083 and 775.084, Florida Statutes.

Officers or employees in violation of the Little Hatch Act are subject to criminal penalties pursuant to Sections 775.082 or 775.083, Florida Statutes.

Employees in violation of this guideline are subject to disciplinary action, up to and including discharge from County employment in accordance with the procedures of the county's Human Resources Department.

ADDITIONAL ETHICS REQUIREMENTS OF CHARLOTTE COUNTY

1. Use of County Resources:

Officers and employees are prohibited from using County resources, including but not limited to, computers, telephones, supplies, vehicles, equipment and work time, for personal reasons or reasons not directly associated with County business.

2. Endorsements:

It is the policy of the county that its employees shall not, in their official capacity as county employees, engage in oral or written endorsements of individuals or firms, or products or services thereof, without the express written permission of the county administrator or his or her designee. This shall not prohibit county employees from offering a personal opinion or endorsement, provided the opinion is qualified as "personal" and does not purport to represent the views or position of the county.

3. Public Office:

No employee may hold or be a candidate for public office while employed by Charlotte County without the express, written permission of the county administrator, after consultation with the county attorney and a determination that the office is unrelated to

the county, involves no interest that conflicts with the county and has no activity that interferes with employment by the county.

4. Advisory Boards:

County employees may not serve as members of any board, council, authority or agency that serves in an advisory capacity to the Charlotte County Board of County Commissioners without the express, written permission of the county administrator.

5. Personal Investments:

Officers and employees are prohibited from making or holding any investments, directly or indirectly, that would create a conflict of interest with the individual's position in the county or result in personal gain, based on the individual's "span of control" and decision-making authority on behalf of the county.

6. Outside employment or business interests:

Officers and employees may not engage in outside employment, or have or hold any business interests, that create a conflict of interest with the individual's duties to the county. The county reserves the right to determine whether a conflict of interest exists.

7. Political Activity:

In addition to the Little Hatch Act, above, County employees may not wear any uniform or clothing that would identify the employee as a County employee/representative while engaged in political campaign, political events not sponsored by the county or while seeking public political office, even while off-duty. Employees may not use the authority of any County position to secure support for or oppose any candidate, party, or issue in an election or affect the results thereof. Employees may not use any promise of reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, campaign, or party. In addition, while on duty, employees may not display on their person, in their workplace or in or on their assigned County vehicle any button, sign, decal or other symbol of support for any political party, issue or candidate.

Except as otherwise noted, nothing in this Policy prohibits employees, in their personal capacity, from engaging in any political activity of their choice while they are off-duty.

FEDERAL ETHICAL REQUIREMENTS

General:

The county is a recipient of funds pursuant to various federal grants, cooperative funding agreements and cost-reimbursement agreements and shall comply with 2 C.F.R. Section 200.112 (Conflict of Interest), Section 200.113 (Mandatory Disclosures), and 2 C.F.R. Appendix XII to Part 200 (Award Term and Condition for Recipient Integrity and Performance Matters). The county shall comply with these sections as well as all requirements contained in any federal grantor conflict of interest policies. These provisions require the county to adhere to certain ethical standards in the application and administration of federal funding and to disclose in writing: any potential conflict of interest to the federal awarding agency or

pass-through entity in accordance with their policies; any violation of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award; and to report certain civil, criminal, or administrative proceedings to the System for Award Management (SAM).

Conflict of interest:

In addition to the other sections of this Policy, no officer, employee or agent of the county may participate in the selection, award, or administration of a grant or contract supported by federal funds if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her family, his or her partner, or an organization which employs or is about to employ any of the parties indicated above, has a financial interest in, or a tangible personal benefit from a firm considered for a contract.

Except as otherwise limited by this Policy, employees, officers and agents of the county may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts associated with any federal grant, award or contract.

Requirements of 2 C.F.R. Part 200:

Any potential conflicts of interest concerning an officer, employee or agent must be disclosed, in writing, to the county and to the federal awarding or pass-through entity in a timely manner pursuant to the following.

1. Conflict of Interest, 2 C.F.R. Section 200.112:
The county shall disclose, in writing, any conflicts or potential conflicts of interest to a federal granting entity or pass-through entity pursuant to its policies and procedures.
2. Mandatory Disclosures, 2 C.F.R. Section 200.113:
The county shall disclose, in writing, to a federal granting entity or pass-through entity, all violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. Failure to make these required disclosures can result in remedies for non-compliance pursuant to 2 C.F.R. Section 200.338, including suspension for noncompliance or debarment.
3. 2 C.F.R. Appendix XII to Part 200:
If the total value of active County grants, cooperative agreements and procurement contracts for all federal awarding agencies exceeds \$10,000,000 for any period of time during the performance of any federal award, then the county shall maintain current information as reported to SAM and report any violations of civil, criminal, or administrative proceedings as required by law.
4. Penalties:
Failure to make required disclosures can result in the imposition of remedies for noncompliance found in 2 C.F.R. Section 200.338, including suspension and debarment.

The Hatch Act:

The Hatch Act restricts the political activities of local government employees whose employment is financed in whole or in part by a federal grant award. Any employee whose salary is paid in whole or in part by federal funds, or who, as a normal and foreseeable incident of his or her principal position or job, performs duties in connection with an activity financed in whole or in part by federal funds, may be subject to the federal Hatch Act, 5 U.S.C.A. s. 7321, et seq.

County employees who are uncertain as to whether their employment is financed by federal funds should contact the county's Human Resources Department for clarification. When applicable, the following prohibitions shall govern the conduct of covered employees:

Prohibited Acts:

Covered employees are prohibited from engaging in certain political activities, including, but not limited to: running for nomination or as a candidate for election to a partisan political office; using his or her official title while participating in political activity; using his or her authority to coerce any person to participate in political activity; participating in political activity, or displaying pictures, signs, stickers, badges or buttons associated with political parties while on duty or while on county premises; and soliciting, accepting or receiving political contributions while on duty or on county premises.

There are certain other prohibited acts under the Hatch Act. It is the responsibility of covered employees to know, understand and comply with Hatch Act requirements.

PROCEDURE:

County administration, the county's Human Resources Department and county grants administration are authorized to implement countywide policies not inconsistent with this policy and procedures implementing this policy. County departments are authorized to implement interdepartmental standards for employee conduct not inconsistent with this policy.

Any officer or employee of the county who has questions about the application of this Policy, the Code of Ethics or any federal or state ethical requirement, may, through County Administration or the county's Human Resources Department, request that the County Attorney's Office provide an ethics opinion. All opinions provided will represent the county's position on any particular issue: the county attorney does not represent any individual employee in any ethics or other matter.

County officers and employees may request an official opinion, or request additional information, concerning any state ethical standard from:

Florida Commission on Ethics
Post Office Drawer 15709
Tallahassee, FL 32317-5709
Telephone (850) 488-7864
Facsimile (850) 488-3077
ethics.state.fl.us

County officers and employees may request an official opinion on the application and requirements of the Hatch Act from:

Hatch Act Unit
U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, DC 20036-4505
Telephone (800) 854-2824
Facsimile (202) 254-3700
Email: hatchact@osc.gov

SCHEDULED REVIEW DATE:
Annually

AMENDED: September 22, 2020

3.05 BUDGET AND ADMINISTRATIVE SERVICES

ORIGINATING DEPARTMENT:
Budget and Administrative Services

ADOPTED:
September 22, 2020

Fiscal Policy

Charlotte County's responsibility to its citizens is to correctly account for public funds, manage county finances wisely, and plan for adequate funding of services desired by the public. With the change in federal policies toward local government and the rate of growth in our area, Charlotte County needs to ensure that it is capable of adequately funding and providing local government services needed by the community.

Sound fiscal policies that are realistic and consistent provide useful guidance for the long-term programming of services and facilities. They also provide a set of assumptions under which budget and tax decisions should be made.

The following list reflects the budget policies followed by Charlotte County:

General Policy

The board at the account group summary level will annually adopt the operating budget authorizing expenditure of county funds.

The budgeted expenditures and reserves of each fund (including reserves for contingencies, balances to be carried forward, and all other purposes) will equal the sum of projected beginning balances for the fiscal year and all revenues that reasonably can be expected to be received during the fiscal year. In other words, the revenues and expenditures must be equal in order to present a "balanced budget."

The revenue division shall estimate 95 % of all receipts reasonably anticipated from all sources [F.S.129.01(2)(b)]

Reserve Policy

The Charlotte County Charter directs that a reserve policy will be adopted by the Board of County Commissioners and reviewed annually by April 1. The following is the adopted reserve policy.

Financial Reserve Policy - General Policy Statements

1. The Board of County Commissioners realizes it is essential for governments to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls, natural disasters, unanticipated expenditures, and to ensure stable tax rates and other unforeseen situations after exhausting all other funding options.
2. Charlotte County's reserve policies are based on sound fiscal principles designed to allow the county to maintain continuity of operations in adverse conditions while

being mindful of our fiduciary responsibility to taxpayers, both current and future generations.

3. The county realizes adequate fund balance levels are an essential component of the county's overall financial management strategy and a key factor in external agencies' measurement of the county's financial strength.
4. Various bond rating agencies recognize the best reserve policies provide both specificity and flexibility, accomplishing one or more of at least three main criteria: establishing a target level of reserves, or a reserve floor; specifying the appropriate circumstances for drawing down reserves; and directing the replenishment of reserves.
5. The Government Finance Officers Association of the United States and Canada recommends a minimum general fund reserve of no less than 5-15% of operating revenues, or no less than one to two months of regular operating expenditures.
6. Charlotte County lies within a coastal zone highly susceptible to hurricane and storm damage.
7. There exists uncertainty in the economic markets around the world, in regard to the cost of construction materials, interest rates, personnel costs, medical insurance costs, and general inflation.
8. Each sizable fund has been analyzed to determine the type of risk it may be exposed to, the duration of the risk, methods to mitigate that risk and the amount of funds needed to mitigate against that risk.
9. The county's aging infrastructure will require increasing repair and replacement.
10. The county wishes to mitigate other forms of uncertainty such as:
 - Unanticipated changes in the tax and spending policies of federal and state governments;
 - Imposition of mandates by federal and state governments or the courts;
 - Financial impacts of labor agreements, particularly those stemming from collective bargaining; and,
 - Unforeseen increases in energy costs.
11. The fund balance definitions will be reported in accordance with generally accepted governmental accounting principals

SECTION 1 The Charlotte County Board of County Commissioners hereby establishes the following financial reserves policy that includes guidelines for the use of reserve funds, the level of funding (minimum and maximum) for reserve funds and the time period over which reserve funds should be accumulated, and procedures for reporting and managing reserve funds.

SECTION 2 Ad Valorem Reserves

The components of the ad valorem reserve are the combined reserves of the General Fund, Capital Projects Fund, and Law Enforcement Fund and should include, but not be limited to the following:

I. Reserve for Contingencies

The purpose of reserve for contingencies is to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls,

unanticipated expenditures, and to ensure stable tax rates; and other unforeseen financial situations after exhausting all other funding options. The county should strive to maintain a balance not less than 5% and not greater than 10% percent of the total of the budget. Budget is defined as the amount available to spend to include beginning balance and revenues.

II. Cash Carried Forward

A reserve amount for the purpose of paying expenses from Oct. 1 of the ensuing fiscal year until the time when the revenues for that year are expected to be available. The county should strive to maintain a balance not less than 5% or greater than 10% percent of the total revenue receipts and balances (beginning balance) of the budget.

III. Fiscal Stabilization Reserve

The county should strive to maintain a balance not less than 15% percent of the total of the General Fund budget. Budget is defined as the amount available to spend to include beginning balance and revenues to meet unexpected immediate increases in service delivery costs, or to maintain service levels in the event that an economic downturn should cause a shortfall in revenues or for expenditures associated with a major storm or other unforeseen disaster that fundamentally alters the current tax base.

IV. Future Capital Outlay Reserve

A reserve amount for the purpose of funding capital project expenditures that are part of the approved Capital Improvement Program and are held within the Capital Projects Fund. These dollars are restricted for approved capital projects using ad valorem revenues. Reserves in this area may be used as contingency on approved capital projects or future planned expenses on projects that are part of the Capital Needs Assessment.

SECTION 3 Other General Government Operating Funds

I. Tourism Development Budget

The components of the tourism development reserves should include, but not be limited to the following:

a. Reserve for Contingencies

The purpose of reserve for contingencies is to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls, unanticipated expenditures, and to ensure stable tax rates; and other unforeseen financial situations after exhausting all other funding options. The county should strive to maintain a balance not less than 5% and not greater than 10% percent of the total of the budget. Budget is defined as the amount available to spend to include beginning balance and revenues.

b. Cash Carried Forward

A reserve amount for the purpose of paying expenses from Oct. 1 of the ensuing fiscal year until the time when the revenues for that year are expected to be available. The county should strive to maintain a balance not less than 5% or greater than 10% percent of the total revenue receipts and balances (beginning balance) of the budget.

c. Fiscal Stabilization Reserve

The county should strive to maintain a balance not less than 15% percent of the total of the budget. Budget is defined as the amount available to spend to include beginning balance and revenues to meet unexpected immediate increases in service delivery costs, or to maintain service levels in the event that an economic downturn should cause a shortfall in revenues or for expenditures associated with a major storm or other unforeseen disaster that fundamentally alters the current tax base.

II. Municipal Service Benefit Units

The components of Municipal Service Benefit Units reserves should include, but not be limited to the following:

a. Reserve for Contingencies

The purpose of reserve for contingencies is to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls, unanticipated expenditures, and to ensure stable tax rates; and other unforeseen financial situations after exhausting all other funding options. The county should strive to maintain a balance not less than 5% and not greater than 10% percent of the total of the budget. Budget is defined as the amount available to spend to include beginning balance and revenues.

b. Cash Carried Forward

A reserve amount for the purpose of paying expenses from Oct. 1 of the ensuing fiscal year until the time when the revenues for that year are expected to be available. The county should strive to maintain a balance not less than 5 or greater than 10% percent of the total revenue receipts and balances (beginning balance) of the budget.

c. Future Capital Outlay

Any reserve amount accumulated for the purpose of funding capital projects must be spent on such project within six years from the date it was assessed or collected.

III. All other Special Revenue Funds

Except where prohibited by funding source, the components of special revenue funds reserves should include, but not be limited to the following:

a. Reserve for Contingencies

The purpose of reserve for contingencies is to maintain adequate levels of fund balance to mitigate current and future risks such as revenue shortfalls, unanticipated expenditures, and to ensure stable tax rates; and other unforeseen financial situations after exhausting all other funding options. The county should strive to maintain a balance not less than 5% and not greater than 10% percent of the total of the budget. Budget is defined as the amount available to spend to include beginning balance and revenues.

b. Cash Carried Forward

A reserve amount for the purpose of paying expenses from Oct. 1 of the ensuing fiscal year until the time when the revenues for that year are expected to be available. The county should strive to maintain a balance not less than 5% or greater than 10% percent of the total revenue receipts and balances

(beginning balance) of the budget.

IV. Internal Service Funds

Internal service funds are used to account for the financing of goods or services provided by one department or agency to other departments or agencies of the county, or to other governmental units, on a cost-reimbursement basis. These funds are generally intended to operate on a break- even basis. There shall be appropriated, in each of the internal service funds, a reserve for cash balance to be carried over in an amount necessary to ensure that balances in the fund as of the end of each fiscal year is greater than or equal to zero. This reserve shall be in addition to all other, including but not limited to amounts reserved for claims incurred but not paid. In any fiscal year when it is projected that the actual amount of balances will be less than or equal to zero at year end, it will be necessary to either increase the rates charged or reduce expenses or both. In any fiscal year when it is projected that the actual amount of balances will be greater than zero at year end, consideration will be given to reducing the rates charged, or to using the accumulated surplus for any legal purpose.

V. Risk Management

Risk Management Self Insurance Funds include Health Benefits, Casualty, and Worker's Compensation Programs, and all maintain reserves for Outstanding Liabilities.

The Health Fund will endeavor to maintain approximately 90 days of claim payments based upon previous full year spending averages.

Minimum reserving for the Casualty Program, and the Worker's Compensation Program, shall not be less than the Annual Actuarial Report at the 70% undiscounted confidence level for Outstanding Liabilities.

SECTION 4 General Government Debt Service Funds: Debt Service Funds

Debt Service reserves will be maintained as required by bond covenants or other debt obligations. Excess Debt Service Fund balances should be returned to the general or special revenue fund where the pledged revenue stream is collected.

SECTION 5 General Government Capital Funds: Capital Funds

Capital funds should maintain fund balance budgeted in reserves if allowable by type of fund. Many of the capital funds are time limited revenues, such as infrastructure sales surtax, and those funds will be expended as available and allowable. Other capital funds have time limitations, such as impact fees that are required to be spent within six years; those funds will be expended as soon as possible within allowable parameters. Excess funds should be returned to the general or special revenue fund where the appropriated revenue stream is collected.

SECTION 6 Enterprise Funds

I. Charlotte County Utility

The Utility should strive to maintain a minimum balance in the renewal and

replacement fund equal to the lesser of 5% of the prior year's gross revenue or \$2,000,000. The Utility shall strive to maintain an unrestricted operating reserve fund balance equal to an average of 90 to 120 days of the Utilities operating and maintenance expenses as established during its annual budget.

Reserves of the Utility funds are for the exclusive use and security of the utility system. Any reserves of the Utility which are in surplus to minimum reserve policies of the Utility shall be maintained as reserve balances or utilized by the Utility to expedite maintenance of and capital investment in the utility system. No transfer shall be made of any Utility reserves or other surplus funds outside of the various enterprise-controlled funds, and no expenditure shall be incurred against, or paid from, the Utility enterprise funds except for maintenance, capital outlay and expenditure for the account and benefit of the Utility.

Upon recommendation of the county administrator and approval of the Board of County Commissioners, transfer of surplus reserve funds may be made, excluding connection fees, from a Utility enterprise fund (the lending fund) to another fund held by the county (the borrowing fund) provided that any such transfer shall be treated as a loan only. Interest shall be paid by the borrowing fund to the lending fund in an amount equal to the interest lost by the lending fund as a result of the transfer. No transfer of funds shall be permitted which will hinder the lending fund's ability to fund authorized expenditures which are intended to be made within that particular fund of the Utility.

II. Solid Waste

The Solid Waste System should strive to maintain a reserve of 60 to 90 days of operating expenditures, plus 50% of the six-year Capital Improvement Plan funding. In addition, all reserves required by Florida Department of Environmental Protection Administrative Code associated with landfill operations will be maintained.

III. Sanitation District

The Sanitation District should strive to maintain a reserve of sixty (60) to ninety (90) days of operating expenditures. The reserve will be used in the event of a major interruption to the current revenue stream due to unforeseen circumstances, such as natural or man-made disaster, or significant downturn.

Additional Information

All corresponding calculations and interpretation of calculations of a definitive nature will be determined by the county administrator or his designee.

Reserve funds will be accumulated over a period that is deemed appropriate by the Board of County Commissioners given the complexity and consideration of a variety of economic conditions.

Reserve funds will be reported and approved by the Board of County Commissioners annually during the budget process. Related to the management of reserve funds, all uses and transfers from reserve accounts must be approved by the Board of County Commissioners. This policy will be reviewed by the Board of County Commissioners annually.

Transfer Policy

1. Transfers among expenditure or revenue accounts may be made during the fiscal year without Board approval if a division remains within its total operating budget. Transfers between funds, or from reserves in any fund, require approval of the Board of County Commissioners.
2. Changes in the adopted total budget of a fund will be made only with Board approval of a budget amendment. Such amendments may only be made for a receipt of a nature from a source not anticipated in the budget and received for a particular purpose, including but not limited to grants, donations, or reimbursements.

Capital Improvement Policy

1. The Capital Improvement Program (CIP) and the Capital Needs Assessment (CNA) – collectively referred to as the **Capital Improvement Plan** – represent a statement of Charlotte County’s policy regarding long-range physical development for the next 6-year and 20-year periods, respectively. The Capital Improvement Plan serves as a planning and implementation tool for the development, acquisition, construction, maintenance and renovation of public facilities, infrastructure and capital equipment.

The initial 6-year period of the program is called the **Capital Improvement Program (CIP)**. The CIP forecasts spending for all anticipated capital projects and is considered a link between the County’s Comprehensive Plan and its fiscal planning process. The plan is based on the “physical needs” of the County as identified in the Comprehensive Plan and as prioritized by the CIP Review Committee in alignment with the Board’s strategic goals.

The following 14-year period of the Capital Improvement Plan (i.e. years 7 through 20) is called the **Capital Needs Assessment (CNA)** which helps identify County capital needs beyond the initial 6-year horizon. This assessment plan shall be updated every two years as part of the County’s planning process and helps form the basis for the 6-year CIP as projects are brought forward. Projects included in the CNA are not balanced to revenues but are viewed as potential projects in the planning stage.

In developing the Capital Improvement Program, the County adheres to financial and debt management policies established by the Board. These policies are in place to help preserve the County’s credit rating and establish a framework for the County’s overall fiscal planning and management. Projects are carefully evaluated and prioritized to optimize the use of limited capital funds and meet operational and community needs.

2. Definitions.
 - a. A **capital project** is a planned expense for a facility or physical item exceeding \$100,000, having a useful lifespan of 10 years or more (except for technology products) and meeting one or more of the following criterion:
 - i. Involves the acquisition or construction of any physical facility for the community;
 - ii. Involves the acquisition of land or an interest in land for the community;

- iii. Increases capacity of a public utility or roadway through acquisition or construction;
- iv. Involves the ongoing acquisition of major equipment or physical systems, i.e. radio systems, computer technology, major specialized vehicles, etc.;
- v. Involves modifications of facilities, including additions to existing facilities, which increases the square footage, useful life, or value of the facility.
- vi. Maintenance or replacement of substantial facility.

Each capital project will have its own page within the CIP.

- b. A capital maintenance or replacement project** is a non-recurring project to repair, maintain or replace existing capital facilities for the purpose of protecting the County's investment in the facility and minimizing future maintenance and replacement costs. Capital maintenance/replacement projects must have expenditure intervals greater than five years, and individual projects may have values below \$100,000.

Capital maintenance or replacement projects will appear in the Capital Improvement Program but will be approved as a schedule of similar repair/replacement activities.

- c. Information technology purchases** are durable products but typically have a useful life of only three to five years, these purchases are planned in the CIP and have various funding sources. Technology replacement or maintenance with a useful life of up to five years shall be approved as a schedule of similar activities.

3. Departments will review projects from the Capital Needs Assessment for advancement to the CIP. Departments will rank the projects with their internal ranking methodology and submit to the CIP Review Committee for prioritization. An internal ranking methodology shall also be used for prioritizing Utility enterprise funded capital projects. Ranking of the enterprise funded capital projects will be conducted by Utilities prior to Board review.
4. The **CIP Review Committee** will meet during the budget preparation process to validate, review and prioritize submitted projects based on county needs, strategic focus areas, and available funding resources. The CIP Review Committee will recommend the ranking and allocation of resources to the Board of County Commissioners for final approval. The CIP Review Committee is comprised of the department directors and Fiscal Services staff who are involved with capital projects. Also included will be the county administrator, deputy county administrator, budget director, capital projects manager and others as designated by the county administrator. The Board of County Commissioners will act as the de facto CIP Review Committee fulfilling the policy function for capital projects relating to Charlotte County Utilities. The Utility will rank and prioritize their enterprise funded capital projects separately from other funded projects for final Board approval.
5. During the biennial budget process, citizens will have an opportunity to express their opinion related to capital projects. Annually, a public hearing will take place to update the CIP ordinance per Florida Statutes Chapter 129.
6. A six-year cash flow will be completed for the major CIP funding sources including gas taxes, utility funds, capital projects fund, sales tax extension

- funds, debt service funds and the impact fee fund. Revenues are to be reviewed and the Capital Needs Assessment (CNA) updated every two years as part of the budget adoption process.
7. Funds may be accumulated in a reserve for future capital account in accordance with the County's fiscal reserve policy in order to fund future projects. Capital equipment will be replaced according to a replacement schedule based on the useful life of the asset.
 8. Debt may be issued for any capital or capital maintenance projects as long as the payback period does not exceed the life of the asset and a funding source is identified for the repayment.
 9. The Capital Needs Assessment (CNA) will be updated biennially during the budget adoption process. The first 6-years of the plan will contain only funded projects within the Capital Improvement Program. The following 14-years (i.e. years 7 through 20) within the Capital Needs Assessment shall incorporate a cost inflation factor based on the industry standard for the project type, including but not limited to indices such as Construction Cost Index and Producer Price Index for Highway and Street Construction. The 20-year plan will be a discussion tool for planning funding mechanisms for future projects. Project sheets for expansionary projects will also include an estimate of ongoing maintenance and operational costs including personnel and equipment.
 10. Projects will be fully funded in accordance with Chapter 129 of the Florida Statutes.
 11. Capital maintenance or replacement projects will be included in the CIP. Such projects may include more than one location for the same type of maintenance. The estimated total of all locations will be stated in the CIP project with a breakdown of costs associated with specific locations reported on a separate schedule. This schedule of the locations and estimates will be maintained at the department level. Changes to the budgeted amounts of the various locations within a renewal and replacement project may be made by the department director in charge of the project with the approval of the capital projects manager. For Community Services, the capital maintenance schedule also serves as the funding source for programmatic amenity repair, replacement, and for amenity expansion to implement the County-wide Parks and Recreation Master Plan.
 12. A review of the progress and financial status of the capital projects, including capital maintenance or replacement projects, shall be performed quarterly with the capital projects manager, department directors, project managers and Fiscal Services staff who are involved with capital projects. Fiscal Services will supply a quarterly report showing the project budget, expenses to date, encumbrances and available budget balance.
 13. Any change or modification to a construction contract within the CIP shall be authorized in accordance with the Charlotte County Purchasing Manual and may be approved either by the Board of County Commissioners, or by the County Administrator or his/her designee, based on the criteria outlined within the manual. Changes or modifications below the administrative approval may be brought to the attention of the Board as circumstances dictate. A change to the overall total of the capital project shall require a revision to the project page and approval by the Board of County Commissioners.

Fund Balance Policy

1. Fund balances, which are anticipated at the end of a fiscal year, will be budgeted as the beginning fund balance for that fund for the upcoming fiscal

year.

2. The balances of contract commitments, which are anticipated not to be completed by Sept. 30, must be re-budgeted when the budget is adopted in September.

Revenue Policy

1. The use of ad valorem tax revenues will be limited to the General Fund, Fine and Forfeiture Fund, Capital Projects Fund, County Health Unit, and municipal service taxing units.
2. The use of gas tax revenues will be limited to the County Transportation Trust Fund, unless required in other funds by bond indenture agreements.
3. The use of "half-cent" sales tax revenues will be limited to the General Fund, unless required in other funds by bond indenture agreement.
4. Pursuant to Ordinance #84-04 as amended, the Tourist Development Plan, Tourist Development Tax proceeds will be appropriated as follows:
 - a. Tourism development
 - b. Stadium maintenance
 - c. Other tourist facilities as may be provided by general law
5. The use of revenues, which have been pledged to bondholders, will conform in every respect to bond covenants that commit those revenues. Fee revenues will be anticipated for purposes of budget preparation using fee schedules which have been adopted by the Board and historic collection rates.
6. County staff will continue to aggressively pursue grant funds. Revenues will be budgeted for current grants at anticipated grant award levels. The budget will be amended for new grants upon award.
7. The county will allocate countywide revenues to the general and capital projects funds. All revenues, which are reasonably expected to be unexpended and unencumbered at the end of the fiscal year, will be anticipated as beginning balance in the budget of the following fiscal year.
8. Cash balances remaining in any fund at year-end will stay in that fund for subsequent years.

Debt Policy

The Charlotte County Charter directs that a Debt Policy will be adopted by the Board of County Commissioners and reviewed annually by April 1. The following is the adopted Debt Policy.

Debt Policy - General Policy Statements

The objective of Charlotte County's (hereinafter "Charlotte County" or County) Debt Policy is to maintain the county's ability to incur present and future debt at the most advantageous circumstances to the county and its citizens, for purposes of financing or refinancing approved elements of its capital improvements program and other county projects. Several guiding principles which are incorporated into the County's Debt Policy are as

follows:

1. **Asset Life:** The county will consider long-term financing for the acquisition, replacement, or expansion of physical assets (including land) only if they have a useful life of at least five years. Debt will be used only to finance capital projects and equipment, except in case of emergency. County debt will generally not be issued for periods exceeding the useful life or average useful lives of the project or projects to be financed.
2. **Capital Financing:** The county will normally rely on specifically generated funds and/or grants and contributions from other governments to finance its capital needs on a pay- as-you-go basis. To achieve this, it may become necessary to secure short term (not exceeding five years amortization) construction funding. Such financing is anticipated and allows maximum flexibility in Capital Improvement Plan implementation. Debt of longer amortization periods (long-term debt) will be issued for capital projects when it is an appropriate means to achieve a fair allocation of costs between current and future beneficiaries. Debt shall not, in general, be used for projects solely because insufficient funds are budgeted at the time of acquisition or construction.
3. **Credit Ratings:** Charlotte County seeks to maintain the highest possible credit ratings for all categories of short and long-term debt that can be achieved without compromising delivery of basic county services and achievement of adopted county policy objectives.
4. **Capital Planning:** To enhance creditworthiness and prudent financial management, Charlotte County is committed to systematic capital planning, intergovernmental cooperation and coordination, and long-term financial planning. Evidence of this commitment to systematic capital planning is demonstrated through adoption and periodic adjustment of a Comprehensive Plan pursuant to Chapter 163, Florida Statutes, the Florida Growth Management Act and Rule 9 J 5, and the adoption of the six-year CIP.
5. **Debt Affordability Measures:** The county will examine the following statistical measures to determine debt capacity and compare these ratios to the standard municipal rating agency median for counties of comparable size and historical ratios to determine debt affordability:
 - Debt per capita;
 - Debt to personal income;
 - Debt to taxable property value; and/or
 - Debt service payments as a percentage of revenues.
6. **Debt Limits:** The county will keep outstanding debt within the limits prescribed by state statute at levels consistent with its creditworthiness, best practices, needs and affordable objectives.
7. **Debt Structure:** Debt will be structured to achieve the lowest possible net cost to the county given market conditions, the urgency of the capital project, and the nature and type of security provided. Moreover, to the extent possible, the county will design the repayment of its overall debt as to recapture rapidly its credit capacity for future use.

8. **Length of Debt:** Debt will be structured for the shortest amortization period consistent with a fair allocation of costs to current and future beneficiaries or users.
9. **Backloading:** The county will normally seek to structure debt with level principal and interest costs over the life of the debt. “Backloading” of costs will be considered when natural disasters or extraordinary or unanticipated external factors make the short-term cost of the debt prohibitive, when the benefits derived from the debt issuance can clearly be demonstrated to be greater in the future than in the present, when such structuring is beneficial to the county’s overall amortization schedule, or when such structuring will allow debt service to more closely match project revenues during the early years of the project’s operation.
10. **Refundings:** The County Comptroller as chief finance officer of the county, county’s staff and advisors will undertake periodic reviews of all outstanding debt to determine refunding opportunities. Refunding will be considered (within federal tax law constraints) if and when there is a net economic benefit of the refunding or the refunding is essential in order to modernize covenants essential to operations and management. In general, advance refundings for economic savings will be undertaken when a net present value savings of at least 3% of the refunded debt can be achieved. Current refundings that produce a net present value savings of less than three 3% will be considered on a case-by-case basis. Refundings with negative savings will not be considered unless there is a compelling public policy or legal objective.
11. **Credit Enhancements:** Credit enhancement, including letters of credit and bond insurance, may be used, but only when net debt service on the bonds is reduced by more than the costs of the enhancement.
12. **Methods of Sale:** The county will issue debt obligations either through competitive or negotiated sale or through a private placement.
 - a. **Competitive Sale:** A competitive sale is the common method for selecting underwriters for general obligation bonds, which are backed by the full faith and credit of the county. In a competitive bid process, the county, with the assistance of the county’s financial advisor, will structure the bond issue and publish a Notice of Sale requesting bids from underwriters. After the bids are received, the bonds are awarded to the underwriting syndicate that submitted the best bid, i.e. the lowest true interest cost to the county.
 - b. **Negotiated Sale:** In a negotiated sale, the county works with a single underwriting syndicate. The selection of a syndicate usually is based on factors such as past relationships, special expertise, and the size and nature of the underwriters’ sales efforts. The senior manager of the syndicate will assist the county with structuring the bond issue, preparing the official statement, and obtaining a bond rating. The syndicate will engage in pre-sale marketing, and then will negotiate interest rates with the county. Negotiated sales are common with revenue bond offerings, especially when they involve complex

features.

- c. **Private Placement:** When determined to be beneficial and appropriate, the county may elect to sell its debt obligations through a private placement or limited public offering.

13. **Long-Term Debt:** The county will consider the issuance of long-term debt under the following conditions:

- One-time capital projects or capital improvement projects, when the project is included in the county's Capital Improvement Program and appropriated in the budget;
- An unusual equipment purchase for which it is determined to be economically beneficial for the county to purchase through financing;
- When a project is not included in the county's Capital Improvement Plan, but it is an emerging critical need whose timing was not anticipated, or it is a project mandated immediately by state or federal requirements. An analysis of the project's impact on the county's Capital Improvement Plan and future budget forecasts will be presented at the time of approval; or
- To finance the acquisition or implementation of a self-supporting proprietary or governmental program/activity.

14. **General Obligation Bonds:** When determined to be the most appropriate method of debt issuance, the county will seek approval through voter referendum to issue general obligation bonds. The full faith and credit of the county secure general obligation bonds. The county makes a pledge to levy the necessary ad valorem tax rate to meet the debt service requirements of the bonds.

15. **Revenue Debt:** As part of the county's financing activities, specific General Fund revenue sources may be identified to pledge for repayment of revenue debt. Before such General Fund commitments are made, specific policy goals and objectives that determine the nature and type of projects qualifying for such support and specific limitations to be placed on the maximum amount of General Fund resources pledged to such projects shall be developed. Key factors that will be considered in determining whether or not the General Fund should be used to secure a particular debt obligation will include the following:

- Demonstration of underlying self-support, thus limiting potential General Fund financial exposure
- Use of General Fund support as a transition to a fully stand-alone credit structure, where interim use of General Fund credit support reduces borrowing costs and provides a credit history for new or hard to establish credits.
- General Fund support is determined by the County Commission to be in the county's overall best interest.

The county will finance the capital needs of its revenue producing proprietary activities through the issuance of revenue-secured debt obligations. Prior to approval of such debt, the County Commission will evaluate financial plans and

- projections showing the feasibility of the planned financing, required rates and charges needed to support the planned financing, and the impact of the planned financing on ratepayers, property owners, county revenues, and other affected parties. The amount of the debt obligations issued by a county will be limited by the feasibility of the overall financing plan on the proprietary activity.
16. **Leasing:** When determined to be advantageous to the county, the county may lease equipment and facilities rather than purchase them outright. Leasing may be appropriate for assets that will be needed for only a short period of time, or which are subject to rapid technological obsolescence. Leasing may also be determined to be appropriate for procuring assets that are too expensive to fund with current receipts in any one year, but with useful lives too short to finance with long-term debt. The decision to lease will be supported by an analysis of lease vs. purchase.
 17. **Interfund Borrowing:** Interfund borrowing will be considered to finance high priority needs on a case-by-case basis, only when planned expenditures in the fund making the loan would not be affected. Interfund borrowing may be used when it would reduce costs of interest, debt issuance, and/or administration. Interest charged will be at the current earnings rate of other county funds.
 18. **Taxable Debt:** The cost of taxable debt is higher than tax-exempt debt. The issuance of taxable debt is mandated in certain circumstances, and may allow valuable flexibility in subsequent contracts with users or managers of the improvement constructed with the debt proceeds. Therefore, the county may issue taxable obligations when determined to be the best method for the intended purpose.
 19. **Variable Rate Debt:** The county may choose to issue securities that pay a rate of interest that varies according to pre-determined formula or results from a periodic remarketing of the securities, consistent with state law and covenants of pre-existing bonds, and depending on market conditions. The county will limit its outstanding bonds in variable rate form to reasonable levels in relation to total debt.
 20. **Subordinate Debt:** The county may issue subordinate debt only if it is financially beneficial to the county or consistent with creditworthiness objectives.
 21. **Short-Term Debt:** Use of short-term borrowing, such as bond anticipation notes and tax-exempt commercial paper, will be undertaken only if the transaction costs plus interest on the debt are less than or equal to the cost of internal financing, or available cash is insufficient to meet working capital requirements as with the implementation of the infrastructure surtax programs.
 22. **State Revolving Fund Program:** This program provides funds for projects involving water supply and distribution facilities, stormwater control and treatment projects, air and water pollution control, and solid waste disposal facilities. Whenever possible, this program will be utilized since the costs associated with issuing the notes are low and local agencies benefit from the strength of the State's credit.
 23. **Other Borrowing Facilities:** The county may maintain or procure a special

facility that will allow for borrowing on short notice, either in the form of short-term or long-term notes, for small amounts not economical to finance through a regular bond issuance. The facility can be used as an interim financing mechanism when cost effective.

24. **Derivative or Synthetic Debt Structures:** The use of derivative or synthetic debt securities to finance capital projects or to refinance outstanding debt may be an appropriate method of hedging favorable interest rates or to mitigate the risks of interest rate volatility in a variable rate debt program. The value of such derivative securities is derived from the value of an underlying or reference market. Derivatives such as interest rate swaps and interest rate caps and collars are examples of securities that are used by corporations and municipal borrowers to lower and stabilize borrowing costs. The use of derivative debt securities by the county should be considered only upon the recommendation of the Finance Committee, in conjunction with the advice of knowledgeable and experienced experts.
25. **Arbitrage Compliance:** The County Comptroller, as chief finance officer of the county, maintains a system of recordkeeping and reporting to meet the arbitrage rebate compliance requirements of the federal tax code. Arbitrage rebate liabilities will be calculated annually, and the liability will be reported in the county's annual financial statements.
26. **Financing Proposals:** Any capital financing proposal to a county department, agency, or utility involving pledge or other extension of the county's credit through sale of securities, execution of loans or leases, marketing guarantees, or otherwise involving directly or indirectly the lending or pledging of the county's credit, may be reviewed by members of the finance committee.
27. **Conduit Bond Financing:** Periodically, the county is approached with a request to provide conduit bond financing for qualified projects through the Charlotte County Housing Finance Authority or Industrial Development Bonds. Applications for such issues are processed pursuant to guidelines approved by the Charlotte County Board of County Commissioners. The county's financial advisor, bond counsel, and county attorney, in coordination with Housing Finance Authority and Industrial Development Bond Citizens Advisory Committee, will review all applications to provide a funding recommendation to the Board, and will charge a reasonable fee for costs and time, to be paid for by the applicant. In addition, the applicant will reimburse the county a reasonable fee for time spent on review of the application by county staff.
28. **County Finance Committee:** The county finance committee consists of the chief deputy of board services of the County Comptroller, the chairman of the Charlotte County Board of County Commissioners, as seated annually by the Commission, a second representative from the Board of County Commissioners, the county administrator or designee, the county attorney or designee, the director of Budget and Administrative Services, and the County Comptroller. Others participating in the Finance Committee's efforts to provide technical expertise and advice include representatives from the county's financial advisor, Disclosure Counsel and Bond Counsel. The county's Debt

Policy is jointly reviewed by the Finance Committee and the Board of County Commissioners at least once every 5 years, and more frequently if so required.

29. **Financial Disclosure:** The county is committed to full and complete financial disclosure, and to cooperating fully with rating agencies, institutional and individual investors, agencies, other levels of government, and the general public to share clear, comprehensible, and accurate financial and other relevant requirements on a timely and comprehensive basis. The County Comptroller, as chief finance office of the county, is responsible for ongoing disclosure to established national information repositories and for maintaining compliance with disclosure standards promulgated by state and national regulatory bodies and may carry out such responsibility through the engagement of an outside dissemination agent or supervision of the process by others and will provide final approval.
30. **Investment of Debt Proceeds:** Debt proceeds will be invested primarily to assure the safety and liquidity of such investments, and secondarily, to maximize investment yield. The primary goal of liquidity is to ensure that proceeds will be available to fulfill the purposes of the issue on a timely basis. Debt covenants will specifically address investment guidelines for debt proceeds.

Appropriation Policy

1. Appropriations of the Board will be assigned line item object code numbers as deemed appropriate by the Fiscal Services and County Comptroller to facilitate managerial control and reporting of financial operations.
2. Each year Fiscal Services will prepare an indirect cost allocation plan for administrative/indirect costs along with the preparation of the Self Insurance Plan. These will be budgeted and charged for all departments.
3. The budget requests of all departments will include itemized lists of all needed operating equipment, and of any rolling stock in inventory for which replacement is being requested.
4. Each year the county will prepare a six-year capital improvement program identifying public facilities by service type and location with estimates of corresponding revenues to pay for the facilities. The CIP will be in accordance with guidelines established by the Capital Improvements Element of the Comprehensive Plan.
5. The annual budget will include sufficient appropriations to fund capital projects identified in the CIP for completing the first year of the six-year program. Revenues designated in the CIP to be needed for future year projects will be placed in reserves for future capital outlay.

SCHEDULED REVIEW DATE:
Annually

AMENDED:
October 27, 2020; December 13, 2022; April 25, 2023

3.06 Proclamation Guidelines	
ORIGINATING DEPARTMENT: Administration	ADOPTED: December 13, 2022
PURPOSE: <p>The purpose of this policy is to establish guidelines for the issuance of Proclamations by the Board and for the issuance of Letters of Recognition by individual Commissioners.</p>	
SCOPE: <ul style="list-style-type: none">A. The Board of County Commissioners may issue Proclamations recognizing:<ul style="list-style-type: none">a. National and state recognized “months, days and weeks” that will be accepted by community members, such as “National Public Works Week” or “Healthcare Professionals Month.”b. Major local events that will benefit the community.c. Groups of individuals or organizations that have made outstanding contributions to the County. B. Individual Commissioners may issue Letters of Recognition without Board approval to acknowledge or recognize an achievement, service, event or other act not falling under the categories set forth in Subsection (A) above.	
GUIDELINES: <ul style="list-style-type: none">• Proclamations will be issued on a first come / first serve basis.• The number read will be limited to no more than 5 for each meeting. Additional proclamations can be requested for approval but will not be read at the meeting.• Requests for proclamations shall be submitted (1) one month in advance of the BCC meeting date.• Proclamation requests shall be made by submitting a completed Proclamation Request Form.• Proclamations shall be limited to one page and requests must contain the content information describing the persons or events to be honored on the Proclamation Template.• Proclamations must be received in person at the scheduled board meeting.	
RESERVATION OF AUTHORITY: <p>The authority to issue or revise this policy is reserved to the Board of County Commissioners. The County Administrator shall have the authority to issue procedures as necessary to carry out this Policy.</p>	
SCHEDULED REVIEW DATE:	AMENDED:

Section 4.00

County Administration

SECTION 4.00 COUNTY ADMINISTRATION

A county administrator is appointed by the Board of County Commissioners and has the authority and responsibility to manage the day-to-day operations of the county consistent with BCC policies and directives and pursuant to Sections 125.70 to 125.74 of the Florida Statutes and Art. II, Sec. 2.3 (Executive Branch) of the Home Rule Charter.

In addition to the county administrator, the office of the county administrator may be staffed with a deputy county administrator, an assistant county administrator, a legislative manager, a public information office, a capital projects manager, a grants manager and administrative assistants.

County Administration is located at 18500 Murdock Circle, Suite 538, Port Charlotte, Florida 33984, Telephone: 941.743.1944.

The Public Information Office is located at 18500 Murdock Circle, Room B100, Port Charlotte, Florida 33948, Telephone 941.743.1092. Media Inquiries may be made to 941.743.1462.

County Departments:

Departments reporting to county administration are:

- Community Development, which includes the divisions of Building Construction Services, Planning & Zoning, Code Compliance and Special Projects;
- Human Services, which includes the divisions of Neighborhood Services, Intake Services, Aging & Adult Services and Veterans Services;
- Public Safety, which includes the divisions of Animal Control, Emergency Management, Fire & EMS and Radio Communications;
- Community Services, which includes the divisions of Parks & Natural Resources, Recreation, Extension Services and Libraries & History;
- Tourism;
- Facilities Construction & Maintenance, which includes the divisions of Business Services, Maintenance and Operations, ~~Repair & Maintenance~~, and Project Management, and Security;
- Public Works, which includes the divisions of Business Services, Engineering, Maintenance & Operations, Municipal Solid Waste Operations, and Mosquito & Aquatic Weed Control;
- Utilities, which includes the divisions of Business Services, Engineering Services, and Operations;
- Human Resources; and
- Budget and Administrative Services, which includes the divisions of Fiscal Services, Real Estate Services, Information Technology, Purchasing, Fleet, Risk Management, Transit and Records Management.

Detailed information concerning the duties and responsibilities of, and how to contact county administration, the Public Information Office and each department under the control of the county administrator may be accessed at CharlotteCountyFL.gov/departments.

Administration Policies:

The public should be aware of the following important county policies administered by County Administration:

- 4.01. Equal Employment Opportunity
- 4.02. Facility Rules
- 4.03. County Records
- 4.04. Rapid Development Team
- 4.05. County Grants Management

4.01 EQUAL EMPLOYMENT OPPORTUNITY

ORIGINATING DEPARTMENT:
Human Resources

ADOPTED:
October 8, 2015

PURPOSE:

Charlotte County Board of County Commissioners is an equal opportunity employer and is committed to an active Equal Employment Opportunity Program.

POLICY:

Charlotte County Board of County Commissioners is an equal opportunity employer and is committed to an active Equal Employment Opportunity Program (EEOP).

It is the stated policy of Charlotte County that all employees and applicants shall receive equal consideration and treatment in employment without regard to race, color, religion, ancestry, ethnicity, national origin, age, sex, marital status, pregnancy, familial status, medical condition, disability, handicap, family medical history, or genetic information. A statement that Charlotte County is an Equal Opportunity Employer shall appear on all job vacancy announcements.

All recruitment, hiring, placements, transfers and promotions will be on the basis of individual skills, knowledge and abilities, and the feasibility of any necessary job accommodation, regardless of the above identified basis. All other personnel actions such as compensation, benefits, performance management, layoffs, terminations, training, etc., are also administered without discrimination. Equal employment opportunity will be promoted through a continual and progressive EEOP.

The objective of an EEOP is to ensure nondiscrimination in employment, provide a workplace free from harassment or retaliation and, wherever possible, to actively recruit and include for consideration for employment minorities, women and the handicapped. It is the policy of Charlotte County that the percentage of minorities employed by the county should reflect the minority population of the available workforce, where possible.

The human resources director has been designated EEO Coordinator. Inquiries concerning the application of federal and state laws and regulations should be referred to her/him. The coordinator is responsible for administering program progress and initiating corrective action when appropriate. All personnel actions are monitored and analyzed to ensure the adherence of this policy.

To achieve the goals of our EEOP, it is necessary that each employee of Charlotte County, understand the importance of the program and his/her individual responsibility to contribute toward its maximum fulfillment. The EEO Coordinator is responsible for ensuring all employees receive and understand the county's policies on non-discrimination, the prevention of harassment and retaliation, requesting accommodation, and this EEO policy.

PROCEDURE:

Plan Objectives

1. To ensure all employees and applicants have the opportunity to compete to work on a fair and level playing field with equal opportunity for success.
2. To ensure Equal Employment Opportunity covers all employment programs, management practices and decision-making, including but not limited to, recruitment/hiring, assignments and working conditions, performance management, merit retention and promotion, transfer, reassignment, training and career development, pay and benefits, discipline, layoff and separation.
3. To achieve and embrace diversity in the workforce and to achieve minority inclusion goals, which includes but is not limited to: eliminating potential barriers to employment for minorities, women and persons with disabilities; and utilizing recruitment sources such as our website, career centers, colleges, and other posting methods that target and encourage applicants from all protected groups for all level positions and all promotional opportunities.
4. To ensure a work environment free from harassment based on protected status, and free from retaliation/reprisal for engaging in protected activity.
5. To proactively comply with all federal, state and local EEO laws, rules, and regulations, including maintaining strong anti-harassment and anti-retaliation policies, training and programs; providing multiple avenues whereby employees may seek redress of grievances or request accommodations; ensuring full, fair and impartial investigation procedures and relevant, consistently-applied corrective action; ensuring employee privacy and dignity; engaging in periodic self-assessment and compliance monitoring; and ensuring that all employees are fully informed of the EEO Program.
6. To ensure management accountability and interdepartmental coordination in the application of the EEO Plan.

SCHEDULED REVIEW DATE:
Annually

AMENDED: October 8, 2015, September 22,
2020; December 13, 2022

4.02 FACILITY RULES

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
June 28, 2016

AUTHORITY:

Sections 125.01 and 125.74(9) of the Florida Statutes, Section 2.2 of the Home Rule Charter, and Section 1.12(h) of the Rules of Procedure, Board of County Commissioners, Charlotte County.

PURPOSE:

To promote behavior that supports the mission of Charlotte County government; to limit the use of Charlotte County facilities to their intended purposes and to the official business of Charlotte County government; to provide for the health and safety, security and privacy of visitors and employees in county facilities; to provide for the protection and preservation of county facilities and property; to limit disruption in the workplace; and to provide for efficient rendering of public services.

POLICY:

To outline standard rules of conduct within county-owned, -leased or -managed facilities, including buildings, structures, conveyances and lands.

RESPONSIBILITY:

1. The county administrator has the ultimate responsibility for administering these facility rules.
2. The facilities director, in conjunction with the county administrator or his or her designee, shall be responsible for day-to-day implementation of these facility rules at county properties with multiple users.
3. Department directors shall be responsible for day-to-day implementation of these facility rules (and any supplemental rules) at properties where they are the primary user (i.e. libraries, parks, etc.).
4. The county administrator, in conjunction with the county attorney, is responsible for reviewing and updating these procedures and facility rules.

PROCEDURE:

These facility rules shall be posted conspicuously in a prominent place in or near the lobby or entryway of all county properties that are open or partially open to the public. These facility rules shall also be posted in a prominent place on the county's website.

Except where an activity is prohibited by law or as otherwise stated in these facility rules, a verbal warning will be issued to any individual violating these facility rules, who then has an opportunity to correct the violation prior to any enforcement. If an individual fails to immediately cease conduct that violates these rules upon request, **a trespass warning may be issued by the county administrator or his or her designee pursuant to County Ordinance 2016-027, and county staff may contact law enforcement for assistance.**

OFFICIAL COUNTY BUSINESS ONLY: All county facilities are reserved for the conduct of official county business only. These rules apply to county-owned, -leased and -managed facilities, including buildings, structures, conveyances and lands (there may also be additional rules specific to certain kinds of county facilities such as libraries, parks, etc.).

THE FOLLOWING CONDUCT IS PROHIBITED:

1. Engaging in any activity prohibited by law.
2. Engaging in activities or behaviors that are likely to, or do, result in injury or harm to others.
3. Engaging in activities or behaviors that are likely to, or do, result in damage to county property.
4. Failing to follow conduct and safety rules relating to COVID-19 or other declared state of emergency while in or on county facilities, conveyances or land.
5. Tampering with or unauthorized use of building or facility systems or devices, including electrical, plumbing, locks, doors, or cameras.
6. Entering into areas reserved for employees or otherwise not open to the general public, without authorization.
7. Solicitation of petitions, pamphleteering, demonstrating, protesting or carrying banners or signs anywhere inside of county buildings or conveyances, or in areas where such activities are otherwise prohibited on county lands. However, these activities may be done in an orderly manner outside of the entryway of any county-owned building, on any public sidewalk or public right-of-way near or adjacent to any county-owned building, or in areas otherwise designated for expressive activity, **provided they do not impede ingress or egress; interfere with the use of county facilities by visitors, employees or county officials; or harass visitors, employees or county officials.** Rules governing citizen conduct, including speech and signs, during public meetings of the Board of County Commissioners can be found at Section 3.01 of the Administrative Code and Section 1.12 of the Rules of Procedure, Board of County Commissioners, Charlotte County, available online at CharlotteCountyFL.gov.
8. Audio or video recording anywhere inside of county buildings or conveyances, except during public meetings as provided below, or as otherwise approved by the county administrator. Any audio or video recording that is conducted outside of county buildings must be done in an orderly manner and must not interfere with the use of county facilities by visitors; impede county employees or county officials in the performance of their duties; or harass visitors, county employees or county officials. Any person recording another must cease doing so immediately if any visitor, county employee or county official expresses his or her desire not to be recorded. **Anyone failing to immediately cease audio or video recording any visitor, county employee or county official who has expressed a desire not to be recorded, will be immediately trespassed without warning.** (This does not apply to, 1) authorized law enforcement personnel, or 2) county officials, where either are directly performing public duties on matters of public concern.) Audio- or video recording of public meetings is permitted provided it is done in a quiet and orderly manner, does not interfere with the conduct of the meeting, does not block the view of any person attending the public meeting and does not block any aisle, row, ingress or egress. Rules governing citizen conduct during public meetings of the

Board of County Commissioners can be found at Section 5.02 of the Administrative Code and Section 1.12 of the Rules of Procedure, Board of County Commissioners, Charlotte County, available online at CharlotteCountyFL.gov.

9. Unauthorized leaving or storing of personal property, with or without the intention to return and reclaim. All unattended property shall be removed by designated county staff and will be retained for a limited period of time only and then disposed of in accordance with law. Persons wishing to reclaim lost or abandoned property should call the county's security coordinator at 941-764-4922.
10. Disruptive, harassing or unsafe behavior, including conduct which interferes with county employees or county officials in the performance of their duties, or interferes with the proper use of the county facility by others.
11. Possessing, selling, distributing, or consuming any alcoholic beverage, except as allowed by a permit at an approved event, or allowed by a park rule.
12. Smoking, the use of tobacco products, and the use of e-cigarettes or other vaping devices inside all county facilities.
13. Blocking access to any county building, doorway, walkway, ramp, road, parking access, or steps for any purpose without authorization.
14. Remaining in a county building after posted hours of operation or after the conclusion of an "after hours" public meeting.
15. Bringing pets inside county buildings and conveyances, except service animals specifically trained to aid persons with disabilities.
16. Failure to cease conduct specifically prohibited in items 1 through 14 above immediately after a request by county staff to do so.

If an individual fails to immediately cease conduct prohibited by these rules upon request, a trespass warning may be issued by the county administrator (or his or her designee) pursuant to County Ordinance 2016-027. Charlotte County reserves the right to contact law enforcement in any circumstance involving a violation of these facility rules or where a person having been issued a trespass warning fails to immediately leave the premises.

SCHEDULED REVIEW DATE:
Annually

AMENDED: May 6, 2019; May 27, 2020,
September 22, 2020; December 13, 2022

4.03 COUNTY RECORDS

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
December 8, 2015

PURPOSE:

To ensure county records are kept in accordance with state and federal requirements, that managed access to active and inactive records is available in a timely manner, and to provide a method for the public to obtain information or make submissions or requests.

POLICY:

The county will have a records management program pursuant to and in compliance with the requirements of Chapters 119, 257 and 286 of the Florida Statutes; Chapters 1B-24 and 1B-26 of the Florida Administrative Code; and the General Records Schedules for State and Local Government of the Department of State, Division of Library Services, Bureau of Archives and Records Management.

All records of the county, including electronic records, are public records pursuant to Article 1, Section 24 of the Florida Constitution and Chapter 119 of the Florida Statutes. All records, except those that are otherwise confidential or exempt pursuant to federal or state law, are to be produced upon request in accordance with the law.

The administrator will designate a records management liaison officer who will be responsible for developing policies and procedures establishing and maintaining the county's records management program and for compliance with the Florida Public Records Act.

Members of the public may submit requests to view or obtain copies of county public records in person, via phone to 941.743.1441 or by email to Records@CharlotteCountyFL.gov.

General information may be obtained or submitted on the county's website at CharlotteCountyFL.gov, through the Charlotte County smartphone app, through the county's Public Information Office at 941.623.1092 or in person at any county office. Media inquiries may be made to the Public Information Office or visit CharlotteCountyFL.gov/departments/pio. Individual members of the Board of County Commissioners may be contacted by telephone at 941.743.1300.

SCHEDULED REVIEW DATE:
Annually

AMENDED: May 6, 2019; May 27, 2020,
September 22, 2020

4.04 RAPID DEVELOPMENT TEAM

ORIGINATING DEPARTMENT:
Economic Development

ADOPTED:
July 22, 2008

PURPOSE:

To define and establish flexible guidelines for a public/private partnership effort to maintain and grow a strong economic base in Charlotte County. The Rapid Development Team's primary focus is to assist applicants and potential developers through the development process.

POLICY/PROCEDURE:

Economic Development is of critical importance to the county. A fast and efficient development process can be a determining factor when selecting the location for large and complex projects. Although all permits and projects should be processed as quickly as possible, there is a need for certain large-scale projects of significant economic importance to the county to be expedited.

Members of the team are empowered to put priority on such projects originating from the Economic Development Office.

Quality improvement and flexibility are critical to the success of the Rapid Development Team. The program, an upfront process, does not exist in writing. This allows for the necessary flexibility and continuous improvement that are vital to the success of the program. This also allows for a custom fit for all projects.

The Team will be convened and facilitated by Administration and will include, at a minimum, the following:

- Economic Development director
- Community Development director
- Capital Projects manager
- Public Works director
- Fire marshal
- County attorney or designee

The county administrator may request additional department representation depending upon the expertise required.

The procedure for Rapid Development is as follows:

- An initial meeting with the applicant/potential developer and the necessary team members to identify key check points and look at how the process can be expedited.
- Negotiate a developer's agreement, if needed.
- Coordination of onsite inspections
- Direct involvement in resolving difficult permitting issues
- Coordination with other regulatory agencies.

The Rapid Development Team provides a profile on specific properties to help the applicant understand timing issues as they relate to specific properties. This information allows the applicant to make a more informed decision relating to his choice of properties. (The team provides information relating to zoning, future land use, existing and proposed infrastructure, concurrency, impact fees, fire protection and procedures for approval of all local permitting.)

How does a project become a Rapid Development Team project?

- The project must originate from the Economic Development Office with the approval of the county administrator.
- If the project is of economic development importance, its success can be enhanced by accessing other resources available in the community and state, such as training, financing, technical assistance, and suppliers. Coordination through the Economic Development Office encourages this assistance.
- The project is environmentally compatible and meets at least two of the following three criteria:
 - Exports the majority of its products or services outside Charlotte County (manufacturers, corporate headquarters, telecommunication centers, distribution centers, etc.); and/or imports dollars from the sale of goods into the local economy (regional outlet malls, catalog distribution centers, etc.)
 - The project will qualify under the Charlotte County Economic Development Incentive Code including a required Program Agreement (Ordinance 2016-009). The purpose of the code is to allow public funds to be paid to attract business including free county land, dollars per new employee, and/or reimbursement for capital expenditures.
 - The project is located in the Enterprise Charlotte Airport Park.
- Timing is a critical component in the success of the project.
- The Rapid Development Team is a true partnership because the client applicant/owner's consultant must buy into the timing that is established by the team in the initial pre- application meeting.

SCHEDULED REVIEW DATE:
Annually

AMENDED: September 22, 2020; December 13, 2022

4.05 COUNTY GRANTS MANAGEMENT

ORIGINATING DEPARTMENT:
Administration

ADOPTED:
March 14, 2017

PURPOSE:

1. To ensure state and federal grants and pass-through grants further core county functions, provide for activities and assets that are in the best interest of the county, and are administered under a uniform grants administration program under the direction of the county administrator or his or her designee; and
2. To ensure state and federal grants are administered in accordance with best management practices and with requirements of the state and federal law, as applicable, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("the Uniform Guidance"), 2 C.F.R. Part 200, effective Dec. 26, 2014, and all related state and federal statutes, rules, regulations and guidance documents governing the administration of state and federal awards and pass-through awards.

PROCEDURE:

The county will maintain a Grants Administration Manual that sets forth county procedures for administering state and federal awards and pass-through awards in keeping with the requirements of the state and federal law. The provisions of the Grants Administration Manual are applicable to all county officers and employees under the control of the Board of County Commissioners, and to agents, contractors and sub-grantees who perform functions associated with any state or federal award or pass-through award.

The county administrator will designate a grants program manager who will be responsible for organizational oversight of the county's grants management program consistent with this policy and the Grants Administration Manual, and for ensuring all specific grant-related compliance obligations are met. Grants coordinators in each department are responsible for day to day compliance activities pertaining to grants that they oversee, under the oversight of the grants program manager.

The county administrator may amend the Grants Administration Manual from time to time as may be necessary to ensure compliance with state and federal law and with changing operational needs of the county.

SCHEDULED REVIEW DATE:
Annually

AMENDED: September 22, 2020

4.06 POSITION MANAGEMENT

ORIGINATING DEPARTMENT:
Budget and Administrative Services

ADOPTED: December 13, 2022

General Policy Statements:

Position management can be categorized as the newly proposed positions, classifications, reclassifications/reorganizations/pay grade reallocations of an existing position, the reassignment of a position, or the elimination of a position. The purpose of this procedure is to explain the specific steps needed to be taken by the organization when it wishes to affect one of these personnel changes.

Board of County Commissioners (BCC) Approved Positions:

The County Administrator, through the Director of Human Resources, shall maintain the official record of all regular full-time and part-time positions within the County's Financial/HR Management system, which have been established under the provisions of this policy for the organization and the respective departments.

Establishment of Positions:

Per Florida Statute 125.74, regular full-time and part-time positions must receive BCC approval.

When requesting a new position, the department Director shall submit the request to the Budget and Administrative Services Director to determine if adequate funding is available. If the requested job title and description does not currently exist, then the request must be submitted to the Human Resources Director. The Human Resources Department shall examine the proposed position and recommend the proper classification and assignment to the pay plan. Once approved, the department Director should work with Fiscal Services to complete the Position Modification Request form and create an agenda item for the BCC. The Position Modification form must be approved as part of the BCC's agenda item.

Once positions are established, such positions may be filled upon approval of the County Administrator.

Additionally, the County Administrator has the authority to make recommendations to change an established regular part-time position to full-time and to change a regular full-time position to part-time to the BCC for approval.

Reclassification of Positions:

A department may determine that a current, budgeted position is no longer appropriate and that another classification is needed to better meet the business needs. This request may occur during the fiscal year.

The department Director shall complete the Classification Review Request Form and submit to the Human Resources Director for review. If the requested classification title and description does not currently exist, the Human Resources Department shall examine the proposed position and recommend the proper classification and assignment to the pay plan. This position must be approved by the Human Resources Director prior to submission to the County Administrator. Human Resources will forward request to Fiscal Services for financial impact analysis and creation of the Position Modification form. Fiscal Services will

forward the request and supporting documentation to the County Administrator for final approval. If approved, County Administrator will send to the Human Resources Director for implementation.

The County Administrator has the authority to approve the reclassification of positions.

Position Classification and Review:

Positions are assigned to the BCC's Pay Plan based on a comprehensive job description. A classification and compensation study is conducted at least every five years to ensure each position's classification accurately reflects its responsibilities, knowledge, skills, and abilities. The study also reviews and recommends salary ranges to ensure the pay plan is internally equitable and externally competitive within the employment marketplace.

The County Administrator has the authority to recommend adjustment of salary ranges based on classification and compensation studies to the BCC for approval.

Reassignment of BCC Approved Positions:

The County Administrator has the authority to reassign vacant positions in accordance with the needs of County operations. The County Administrator may choose to maintain a pool of such positions for future operational needs.

Eliminate BCC Approved Positions:

The County Administrator may recommend to the BCC the elimination of BCC approved regular full-time and part-time positions based on the fiscal health and operational needs of the organization.

SCHEDULED REVIEW DATE:
Annually

AMENDED: