



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 29, 2019

Honorable J.K. "Jess" Irby, Esq.
Clerk of the Circuit Court
Alachua County
201 East University Avenue
Post Office Box 939
Gainesville, Florida 32602

Attention: Steve Donahey

Dear Mr. Irby:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Alachua County No. 2019-08, which was filed in this office on March 29, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ALACHUA COUNTY
BOARD OF COUNTY COMMISSIONERS

ORDINANCE NO. 2019-08

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING CHAPTER 21 OF THE ALACHUA COUNTY CODE OF ORDINANCES, ENTITLED "ADMINISTRATIVE CODE;" PROVIDING FOR POWERS, DUTIES, AND RESPONSIBILITIES OF THE COUNTY COMMISSIONERS; PROVIDING ASSURANCE OF EQUAL RIGHTS; PROVIDING FOR APPOINTMENT, QUALIFICATIONS, AND REMOVAL BY THE COUNTY COMMISSION OF THE COUNTY MANAGER AND THE COUNTY ATTORNEY; PROVIDING A PROCEDURE FOR CONFIRMATION OF APPOINTMENTS BY THE COUNTY COMMISSION; PROVIDING FOR POWERS, DUTIES, AND RESPONSIBILITIES OF THE COUNTY MANAGER; PROVIDING A PROCEDURE FOR APPROVAL OF THE MANAGER'S ORGANIZATION OF DEPARTMENTS AND OFFICES BY THE COUNTY COMMISSION, PROVIDING FOR DUTIES AND RESPONSIBILITIES OF THE COUNTY ATTORNEY; PROVIDING FOR SPECIAL ATTORNEYS AND THEIR COMPENSATION; PROVIDING FOR A DEPUTY COUNTY MANAGER, ASSISTANT COUNTY MANAGERS, DEPARTMENT DIRECTORS, AND OTHER MEMBERS OF THE EXECUTIVE SERVICE; PROVIDING FOR REPEALING CLAUSE, PROVIDING FOR MODIFICATION AT PUBLIC HEARING, PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Pursuant to Chapter 125, Part II, Florida Statutes (1987), the citizens of Alachua County, Florida, adopted a County charter by referendum; and

WHEREAS, Section 125.87, Florida Statutes (2018), and Article II, Section 2.2E, of the Alachua County Charter requires the adoption of an administrative code for the purposes of organizing the administration of county government and setting forth the duties, responsibilities, and powers of all County officials and agencies; and,

WHEREAS, the County adopted its initial administrative code ordinance on January 23, 1990; and

WHEREAS, the County now desires to update and amend said provisions.

1 **NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY**
2 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

3 **SECTION 1.** Chapter 21, entitled "ADMINISTRATIVE CODE", of the Code of
4 Alachua County, Florida is hereby amended as follows:

5 **ARTICLE I. - GENERALLY**

6
7 **Sec. 21.01. - Title; purpose.**

8 This chapter, together with any and all amendments, shall be known as the "Alachua County
9 Administrative Code." The purpose of this code is to organize county government and set forth the duties,
10 responsibilities, and powers of the board of county commissioners, the county manager, the county
11 attorney, the deputy county manager, assistant county managers, the department directors, and the
12 departments of county government, as mandated by F.S. § 125.87 and the Charter of Alachua County. This
13 code shall be interpreted and construed to make it consistent with the Charter and the expressed intentions
14 of the people, and shall be viewed as a continuing program to provide greater efficiency and economy in
15 the operation of county government.

16
17 **Sec. 21.02. - Definitions.**

18 For the purposes of this chapter, the following words and phrases shall be defined as follows:

19 *Attorney* shall mean the County Attorney of Alachua County, Florida.

20 *Board* shall mean the Board of County Commissioners of Alachua County, Florida.

21 *Charter* shall mean the Home Rule Charter of Alachua County, Florida.

22 *Code* shall mean the Alachua County Administrative Code.

23 *County* shall mean Alachua County, Florida.

24 ~~*Departments* shall mean those components of county government through which governmental~~
25 ~~authority is exercised and services provided to the citizens of Alachua County, Florida. one of several major~~
26 ~~governmental units supervised by a department director. Department directors shall report directly to the~~
27 ~~county manager or the manager's designee.~~

28 *Manager* shall mean the County Manager of Alachua County, Florida.

29 *Office* shall mean one of several governmental units smaller in scope and size than a department.
30 Office directors shall report directly to the county manager or the manager's designee. The term *office*
31 *director* and *office manager* are interchangeable in this Chapter and one should be read to include the
32 other.

33
34
35 **Sec. 21.03. - General powers of county.**

36 Alachua County, a home rule charter county, shall have all powers of local self-government not
37 inconsistent with general law, or with special law approved by vote of the electors.

38
39 **Sec. 21.04. - Separation of powers.**

40 The power of county government shall be divided between legislative and executive branches, as set
41 forth in the Charter. No person belonging to one branch shall exercise any powers appertaining to the other
42 branch. The legislative responsibilities and powers of the county shall be assigned to, and vested in, the
43 board of county commissioners. The executive responsibilities and powers of the county shall be assigned
44 to, and vested in, the county manager, who shall carry out the directives and policies of the board of county
45 commissioners and enforce all orders, resolutions, ordinances, and regulations of the board, the county

1 Charter, and all applicable general laws to ensure that they are faithfully executed, but such executive
2 authority shall not include general policy-making authority.

3
4 Sec. 21.05. - Assurance of equal rights.

5 It is the policy of the board of county commissioners to afford equal employment opportunity and equal
6 access to appropriate county services for all qualified persons; to prohibit discrimination in employment
7 because of race, color, religion, sex, national origin, marital status, age, or disability, sexual orientation, and
8 gender identity and expression; and to ensure the full realization of equal opportunity through a positive
9 continuing program of equal opportunities throughout Alachua County by protecting and safeguarding the
10 rights of all individuals to be free from discrimination. The legislative and executive branches of county
11 government shall coordinate their efforts to ensure that county policies, programs, and ordinances promote
12 and protect the equal rights of all citizens of Alachua County.

13
14 Sec. 21.06. - Implementation.

15 The manager shall implement this code by administrative orders, rules, procedures, or guidelines as
16 provided in section 21.30 and section 21.305 of this code. This code may be amended by the board by
17 ordinance or supplemented by resolutions of the board that set policy.

18
19 Sec. 21.07. - Chapter to be liberally construed.

20 This chapter shall be liberally construed in order to effectively carry out the purposes hereof, which
21 are deemed to be in the best interest of the public health, safety, and welfare of the citizens and residents
22 of Alachua County, Florida.

23
24 Sec. 21.08. - Existing ordinances, resolutions and other policies and procedures.

25 All ordinances, resolutions, policies, and directives of the board not inconsistent with this chapter
26 (~~Ordinance No. 90-2~~) shall continue in force and effect until amended, rescinded, repealed, or suspended
27 by appropriate action of the board or the manager. All ordinances, resolutions, motions, policies, and
28 directives in conflict with the provisions of this chapter are hereby amended to the extent that they are
29 inconsistent with the provisions hereof. ~~Former sections 21.01 through 21.68 of the Alachua County Code~~
30 ~~of Ordinances are hereby repealed, and a~~ Any other ordinance, resolution, motion, policy, or directive that
31 is totally in conflict with this chapter, such that amendment to cause its conformance hereto is impossible,
32 is hereby repealed.

33 Sec. 21.09. - Bond requirements for county officers.

34 (a) *Requirements.* The board of county commissioners, having considered the amount of money or
35 property likely to be in the custody of each county officer at any one time, hereby approves and sets
36 the bonds for the county officers as follows:

- 37 (1) Each county commissioner shall give bond in the amount of \$2,000.00, the premium of which
38 shall be paid from the county treasury.
- 39 (2) The clerk of the circuit court shall give bond in the amount of \$100,000.00, the premium of which
40 shall be paid from the county treasury.
- 41 (3) The sheriff shall give bond in the amount of \$25,000.00, the premium of which shall be paid from
42 the county treasury.
- 43 (4) The tax collector shall give bond in the amount of \$100,000.00, the premium of which shall be
44 paid from the county treasury.
- 45 (5) The property appraiser shall give bond in the amount of \$10,000.00, the premium of which shall
46 be paid from the county treasury.
- 47 (6) The supervisor of elections shall give bond in the amount of \$5,000.00, the premium of which
48 shall be paid from the county treasury.

- 1 (b) *Implementation.* The county manager is hereby authorized and directed to implement the provisions
2 of this section.
- 3 (c) *Filing of bond.* The bond of each county officer as set forth in this section shall be filed with the clerk
4 of the circuit court.
- 5 (d) *Review of bonds.* The board of county commissioners at its regular meetings in January and June of
6 each year shall carefully examine the sufficiency of bonds of the county officers. If the board has
7 reason to believe that the sufficiency of any bond has become impaired, the board shall at once require
8 the officer to execute and file a new bond for the same amount and under the same conditions as his
9 or her former bond.

10
11 ARTICLE II. – BOARD OF COUNTY COMMISSIONERS
12

13 Sec. 21.20. - Powers; duties; responsibilities.

14 The powers, duties, and responsibilities of the board shall consist of the following:

- 15 (a) Advise and consent to all appointments by the ~~executive~~ manager for which board confirmation
16 is specified in accordance with provisions of section 21.21 contained herein.
- 17 (b) Adopt or enact, in accordance with the procedures provided by general law, ordinances and
18 resolutions it deems necessary and proper for the good governance of the county.
- 19 (c) Approve the annual operating and capital budgets and any long-term capital or financial program.
- 20 (d) Conduct continuing studies in the operation of county programs and services and take action on
21 programs for improvement of the county and the welfare of its residents.
- 22 (e) Adopt, and amend as necessary, a county administrative code to govern the operation of the
23 county.
- 24 (f) Adopt, pursuant to the provisions of the county Charter, such ordinances of countywide force and
25 effect as are necessary for the health, safety, and welfare of the residents.
- 26 (g) All other powers of local self-government which are not inconsistent with general law as
27 recognized by the Florida Constitution and laws of the State of Florida, and which have not been
28 limited by the county Charter.
- 29 (1) The board shall set policy by means of ordinances, resolutions, and motions. The board
30 shall assure that there are qualified people to implement board policies by appointing and
31 removing the manager and the attorney, and confirming the appointment of a deputy county
32 manager, assistant county managers, department directors and other ~~members of the~~
33 ~~executive service employees who are "at will."~~ Except as provided herein relating to
34 confirmation of a deputy county manager, assistant county managers, department directors,
35 and other employees ~~in the executive service who are "at will,"~~ neither the board nor any of
36 its members shall direct or request the appointment to any position or removal of any person
37 from any position of which appointment or removal was made by the county manager, by
38 the county attorney, or by any of the manager's or attorney's subordinates, or in any manner
39 take part in the appointment or removal of officers and employees in the administrative
40 services of the county. Except for the purposes of inquiry, the board and its members shall
41 deal with the administrative services solely through the county manager, and neither the
42 board nor any member thereof shall give orders to any subordinates of the county manager
43 or the county attorney, either publicly or privately.
- 44 (2) The board may take official action only through the adoption of ordinances, resolutions, and
45 motions at regular and special board meetings. Except as otherwise provided in ordinances,
46 all motions shall be adopted by a majority vote of the members present. A majority of the full
47 board shall constitute a quorum to conduct business.
- 48 (3) The county manager and the county attorney shall be appointed or removed by the board of
49 county commissioners. The board shall honor all contractual obligations established with the
50 manager and/or with the attorney.

1
2 Sec. 21.21. - Confirmation of appointments.

3 In instances in which the board is authorized and responsible, pursuant to section 2.3(B) of the Alachua
4 County Charter, and section 21.20 of the Administrative Code, to confirm an appointment of a deputy county
5 manager, assistant county manager, department director, and other ~~members of the executive service~~
6 employees who are "at will," the following procedures shall govern:

- 7 (a) The manager shall select a person who has been determined to have the qualifications and
8 aptitude required for the position to be filled, based upon county personnel policies and
9 procedures.
- 10 (b) The name, resume, starting salary, and beginning date of the person selected by the manager
11 will be submitted to the board.
- 12 (c) The board may request additional information concerning the appointee, or confirm the individual.
13 Any failure of the board to make a final decision within 30 days of being provided the information
14 described herein, including additional information, shall be deemed consent to the appointment.

15
16 Sec. 21.22. - Prior appointments and employment contracts confirmed.

17 Nothing in this code shall be construed to require further board approval of appointments or
18 employment contracts which have heretofore been approved or consented to by the board.

19 Sec. 21.23. - Compensation of members.

20 The compensation to be paid to each member of the board of county commissioners shall be that
21 compensation set forth in F.S. § 145.031, which statutory section is incorporated in this section the same
22 as if fully set out herein.

23
24 Sec. 21.24. - Commissioner districts. [UNCHANGED]

25
26 ARTICLE III. - EXECUTIVE BRANCH

27
28 Division 1. - County Manager

29
30 Sec. 21.30. - Powers; duties; responsibilities.

31 The manager shall be the chief ~~administrative~~ executive officer of the county and shall be accountable
32 to the board for the proper administration of all affairs under the jurisdiction of the board with the exception
33 of the county attorney's office. The powers, duties, and responsibilities of the manager shall include the
34 following, but shall not include policy-making authority:

- 35 (a) Report annually, or more often if necessary, to the board of county commissioners and to the
36 citizens on the state of the county, the work of the previous year, recommendations for action or
37 programs for improvement of the county and the welfare of its residents.
- 38 (b) Prepare and submit to the board for its consideration and adoption an annual operating budget,
39 a capital budget, and a capital program; establish the schedule and procedures to be followed by
40 all county departments, offices, and agencies in connection therewith; and supervise and
41 administer all phases of the budgetary process, including monitoring revenues and expenditures.
- 42 (c) Administer and carry out the directives and policies of the board and enforce all orders,
43 ordinances, resolutions, and regulations of the board, the provisions of the Charter, and Florida
44 law to assure that they are faithfully executed.
- 45 (d) Supervise the care and custody of all county property, institutions, and agencies.
- 46 (e) Review, analyze, and forecast trends of county services, finances, and programs of all boards,
47 commissions, agencies, and other county by bodies, and report and recommend thereon to the
48 board.

- 1 (f) Develop, install, maintain, and evaluate internal procedures for purchasing, personnel, equal
2 employment, contracts management, and budgeting, and any other area deemed necessary by
3 the manager for proper administration of the county.
- 4 (g) Negotiate contracts, bonds, or other instruments for the county, subject to the approval of the
5 board; make recommendations concerning the nature and location of county improvements; and
6 execute services determined by the board.
- 7 (h) Execute on behalf of the board those contracts, bonds, or other instruments designated in
8 guidelines adopted by the board, and delegate contract, bonds, or other instruments execution
9 authority to department and office directors pursuant to guidelines adopted by the board.
- 10 (i) Assure that all terms and conditions imposed in favor of the county or its inhabitants in any statute,
11 franchise, or other contract are faithfully kept and performed.
- 12 (j) Supervise, direct, and control all county administrative departments and offices with the exception
13 of the county attorney's office.
- 14 (k) Appoint, with the advice and consent of the board in accordance with section 21.21 herein, the
15 deputy county manager, all assistant county managers, department directors, office directors,
16 and other members of the executive service in the Article III executive branch, who shall serve at
17 the pleasure of the manager, and employ, pursuant to appropriation and this code, such
18 personnel as necessary to administer county functions and services.
- 19 (l) At the manager's discretion, order any department or office under his or her jurisdiction, as
20 specified in this code, to undertake any task for any other department or office on a temporary
21 basis if deemed necessary for the proper and efficient operation of county government, and
22 delegate administrative duties and responsibilities to the deputy county manager, assistant
23 county managers, department directors, office directors, and other county personnel.
- 24 (m) Except as noted in subparagraph (j) above, have the exclusive power to select, employ, and
25 supervise all personnel, and fill all vacancies, positions, or employment under the jurisdiction of
26 the manager, with the exception of the personnel employed in the county attorney's office, and
27 suspend, discharge, or remove any employee under the jurisdiction of the manager pursuant to
28 employee policies adopted by the board, with the exception of the personnel employed in the
29 county attorney's office.
- 30 (n) Issue and enforce such administrative orders, rules, procedures, or guidelines as are deemed
31 necessary to give appropriate effect to this code or county ordinances, and resolutions, and
32 motions, and maintain a complete compilation of all such administrative orders, rules, procedures,
33 and regulations guidelines.
- 34 (o) Cooperate and coordinate with the county attorney's office in the fulfillment of the manager's
35 duties and responsibilities.
- 36 (p) Review and evaluate department procedures to ensure that they are consistent with board policy.
- 37 (q) Attend meetings of the board, with authority to participate in the discussion of any matter.
- 38 (r) Designate acting county managers to act in the absence of the manager.
- 39 (s) Perform such other duties and exercise such other powers as may be assigned by the County
40 Charter, or by ordinance, or resolution or motion of the board.
- 41 (t) Monitor the expenditure of funds within the adopted budget, which includes short- and long-term
42 financial planning, coordinating of the budget process, and management analysis of department
43 county operations to determine efficiency.
- 44 (u) ~~Manager tourist development functions of administering the tourist tax funds to enhance the~~
45 ~~county's position in the State of Florida tourism industry. These responsibilities include:~~
- 46 (1) ~~Promoting the marketing of Alachua County as a visitors' and convention destination.~~
47 (2) ~~Coordinating and monitoring the expenditures of tourist development funds.~~

1 (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
2 ~~ordinance.~~

3
4 Sec. 21.305. - Administrative orders, rules, procedures, and guidelines.

5 The county manager shall have the right, power and authority to issue such administrative orders,
6 rules, procedures, and guidelines as the manager deems necessary in order to give effect to and
7 carry out board policies, and the responsibilities and duties of the county manager.

8 Administrative orders, rules, procedures, and guidelines shall not be inconsistent with the County
9 Charter, county ordinances, state or federal law, and board policies.

10
11 Division 2. - Deputy County Manager; Assistant County Managers; Department Directors;
12 Office Directors; Members of the Executive Service

13
14 Sec. 21.31. - Appointment; removal; qualifications.

15 The manager may appoint a deputy county manager, assistant county managers, department
16 directors, office directors, and other members of the executive service in the Article III executive branch.
17 The deputy county manager, any assistant county manager, department directors, office directors, or other
18 members of the executive service in the Article III executive branch so approved shall serve at the pleasure
19 of the manager. The manager shall, ~~by administrative order~~, specify the departments, offices, and activities
20 the deputy county manager, and each assistant county manager, ~~and each~~ department director, office
21 director, or other member of the executive service in the Article III executive branch will oversee and direct.
22 The deputy county manager, and each an assistant county manager, department director, office director,
23 and ~~or~~ other member of the executive service in the Article III executive branch shall possess the
24 qualifications set by the manager. These qualifications shall include a combination of education, and
25 administrative or managerial experience which will enable him or her to provide effective assistance to the
26 manager and direction to the subordinate staff.

27
28 Sec. 21.315. - Powers, duties, and responsibilities of deputy county manager.

29 The powers, duties, and responsibilities of the deputy county manager shall include the following, but
30 shall not include policy-making authority:

31 (a) In the absence of the manager, exercise all of the powers, duties, and responsibilities of the
32 manager as set out in Sec. 21.30 above.

33 (b) Perform all powers, duties, and responsibilities of the assistant county managers as set out in Sec.
34 21.32 below.

35 Sec. 21.32. - Powers, duties, and responsibilities of ~~deputy county manager and~~ assistant county
36 managers.

37 The powers, duties, and responsibilities of the ~~deputy county manager and~~ assistant county managers
38 shall include the following, but shall not include policy-making authority:

39 (a) Perform administrative duties assigned or delegated by the manager.

40 (b) Direct, supervise, and coordinate the overall activities of the ~~respective agencies and~~
41 ~~departments, or offices, or combinations of the same,~~ for which administrative responsibility is
42 designated to him or her by the manager.

43 (c) Evaluate and analyze departmental and office policies and procedures, and recommend direct
44 development of new procedures or revisions to current procedures. ~~policies and/or revisions in~~
45 ~~current policies.~~

46 (d) Recommend hiring, promotion, and termination of staff.

47 (e) Review reports and documents for compliance with established reporting procedures.

- (f) Act as a liaison with other governmental entities and outside agencies on matters germane to Alachua County.
- (g) Assist in evaluating overall effectiveness of community services being provided.
- (h) Coordinate the operational activities of assigned departments, offices, or combinations of the same, with other county agencies for provision of comprehensive programs.
- (i) Inform community and business organizations of services provided and programs available.
- (j) Perform such other duties as may be required or designated by the manager, which may include acting for the manager in his or her absence.

Sec. 21.33. - Powers, duties, and responsibilities of department and office directors.

The powers, duties, and responsibilities of the department and office directors shall include the following, but shall not include policy-making authority:

- (a) Perform administrative duties assigned or delegated by the manager, the deputy county manager, or the assistant county manager.
- (b) Direct, supervise and coordinate the overall activities of the department or office for which administrative responsibility is designated to him or her by the manager.
- (c) Recommend hiring, promotion and termination of staff.
- (d) Report to and be responsible to the manager or the deputy county manager or assistant county manager as the manager may designate for the administration of each department or office, including all divisions and programs, according to the provisions of this code and all applicable laws, ~~ordinances, resolutions, rules, and regulations~~ board policies, and administrative orders, rules, procedures and guidelines.
- (e) Undertake any task of another department or office on a temporary basis as directed by the manager.
- (f) Delegate the duties and responsibilities within the department or office to subordinate personnel; however, in no case shall overall responsibility and accountability be relinquished.
- (g) Advise and assist other department and office directors on matters within each department or office director's respective area of responsibility, coordinate activities, and cooperate with other departments and offices on matters of mutual concern.
- (h) Develop and supervise the effective and efficient implementation of departmental or office ~~operating policies and procedures~~, and continuously evaluate all departmental or office services.
- (i) Prepare an annual budget for the department or office, including revenue and expenditure projects, and submit same to the manager for review and processing in accordance with the annual budget policies adopted by the board and procedures established by the manager.
- (j) Manage departmental or office operations consistent with the adopted budget and monitor expenditures in order to ensure that activities of the department or office are consistent with the adopted budget.
- (k) Manage all personnel matters concerning the department or office consistent with adopted policies and procedures and with the collective bargaining agreements, and evaluate the performance of subordinates.
- (l) Be responsible for the proper upkeep and custody of all records, books, and property under the control of each department or office director.
- (m) Keep informed of, and inaugurate, the latest developments in the particular field for which the department or office director is responsible and, with the approval of the manager, implement such new practices as may be of benefit to county government and the general public.
- (n) Promote community knowledge and understanding of departmental or office activities through contact with the general public, civic groups, and state and local officials.

- 1 (o) Perform other functions as may be prescribed by the manager.

2
3 ARTICLE IV. - COUNTY ATTORNEY^[5]
4

5 Sec. 21.40. - Appointment; removal; qualifications.

6 The county attorney shall be appointed or removed by the board of county commissioners. The county
7 attorney shall be a member in good standing of the Florida Bar and, in addition, be admitted to practice
8 before the United States District Court for the Northern District.

9
10 Sec. 21.41. - Duties; responsibilities.

11 The county attorney shall be the attorney both for the board of county commissioners, the legislative
12 branch, and the county manager, the executive branch, except as may otherwise be provided by ordinance
13 or resolution. The duties and responsibilities of the county attorney shall include:

- 14 (a) Providing advice and representation for the legislative branch. At the direction of the board or as
15 required by statute, the county attorney is hereby authorized to represent any other separate
16 agency, legal entity, or governing body comprised of one or more county commissioner, created
17 by the board, subject to the county attorney's determination that no conflict exists.
- 18 (b) Providing advice and representation for the executive branch.
- 19 (c) Providing advice and representation for officers created under article VIII, section 1(d), of the
20 Florida Constitution, if requested by such officers, so long as that advice or representation does
21 not create a conflict with the advice and representation of the legislative branch.
- 22 (d) Providing advice and representation for the various boards, departments, offices, committees, or
23 agencies created by the legislative branch, or similar agencies or organizations created by
24 legislative action of the state legislature where the county attorney is designated to provide
25 representation.
- 26 (e) Prosecute and defend all legal actions by and against the county as approved by the board;
27 provided, however, the county attorney is authorized and directed to take such action on behalf
28 of the county as to protect the rights of the county in any legal action or to seek emergency relief,
29 pending an opportunity to request required approval of the board.
- 30 (f) Settling, adjusting or compromising affirmative claims on behalf of Alachua County, Florida, either
31 before or after suit is filed, when the amount of the claim does not exceed \$7,500.00. The county
32 attorney shall file, on a quarterly basis, a report with the board of county commissioners reflecting
33 the number of claims settled pursuant to this section and the monetary amount of settlement of
34 each claim.
- 35 (g) Select and employ a deputy county attorney, assistant county attorneys, attorneys, and other law
36 clerks, paralegals, and clerical positions as are required to properly perform the duties of the office
37 of county attorney and as are funded by the budget adopted by the board.
- 38 (h) Prepare and submit a proposed annual budget to the county manager for appropriations
39 necessary for the office of the county attorney to carry out of the full and faithful performance of
40 its responsibilities. The county manager shall include the county attorney's proposed annual
41 budget in the county manager's recommended budget The county attorney's proposed annual
42 budget and countywide midyear amendments shall be presented by the county attorney for board
43 consideration and included in the county manager's presentation of the annual operating budget
44 and countywide midyear amendments. Other budget amendments to the county attorney's
45 budget throughout the fiscal year will be presented by the county attorney for the board's
46 consideration.

47
48 Sec. 21.42. - Special attorneys.

49 Special attorneys shall be appointed only for the purposes and in the manner prescribed in this section.

- 1 (a) Special attorneys to the board may be appointed by motion, ordinance or resolution, providing a
2 description of the duties to be performed and the compensation to be paid.
- 3 (b) Special attorneys may be appointed to represent the county board in legal actions involving
4 specific matters or as subject-matter experts, subject to approval by the board. Such approval
5 shall be by motion.
- 6 (c) Bond counsel shall be selected and appointed by the board from one or more qualified names
7 submitted to the board by the county attorney and the county manager.

8
9 Sec. 21.43. - Compensation.

10 The board shall fix the compensation to be paid to the county attorney, and the county attorney shall
11 determine the compensation to be paid to the deputy county attorney and each assistant county attorney
12 from funds appropriated for such purpose by the board.

13
14 ARTICLE V. - DEPARTMENTS AND OFFICES^[6]

15
16 Sec. 21.50. - General provisions.

17 All functions under the direction and supervision of the manager shall be organized into departments
18 and offices, which departments and offices may be further organized, unified, or grouped under one central
19 director.

20
21 Sec. 21.51. - Establishment, Reorganization and Abolishment.

22 The following ~~departments of county government are hereby established to assist the manager in~~
23 ~~performing the executive functions of county government:~~

- 24 (a) ~~Department of administrative services.~~
25 (b) ~~Department of court services.~~
26 (c) ~~Department of public safety.~~
27 (d) ~~Department of growth management.~~
28 (e) ~~Department of community support services.~~
29 (f) ~~Department of public works.~~
30 (g) ~~Department of information and telecom services.~~
31 (h) ~~Department of facilities management.~~

32 The manager may create or abolish a department in conjunction with the annual budget process. This
33 code shall be reviewed annually and updated to reflect any changes in the above departments.

34 By administrative order, the county manager may establish, reorganize, or abolish departments and
35 offices in the Article III executive branch. The county manager shall provide such administrative order to
36 the board in a regularly scheduled meeting at least 30 calendar days prior to the effective date of the
37 order to permit the board members to state objections of the manager's order. By a majority vote of the
38 board, the board may overrule an administrative order issued pursuant to this section.

39 Sec. 21.52. - Department of administrative services.

40 There is hereby established a department of administrative services which shall be responsible for
41 management, operation, and control of certain support service functions of county government, and such
42 other duties and responsibilities as determined by the manager. There shall be a director of the department
43 of administrative services who shall be responsible for the administration of the department and shall
44 perform related duties as required. Within the department of administrative services, the following functions
45 will be performed:

- (a) ~~The equal opportunity functions of administering and enforcing local, state, and federal legislation related to employment, handicap accessibility, small and minority business, fair housing, and antidiscrimination practices.~~
- (b) ~~The personnel and labor relations functions, including policies and procedures related to personnel administration.~~
- (c) ~~The risk management functions, including the development and administration of comprehensive insurance and self-insurance programs, and other related risk management and employee benefit activities.~~
- (d) ~~The purchasing functions of developing and applying uniform procedures for the procurement of supplies, materials, services, equipment and construction in order to obtain prices most advantageous to the county, consistent with the provisions of the purchasing code.~~
- (e) ~~Such other duties or responsibilities as determined by the manager or as prescribed by ordinance.~~

~~Sec. 21.53. Reserved.~~

~~Sec. 21.54. Department of court services.~~

~~There is hereby established a department of court services which shall be responsible for the management, operation, and control of alternative programs. There shall be a director of the department who shall be responsible for the administration of the department and shall perform related duties as required. These responsibilities include:~~

- (a) ~~Operating and managing a structured work release program.~~
- (b) ~~Operating and managing a residential drug treatment program to Alachua County residents and other appropriate referrals.~~
- (c) ~~Managing all county programs which provide alternative solutions to incarceration such as pretrial services, county probation, community service, and services to those offenders sentenced to perform other community corrections sanctions as may be appropriate. This includes working cooperatively with all components of the criminal justice system and the community to coordinate other related services.~~
- (d) ~~Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.~~

~~Sec. 21.55. Reserved.~~

~~Sec. 21.56. Department of fire rescue.~~

~~There is hereby established a department of fire rescue which shall be responsible for ensuring the health, safety, and welfare of county citizens through the management, operation, and control of fire, rescue, emergency medical services, and emergency response functions of county government. There shall be a chief of the department of fire rescue who shall be responsible for the administration of the department of fire rescue and shall perform related duties as required. These responsibilities include:~~

- (a) ~~Responding to all emergency calls.~~
- (b) ~~Emergency Management and the planning and implementing disaster preparedness and all related civil defense functions as required by state and federal regulations.~~
- (c) ~~Providing fire protection and fire prevention services and administering fire contracts in the areas under the county's jurisdiction.~~
- (d) ~~Providing fire prevention and fire code enforcement services.~~
- (e) ~~Managing and coordinating of E-911 system countywide.~~

- (f) ~~Assigning uniform roadway names and uniform building numbering within the unincorporated area of the county and certain incorporated areas of the county pursuant to interlocal agreements, in accordance with the standards in Chapter 335.~~
- (g) ~~Providing pre-hospital emergency medical services and countywide emergency and non-emergency medical transport services.~~
- (h) ~~Such other duties and responsibilities as determined by the county manager or as prescribed by ordinance.~~

Sec. 21.57. ~~Department of growth management.~~

~~There is hereby established a department of growth management which shall be responsible for the management of growth through regulatory rules and planning services. There shall be a director of the department of growth management who shall be responsible for the administration of the department and shall perform related duties as required. Within the department of growth management, the following functions will be performed:~~

- (a) ~~The codes enforcement functions of permitting of all activity related to zoning regulations and other development regulations, and enforcement procedures to ensure the health and safety of citizens in the unincorporated area of the county. These responsibilities include:
 - (1) ~~Issuance of all necessary permits and citations in accordance with all applicable laws, ordinances, resolutions, rules, regulations, and standards.~~
 - (2) ~~Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.~~~~
- (b) ~~Management, operation, and coordination of the functions of the Board of County Commissioners geographic information system.~~
- (c) ~~The planning and development functions of management, operation and control of planning services of county government. These responsibilities include:
 - (1) ~~Development, maintenance, monitoring and implementing of the elements of the comprehensive plan as required by state law.~~
 - (2) ~~Implementation of land development regulations.~~
 - (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.~~~~
- (d) ~~The functions of management, operation, and control of affordable housing programs of county government.
 - (1) ~~Planning, administration, and implementation of the Alachua County State Housing Initiatives Partnership (SHIP) Program as required by state law.~~
 - (2) ~~Planning, administration, and implementation of the Alachua County Community Development Block Grant (CDBG) Program in accordance with state and federal regulations.~~
 - (3) ~~Planning, administration, and implementation of the Alachua County Impact Fee Assistance Program.~~
 - (4) ~~Such other duties and responsibilities as determined by the manager or prescribed by ordinance.~~~~

Sec. 21.58. ~~Department of community support services.~~

~~There is hereby established a department of community support services which shall be responsible for the coordination and development of health and human services between federal, state, and local agencies for the more efficient utilization and delivery of health and human service resources. There shall be a director of the department who shall be responsible for the administration of the community support services department and shall perform related duties as required. Within the department of community support services, the following functions will be performed:~~

- 1 (a) ~~The social services functions of the administration and management of county programs which~~
2 ~~enhance the quality of life for certain eligible citizens of the county. These responsibilities include:~~
- 3 (1) ~~Medical assistance programs, counseling, and referral of clients to appropriate community~~
4 ~~resources.~~
- 5 (2) ~~Processing payments and providing mandated, contracted, and designated vital services~~
6 ~~for eligible clients.~~
- 7 (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
8 ~~ordinance.~~
- 9 (b) ~~The veterans' service functions of providing information and outreach services to all veterans,~~
10 ~~their dependents, and survivors in the county. These responsibilities include:~~
- 11 (1) ~~Assistance in filing claims and coordinating these services with all other veteran~~
12 ~~organizations in the county.~~
- 13 (2) ~~Provision of outreach for all municipalities, hospitals, nursing homes, and shut-ins within the~~
14 ~~county.~~
- 15 (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
16 ~~ordinance.~~
- 17 (c) ~~The crisis center functions of fostering and promoting, on a 24-hour basis, the emotional well-~~
18 ~~being of the citizens. These responsibilities include:~~
- 19 (1) ~~Provision of crisis intervention and suicide prevention through personal or telephone~~
20 ~~contact.~~
- 21 (2) ~~Response to community traumas, particularly in conjunction with the county's emergency~~
22 ~~management program.~~
- 23 (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
24 ~~ordinance.~~
- 25 (d) ~~The Victim Services & Rape Crisis Center functions of 24/7 hour response to victims of sexual~~
26 ~~assault and other personal injury crimes. The responsibilities include:~~
- 27 (1) ~~Accompany victims of sexual battery to the hospital during the initial rape examination and~~
28 ~~evidence collection.~~
- 29 (2) ~~Accompany and support victims through criminal justice proceedings.~~
- 30 (3) ~~Assistance with application process for victim compensation.~~
- 31 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
32 ~~ordinance.~~
- 33 (e) ~~The senior services program includes the functions of providing volunteer opportunities to senior~~
34 ~~citizens through the operation of two federal grants from the Corporation for National and~~
35 ~~Community Service, and working to improve the quality of life for all senior citizens and their~~
36 ~~families.~~
- 37 (1) ~~Provision of training and placement services for low income volunteers 60+ years of age~~
38 ~~with special needs children in schools and other programs serving children throughout~~
39 ~~Alachua County.~~
- 40 (2) ~~Recruitment and placement of volunteers ages 55+ in non-profit agencies, propriety health~~
41 ~~care facilities, and government programs throughout the county.~~
- 42 (3) ~~Advocate for meeting the current and future needs of the population through participation~~
43 ~~in community-wide planning efforts.~~
- 44 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
45 ~~ordinance.~~

- 1 (f) ~~The public health functions of providing public health services and programs for county residents~~
2 ~~are funded and authorized under the Department of Health. These responsibilities include:~~
- 3 (1) ~~Preventative and personal health programs.~~
- 4 (2) ~~Environmental regulation through the environmental enforcement of appropriate rules and~~
5 ~~statutes in the areas of food, water, sanitary nuisance, community hygiene, and coordination~~
6 ~~of groundwater testing of drinking water supplies.~~
- 7 (3) ~~Primary care through the provision of medical services to identified populations eligible for~~
8 ~~care.~~
- 9 (4) ~~Such other duties and responsibilities as determined by the manager and the department~~
10 ~~of health.~~
- 11 (g) ~~The cooperative extension function in conjunction with the University of Florida, as described in~~
12 ~~a memorandum of understanding. These responsibilities include:~~
- 13 (1) ~~Informal educational programs and problem-solving information to the residents of Alachua~~
14 ~~County in the broad areas of agriculture, 4-H youth development, and family and consumer~~
15 ~~sciences.~~
- 16 (2) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
17 ~~ordinance.~~
- 18 (h) ~~The CHOICES Indigent Health Care Program. Community Health Offering Innovative Care and~~
19 ~~Educational Services is established in accordance to the Florida Statute and enabling County~~
20 ~~Ordinance to provide a broad range of health care services to indigent and medically poor~~
21 ~~Alachua County residents which include:~~
- 22 (1) ~~Programs designed to improve access to healthcare services.~~
- 23 (2) ~~The provision of primary and preventive healthcare services~~
- 24 (3) ~~Programs and services that provide for the innovative education, treatment, and~~
25 ~~management of chronic diseases.~~
- 26 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
27 ~~ordinance.~~
- 28 (i) ~~The Poverty Reduction Program functions to reduce the impacts of poverty among county~~
29 ~~residents through the following activities:~~
- 30 (1) ~~Identify barriers to economic wellbeing;~~
- 31 (2) ~~Identify resources and strategies needed to mitigate those barriers;~~
- 32 (3) ~~Plan and implement anti-poverty projects within the County, addressing both~~
33 ~~demographically and geographically based communities in need of assistance;~~
- 34 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
35 ~~ordinance.~~
- 36 (j) ~~Partners For A Productive Community Program includes the functions of providing programs,~~
37 ~~services, and resources to residents in at-risk communities. These responsibilities include:~~
- 38 (1) ~~Maintaining and developing partnerships with area agencies and organizations to deliver~~
39 ~~services in a timely, efficient, and cost-effective manner.~~
- 40 (2) ~~Reducing the impact of poverty through community revitalization.~~
- 41 (3) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
42 ~~ordinance.~~
- 43 (k) ~~The Community Agency Partnership Program (CAPP) functions to administer the BoCC's~~
44 ~~supplemental funding program for non-profit agencies and organizations. These responsibilities~~
45 ~~include:~~

- (1) Coordinating the County's competitive funding process;
- (2) Acting as a liaison with the respective advisory boards/committees;
- (3) Drawing up and monitoring contracts;
- (4) Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.

Sec. 21.59. Reserved.

Sec. 21.60. Department of public works.

There is hereby established a department of public works which shall be responsible for the management, operation, and control of public works functions of county government, and such other duties and responsibilities as determined by the manager. There shall be a director of the department of public works who shall be responsible for the administration of the department. Within the department of public works, the following functions will be performed:

(a) The maintenance functions of fleet management, parks and recreation, road and bridge maintenance, and traffic maintenance, which include the following duties:

- (1) Operation of a vehicle maintenance and repair program to perform preventative maintenance and corrective repairs on all county vehicular equipment.
- (2) Distribution and management of vehicle, fuel, and repair parts.
- (3) Management of a vehicle replacement fund.
- (4) Management, operation, development, and control of parks and recreation functions of county government and monitoring the program recreation contracts and/or delivery of program recreation services in the unincorporated area of the county.
- (5) Provision of a safe, well-maintained county-wide transportation network of roads, highways, bridges, and associated rights-of-way.
- (6) Acquisition of real property; land surveying services, and management of all records for county-owned property.
- (7) Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.

(b) The engineering functions of design, development review, and field inspections, which include the following duties:

- (1) Monitoring engineering services and construction, as well as construction inspection.
- (2) Provision of permitting activities within county rights-of-way.
- (3) Managing county transportation improvement projects, streets, and drainage facilities being dedicated to the county and private, residential, industrial, and commercial site improvements.
- (4) Such other duties and responsibilities as determined by the manager or as prescribed by ordinance.

(c) The solid waste and waste collection functions, which include:

- (1) Management, operation, and control of solid waste functions of county government, including proper disposal of all generated solid waste.
- (2) Managing the county's mandatory solid waste collection program.
- (3) Ensuring compliance with state law which requires the county to take the lead role in managing solid waste disposal options such as recycling and composting programs.

1 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
2 ~~ordinance.~~

3 (d) ~~The animal control functions of managing, operating, and controlling this function. These~~
4 ~~responsibilities include:~~

5 (1) ~~Provision of a safe and humane animal shelter facility.~~

6 (2) ~~Enforcement of county animal control ordinances under the county's jurisdiction and specific~~
7 ~~contract areas.~~

8 (3) ~~Provision of public information related to the licensing, vaccination, sterilization, adoption,~~
9 ~~and general care of pets.~~

10 (4) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
11 ~~ordinance.~~

12
13 ~~Sec. 21.61. Department of environmental protection.~~

14 ~~There is hereby established a department of environmental protection which shall be responsible for~~
15 ~~the management, operation and control of environmental functions of county government and such other~~
16 ~~duties and responsibilities as determined by the manager or as prescribed by ordinance. There shall be a~~
17 ~~director of the department of environmental protection who shall be responsible for the administration of~~
18 ~~the department. Within the department of environmental protection, the following functions will be~~
19 ~~performed: The environmental monitoring and inspection functions, which include:~~

20 (1) ~~Monitoring and inspection of surface water, groundwater, sewage treatment plants and landfills~~
21 ~~in the county;~~

22 (2) ~~Administering the county's hazardous materials management code;~~

23 (3) ~~Protecting the county's natural resources;~~

24 (4) ~~Administering applicable land development regulations;~~

25 (5) ~~Inspecting regulated storage tank facilities to ensure compliance with local, state and federal~~
26 ~~regulations;~~

27 (6) ~~Performing cleanups associated with the Super Act Program;~~

28 (7) ~~Providing for the collection and proper disposal of household hazardous wastes;~~

29 (8) ~~Such other duties and responsibilities as determined by the manager or as prescribed by~~
30 ~~ordinance.~~

31
32 ~~Sec. 21.62. Department of information and telecom services.~~

33 ~~There is hereby established a department of information services which is responsible for the~~
34 ~~management, operation and control of information functions of county government within the department;~~
35 ~~the following functions will be performed:~~

36 (1) ~~Providing data processing services by installing, testing, evaluating, and maintaining software~~
37 ~~and hardware systems;~~

38 (2) ~~Managing the telephone system;~~

39 (3) ~~Providing technical support and assistance to county government departments, including the~~
40 ~~constitutional officers.~~

41
42 ~~Sees. 21.63. Reserved.~~

43
44 ~~Sec. 21.64. Department of facilities management.~~

45 ~~There is hereby established a department of facilities management which shall be responsible for the~~
46 ~~management, operation and control of certain facilities management functions of county government, and~~

1 such other duties and responsibilities as determined by the manager. There shall be a director of the
2 department of facilities management who shall be responsible for the administration of the department and
3 shall perform related duties as required. Within the department of facilities management, the following
4 functions will be performed:

5 (a) ~~The maintenance and repairs of equipment, grounds and county buildings.~~

6 (b) ~~The management of the renovation, addition and new construction of county buildings.~~

7 (c) ~~The planning and implementation of energy conservation measures in county buildings and~~
8 ~~facilities including the forecasting and monitoring of energy savings.~~

9 (d) ~~The negotiations and monitoring of facilities lease and rental agreements.~~

10 (e) ~~Such other duties or responsibilities as determined by the manager or prescribed by ordinance.~~

11 **SECTION 2. Repealing Clause.** All ordinances or portions thereof in conflict herewith
12 are, to the extent of such conflict, hereby repealed.

13 **SECTION 3. Modification.** It is the intent of the Board of County Commissioners that
14 the provisions of this ordinance may be modified as a result of considerations that may arise
15 during public hearings. Such modifications shall be incorporated into the final version of the
16 ordinance adopted by the Board and filed by the Clerk to the Board.

17 **SECTION 4. Severability.** If any word, phrase, clause, paragraph, section or provision
18 of this ordinance or the application hereof to any person or circumstance is held invalid or
19 unconstitutional, such finding shall not affect the other provisions or applications of the
20 ordinance which can be given effect without the invalid or unconstitutional provisions or
21 application, and to this end the provisions of this ordinance are declared severable.

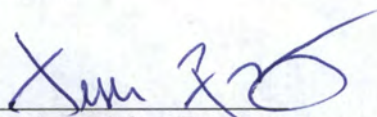
22 **SECTION 5. Inclusion in the Code.** It is the intent of the Board of County
23 Commissioners of Alachua County, Florida, and it is hereby provided that the provisions of this
24 ordinance shall become and be made a part of the Code of Ordinances of Alachua County,
25 Florida; that the section of this ordinance may be renumbered or re-lettered to accomplish such
26 intent and that the word "ordinance" may be changed to "section", "article", or other appropriate
27 designation.

1 **SECTION 6. Effective Date.** A certified copy of this ordinance shall be filed with the
2 Department of State by the Clerk of the Board within ten (10) days after enactment by the
3 Board and shall take effect upon filing with the Department of State.

4
5
6 **DULY ADOPTED** in regular session, this 26th day of March, 2019.


7
8 **BOARD OF COUNTY COMMISSIONERS OF**
9 **ALACHUA COUNTY, FLORIDA**

10
11 ATTEST:

12 
13 _____
14 J. K. "Jess" Irby, Esq.
15 Clerk of Court

12 BY: Charles S. Chestnut, IV
13 Charles S. Chestnut, IV, Chair
14 Board of County Commissioners

15
16
17 APPROVED AS TO FORM

18 
19 _____
20 County Attorney

21
22 (SEAL)