

ORDINANCE NO. 2006- 34

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, BY ADDING A NEW ARTICLE XI TO BE ENTITLED "DISCRETIONARY FUNDING GUIDELINES"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, over the past several years there has been a substantial increase in non-departmental funding requests and organizations seeking funding outside the normal budget process; and

WHEREAS, the Board of County Commissioners desires to adopt an ordinance governing the allocation of County discretionary funds;

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, that:

Section 1. Chapter 2 of the Code of Laws of Leon County, Florida, is hereby amended by adding a new Article XI entitled "Discretionary Funding Guidelines," which shall read as follows:

ARTICLE XI. DISCRETIONARY FUNDING GUIDELINES

Sec. 2-600. Application of article.

This article shall govern the allocation of discretionary funds and provide the Board a maximum amount of annual funding available in each of the following fund categories:

- (a) Community Human Services Partnership Fund;
- (b) Community Human Services Partnership – Emergency Fund;
- (c) Commissioner District Budget Fund;
- (d) Midyear Fund;

- (e) Non-Departmental Fund; and
- (f) Youth Sports Teams Fund.

Sec. 2-601. Annual appropriation.

Funding for the purposes set forth in this article shall be subject to an annual appropriation by the Board in accordance with this article.

Sec. 2-602. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Community Human Services Partnership Fund shall mean funds eligible for allocation to social service programs.

Community Human Services Partnership - Emergency Fund shall mean funds eligible for allocation for one time funding to meet an emergency situation.

Commissioner District Budget Fund shall mean funds eligible for allocation to each Commissioner for activities relating to his or her district or the County at large.

Emergency Situation shall mean those exigent circumstances that would prohibit or severely impact the ability of a currently funded Community Human Services Partnership (CHSP) agency to provide services.

Midyear Fund shall mean funds eligible for allocation for requests that occur outside of the regular budget process.

Non-Departmental Fund shall mean funds eligible for allocation for non-profit entities that are included, by direction of the Board, as part of the regular adopted budget.

Non-profit shall mean an entity that has been designated as a 501(c)(3) eligible by the U.S Internal Revenue Services and/or registered as a non-profit entity with the Florida Department of State.

Youth Sports Teams Fund shall mean funds eligible for allocation for temporary and nonrecurring youth sporting events such as tournaments and playoffs, and events recognizing their accomplishments.

Sec. 2-603. Application process.

(a) The County Administrator or his designee is authorized to develop forms and procedures to be used by a non-profit, group or individual when submitting a request for funding consistent with the provisions herein.

(b) The County Administrator or his designee shall establish a process for evaluating requests for funding made pursuant to this article.

Sec. 2-604. Funding category guidelines.

(a) Community Human Services Partnership Program Fund.

(1) Non-profits eligible for Community Human Service Partnership (CHSP) funding are not eligible for funding in any other county government funding category, except when requesting funding for an activity that is not CHSP eligible, such as capital improvements.

(2) Annually, as part of the budget process, the Board shall confirm the allocation of funding set aside for the Community Human Services Program.

(b) Community Human Services Partnership Program - Emergency Fund.

- (1) Non-profits that are funded through the CHSP process are eligible to apply for emergency, one time funding through the Community Human Services Partnership Program - Emergency Fund.
- (2) Annually, as part of the budget process, the Board shall confirm the allocation of funding set aside for the Community Human Services Partnership Program - Emergency Fund.
- (3) These funds are available to any agency that is currently funded through the CHSP process.
- (4) The request for emergency funding shall be made at a regular meeting of the Board. If deemed appropriate, the request for emergency funding shall then go before a CHSP sub-committee consisting of members from the CHSP review boards of each of the partners (Leon County, the City of Tallahassee, and the United Way of the Big Bend). The sub-committee shall determine if the situation would qualify as an Emergency Situation and what amount of financial support would be appropriate. The CHSP shall then make a recommendation to the County Administrator, who is authorized to approve the recommendation for funding.
- (5) In the event the Board does not meet in a timely manner, as it relates to an agency's request, the County Administrator shall have the authority to appropriate expenditures from this account.

(c) Commissioner District Budget Fund.

- (1) Annually, as part of the budget process, the Board shall determine the allocation of funding set aside for the Commissioner District Budget Fund.
 - (2) Expenditures shall only be authorized from this account at a regular meeting of the Board.
- (d) Midyear Fund.
- (1) Non-profits, groups or individuals that do not fit into any of the other categories of discretionary funding as outlined in this article are eligible to apply for midyear funding.
 - (2) Annually, as part of the budget process, the Board shall determine the allocation of funding set aside for the Midyear Fund.
 - (3) In the event the Board does not meet in a timely manner, as it relates to a funding request, the County Administrator shall have the authority to appropriate expenditures from this account. Such action is thereafter required to be ratified by the Board.
- (e) Non-Departmental Fund.
- (1) Non-profits eligible for non-departmental funding are not eligible for funding in any other category. Eligible funding activities in this category are festivals and events and outside service agencies.
 - (2) Annually, as part of the budget process, the Board shall determine the allocation of funding set aside for the Non-Departmental Fund.

- (3) Non-profits eligible for funding through the Cultural Resources Commission (CRC) Leon County Grant Program (funded through the non-departmental process) are not eligible for funding in any other category.
- (f) Youth Sports Teams Fund.
- (1) Non-profits or athletic teams of the Leon County school system that are eligible for the County's Youth Athletic Scholarship Program are not eligible for funding pursuant to this Article.
 - (2) Annually, as part of the budget process, the Board shall determine the amount of funding pursuant to this Article.
 - (3) The award for Youth Sports Teams shall not exceed \$500 per team.
 - (4) Youth Sports Teams requesting funding from the Board shall first submit their requests in writing to the County Administrator or his or her designee for review and evaluation. The request must include certified documentation establishing the legitimacy of the organization.
 - (5) Funding will be allocated on a first-come, first-served basis. In the event that more than one request is received concurrently when the fund's balance is reduced to \$500, the remaining \$500 will be divided equally among the applicants meeting the evaluation criteria.
 - (6) Applicants must have participated in a City, County, or school athletic program during the year in which funding is sought.
 - (7) Team participants must be 19 years of age or younger.

- (8) The requested funding shall support post-season activity, e.g., tournaments, playoffs, or awards banquets associated with extraordinary performance.
 - (9) In the event the Board does not meet in a timely manner, as it relates to a Youth Sports Teams' request, the County Administrator shall have the authority to appropriate expenditures from this account. Such action is thereafter required to be ratified by the Board.
- (g) **Appropriation Process.** Annually, prior to March 1, the Board shall:
- (1) Determine the amount of funding set aside for each funding category identified in this Article;
 - (2) Determine the list of permanent line item funded entities that can submit applications for funding during the current budget cycle; and
 - (3) Provide direction to staff on additional appropriation requests that should be considered as part of the tentative budget development process.

Section 2. **Conflicts.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, except to the extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended, which provisions shall prevail over any parts of this ordinance which are inconsistent, either in whole or in part, with the said Comprehensive Plan.

Section 3. **Severability.** If any word, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words

shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date. This ordinance shall have effect upon becoming law.

DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon County, Florida, this 14th day of November, 2006.

LEON COUNTY, FLORIDA



BY: Bill Proctor
BILL PROCTOR, CHAIRMAN
BOARD OF COUNTY COMMISSIONERS

ATTESTED BY:
BOB INZER, CLERK OF THE COURT

BY: [Signature]
CLERK

APPROVED AS TO FORM:
COUNTY ATTORNEY'S OFFICE
LEON COUNTY, FLORIDA

BY: [Signature]
HERBERT W.A. THIELE, ESQ.
COUNTY ATTORNEY