

Legislation Text

File #: 2023-523, **Version:** 1

Title:

Consider a Resolution amending the Seminole County Administrative Code, Amending Appendix A, Operating Policies and Procedures of the Seminole County Board of County Commissioners (**Rebecca Hammock, Project Manager**).

Division:

Development Services - Planning and Development

Authorized By:

Darren Gray, County Manager

Contact/Phone Number:

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Motion/Recommendation:

1. Adopt the Resolution amending Seminole County Administrative Code Appendix A, Operating Policies and Procedures of the Seminole County Board of County Commissioners.
2. Deny adoption of the Resolution amending Seminole County Administrative Code Appendix A, Operating Policies and Procedures of the Seminole County Board of County Commissioners.
3. Continue the request to a time and date certain.

Background:

The proposed Resolution makes the following revisions:

- Amends Section 2.35 Regular Meetings to change the time of the BCC meeting from 9:30 am to 9:00 am.
- Amends Section 2.40(A) Work Session Meetings to: change the day of the meeting from the third Tuesday of the month to the second Tuesday of the month; change the start time of the meetings from 9:30 am to 9:00 am; and

insert new text stating that the Board may designate additional work session meetings on non-regular meeting days.

- Amends Section 2.85(A)(5) Applicant Continuance Requests to require a fee to re-advertise and re-notice hearings for items where the applicant has requested a continuance. Payment must be made to the County within ten (10) business days of the continuance being granted by the Board of County Commissioners.

Previously, if an item were continued to a time and date certain by the Board of County Commissioners it was not required to be re-advertised. However, based on the Fourth District Court of Appeals' decision in *Testa v. Town of Jupiter*, the Interim County Attorney, Paul Chipok, recommends that prospectively all applicant requested continuances, where required, be re-advertised, and re-noticed.

There is an additional cost associated with re-advertising and re-noticing items; therefore, the Resolution proposes to amend Section 2.85(A)(5), Applicant Continuance Requests, to require a fee of \$450 for hearing items requiring a legal advertisement and \$600 for items requiring a display advertisement. A worksheet demonstrating how the proposed fees were derived is attached for reference.

Staff Recommendation:

Recommend the Board of County Commissioners adopt the Resolution amending Seminole County Administrative Code Appendix A, Operating Policies and Procedures of the Seminole County Board of County Commissioners.