



Legislation Text

File #: 24-1687, **Version:** 1

Interoffice Memorandum

DATE: October 30, 2024

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: Jeffrey Newton, County Attorney

FROM: Joy Carmichael, Assistant County Attorney

CONTACT: Joy Carmichael, Assistant County Attorney

PHONE: 407-836-7320

DIVISION: County Attorney's Office

ACTION REQUESTED:

Approval of a new Administrative Regulation, titled "Language Assistance Services - Title VI Limited English Proficiency Plan" and proposed revisions to the following Administrative Regulations: Administrative Regulation 2.09.01, titled "Compliance with the Sunshine Law - Meetings of County Advisory Boards," Administrative Regulation 6.17, titled "Neighborhood Grant Program," Administrative Regulation 8.09, titled "Development of Facilities Exempt from County Zoning Regulations - Public Meeting Procedures," and Administrative Regulation 11.05.07, titled "Sidewalk Policy."

PROJECT: N/A

PURPOSE: In accordance with certain federal requirements, Orange County adopts an Orange County Title VI Nondiscrimination Policy and Plan triennially. To comply with federal law and to retain eligibility for federal funds, all Orange County departments and divisions must comply with the Title VI Policy and Plan in their activities, programs, and projects.

During the triennial recertification process in 2021, the Transportation Planning Division of the Planning, Environmental, and Development Services Department determined to update certain administrative regulations to comply with the Title VI Policy and Plan. Those proposed revisions pertain to updating the notice requirements for public meetings to require certain additional translated text; updating requirements for compliance with the Americans with Disabilities Act of 1990 (ADA)

and the Public Right of Way Accessibility Guidelines (PROWAG) standards for neighborhood grants; and updating requirements for the prioritization criteria for the sidewalk request policy to include identification and addressing of the disproportionately adverse effects of an agency's programs, policies, and activities on minority and low-income populations.

The Title VI Policy and Plan includes a Title VI Limited English Proficiency Plan (also referred to as the "LEP Plan"). The Title VI Limited English Proficiency Plan sets forth the County's determinations of the extent to which residents of Orange County require language assistance services and describes the language assistance services that the County will provide to meet the needs of such residents. Following the Board's adoption of the Resolution and the corresponding Title VI Nondiscrimination Policy and Plan on April 5, 2022, the Board voted on October 10, 2023, to incorporate the provisions of the Title VI Limited English Proficiency Plan into an administrative regulation. The proposed Title VI Limited English Proficiency Plan administrative regulation informs staff of the requirements of the Title VI Limited English Proficiency Plan and provides guidance to department directors and division managers for training staff to utilize various resources to provide language assistance services to residents.

The proposed revisions to the current administrative regulations and the proposed new administrative regulation for the Title VI Limited English Proficiency Plan were reviewed and circulated among the affected departments and divisions to ensure that the regulations will meet the needs of Orange County. The revisions proposed by staff were revised as necessary following legal review and incorporated into the draft administrative regulations.

BUDGET: N/A

PROPOSED “NEW” ADMIN REG

10/31/2024

 ORANGE COUNTY ADMINISTRATIVE REGULATIONS	No.: NEW
	Date:
	Approved By:
Title: LANGUAGE ASSISTANCE SERVICES – TITLE VI LIMITED ENGLISH PROFICIENCY PLAN	Page 1 of 5

I. POLICY

In compliance with Title VI of the Civil Rights Act of 1964, all County employees shall protect and safeguard the right and opportunity of all individuals to be free from all forms of discrimination, including discrimination based on national origin and shall ensure that persons who have a limited proficiency in English are not discriminated against or denied the opportunity for meaningful access to and participation in County programs, services, and activities. Persons who have limited proficiency in English are individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. Such persons are eligible to receive language assistance to understand a particular service, benefit, or encounter. In accordance with federal Executive Order 13166 and its implementing guidance, the County has taken reasonable steps to ensure meaningful access to programs and activities by persons who have limited proficiency in English.

A. Background

In accordance with certain federal requirements, the County adopts a Title VI Limited English Proficiency Plan triennially, as part of the Orange County Title VI Nondiscrimination Policy and Plan. The Limited English Proficiency Plan (also referred to as “LEP Plan”) sets forth the County’s determinations of the extent to which residents of the County require language assistance services and the language assistance services that the County will provide. The Limited English Proficiency Plan is located on the Title VI webpage of the Orange County website.

B. Scope of Limited English Proficiency Plan

Through the Limited English Proficiency Plan, the County has established resources and tools to assist persons with limited proficiency in English in accessing the County’s programs, services, and activities. Those resources and tools include the following:

1. Oral interpretation;
2. Translation of written documents;
3. “I Speak” cards; and
4. Notices in English and Spanish.



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For purposes of this policy and its implementing procedures, the following definitions apply:

Bilingual Staff: Persons who are fluent in two languages, including those who are fluent in agency terminology and, therefore, able to conduct the business of their workplace in both languages.

Competent Translators: Persons who possess competence in providing for the linguistic, cultural, factual, and technical information in the replacement of written text from one language (source language) into an equivalent or best matching written text in another language (target language).

Interpretation: The act of listening to something in a source language and orally translating it into a target language.

Competent Interpreters: Persons who possess competence in listening with understanding of the linguistic, cultural, factual, and technical information in a source language and orally translating such information into a target language with competence in conveying the linguistic, cultural, factual, and technical information into the target language.

Translation: The replacement of written text from a source language into an equivalent or best matching written text of a target language.

LEP persons: Persons who do not speak English as their primary language, who have a limited ability to read, write, speak, or understand English, and who are eligible to receive language assistance to understand a particular service, benefit, or encounter.

Vital Documents: Documents that contain information on individual rights and vital services, programs, and activities provided by the County and that have been classified as vital documents pursuant to the LEP Plan.

C. Responsibilities, powers, and duties of Title VI/Nondiscrimination Coordinator

The Title VI/Nondiscrimination Coordinator is responsible for oversight and implementation of the Limited English Proficiency Plan and shall exercise the powers and duties set forth in the County's Title VI Nondiscrimination Policy and Plan, and as otherwise assigned.

II. PROCEDURES

A. General guidelines. Department directors shall ensure that all County divisions have appropriate language assistance resources and appropriate staff training to use language assistance



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resources. To provide appropriate language assistance resources for each division, department directors shall consider the following four factors (“four factor analysis”):

1. Number and proportion of LEP persons served;
2. Frequency of interactions with LEP persons;
3. Nature and importance of program; and
4. Resources available.

B. Oral interpretation. Department directors shall guide division managers in applying the *four factor analysis* to determine the appropriate resources to provide oral language assistance services. The following resources shall be considered and utilized if determined appropriate for oral language assistance:

1. “I Speak” cards;
2. County’s 311 service for language interpretation;
3. Bilingual staff;
4. Competent contract interpreters;
5. Telephone interpreter lines;
6. Community volunteers; and
7. Family members and friends of the LEP person, in limited circumstances.

C. Written Translation. Department directors shall guide division managers in applying the *four factor analysis* to evaluate translated documents and to prepare the translation of additional vital documents.

Prior to board and committee meetings, workshops, and public hearings, County staff shall provide notification of the availability of language assistance services, free of charge, on the County’s website, within meeting notices, and on each agenda in English, Spanish, and Haitian Creole. County staff shall provide meeting notices in other languages, as deemed appropriate for meetings involving a significantly large group of LEP persons who speak a language other than Spanish and Haitian Creole. County staff shall determine the need for additional notification to LEP persons by considering the nature of the meeting or event.

The standard notice of the availability of language assistance services shown on the County’s website, newsletters, and other general announcements shall be substantially in the form shown below, and updated as the listed contact information is changed from time to time:

Orange County does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), and those requiring language assistance (free of charge) should contact the Title VI/Nondiscrimination Coordinator at access@ocfl.net or by calling 3-1-1



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(407-836-3111).

El Condado de Orange no discrimina por motivos de raza, color, origen nacional, sexo, edad, religión, discapacidad o situación familiar. Aquellos que tengan preguntas o inquietudes sobre la no discriminación, aquellos que requieran asistencia especial según la Ley de Estadounidenses con Discapacidades (ADA) y aquellos que requieran asistencia lingüística (gratuita) deben comunicarse con el Coordinador de No Discriminación/Título VI en access@ocfl.net o llamando 3-1-1 (407-836-3111).

Orange County pa fè diskriminasyon sou baz ras, koulè, orijin nasyonal, sèks, laj, relijyon, andikap oswa sityasyon fanmi. Moun ki gen kesyon oswa enkyetid konsènan non diskriminasyon, moun ki bezwen asistans espesyal dapre Lwa Ameriken andikape yo (ADA), ak moun ki bezwen asistans nan lang (gratis) ta dwe kontakte Kowòdonatè Tit VI/Nondiscrimination nan access@ocfl.net oswa lè yo rele 3. -1-1 (407-836-3111).

To solicit requests for language assistance prior to an event, such as a community meeting, County staff shall modify the above-referenced standard notice form as follows:

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodation under the Americans with Disabilities Act (ADA), and those requiring translation services (free of charge) are asked to contact the Title VI Nondiscrimination Coordinator no less than (10) days before the event at access@ocfl.net or by calling 3-1-1 (407 -836-3111).

Se solicita la participación del público sin distinción de raza, color, origen nacional, edad, sexo, religión, discapacidad y situación familiar. Las personas que requieran adaptaciones especiales según la Ley de Estadounidenses con Discapacidades (ADA), y aquellas que requieran servicios de traducción (sin cargo), deben comunicarse con el Coordinador de No Discriminación del Título VI al menos (10) días antes del evento en access@ocfl.net o llamando al 3-1-1 (407-836-3111).

Nap mande patisipasyon piblik la san konsiderasyon ras, koulè, orijin nasyonal, laj, sèks, relijyon, andikap oswa sityasyon fanmilyal. Moun ki bezwen asistans espesyal dapre Lwa Ameriken pou Andikape yo (ADA), ak moun ki bezwen èd nan lang (gratis) dwe kontakte Kowòdonatè Tit VI/Non-diskriminasyon an pa mwens ke (10) jou anvan evènman an nan access@ocfl.net. oswa yo ka rele 3-1-1 (407-836-3111).



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D. **Complaint Procedures.** The County has established a nondiscrimination complaint procedure in the LEP Plan and will take prompt and reasonable action to investigate and eliminate discrimination. Upon receipt of a complaint from a person who complains that he or she has been subjected to discrimination based on race, color, national origin, sex, age, disability, religion, income, or familial status in any of the County's programs, services, or activities, County staff shall inform that person of the opportunity to file a complaint with the County's Title VI/Nondiscrimination Coordinator in writing at Orange County Administration, 201 South Rosalind Avenue, Orlando, FL 32801, in person, or via U.S. mail, or in any other manner specified in the LEP Plan. The Title VI/Nondiscrimination Coordinator shall receive, process, and investigate complaints in accordance with the procedures outlined in the LEP Plan.

E. **Staff Training.** The designated Title VI/Nondiscrimination Coordinator, with support of all department directors, shall share the LEP Plan and associated guidance with all departments and shall conduct LEP training for each department as provided in the LEP Plan. The scope and depth of LEP training shall depend upon the frequency of each department's and each division's interaction with LEP persons.

F. **Annual Report and Update on Title VI Nondiscrimination Efforts.** Each year, the Title VI/Nondiscrimination Coordinator shall present an annual Title VI LEP Update to the Board of County Commissioners. The Annual Title VI LEP Update shall include an inventory of LEP services, activities, and programs provided during the preceding year.

FOR MORE INFORMATION CONTACT:

Orange County Title VI/Nondiscrimination
Coordinator

REFERENCES:

Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq. 78 stat. 252; Executive Order No. 13,166, 65 Fed. Reg. 50,121 (Aug. 16, 2000); Orange County Resolution 2022-M-11 adopting Orange County Title VI Nondiscrimination Policy and Plan (April 2022)

PROPOSED REVISIONS

10/31/2024

	ORANGE COUNTY ADMINISTRATIVE REGULATIONS	No.: 2.09.01
		Date: 9/21/87
		Approved By: BCC Revised: 10/15/02; 6/27/06; 02/21/17
Title: COMPLIANCE WITH THE “SUNSHINE LAW” – MEETINGS OF COUNTY ADVISORY BOARDS		Page 1 of 14

I. POLICY

- A. All meetings of County advisory boards shall comply strictly with the requirements of section 286.011 of the Florida Statutes (the “Sunshine Law”).
- B. All advisory boards are presumed subject to the Sunshine Law unless the County Attorney identifies an express exemption in the Florida Statutes or a clear, unequivocal exemption in Florida case law.
- C. The Agenda Development Office (or such other County department or office as the County Administrator from time to time may designate) shall oversee and administer the compliance by advisory boards with the Sunshine Law and this Administrative Regulation.
- D. For purposes of this regulation, “advisory board” means all boards, commissions, task forces, committees, and other groups formed for the purpose of carrying out County functions and/or making recommendations to the Board of County Commissioners regarding County business or County matters. This includes not only the boards and committees that constitute “advisory boards” under Section 2-203 of the Orange County Code, but also any County board, commission, committee, or other group that otherwise is described in the previous sentence and is not otherwise exempt from the Sunshine Law. The term also includes County staff committees, such as the development review committee and procurement committees, but does *not* include groups of County employees assigned to County tasks where the group does not constitute a “board” or a “committee” for purposes of the Sunshine Law. Finally, the term includes all committees and sub-committees of an advisory board.
- E. For purposes of this regulation, “County bulletin board” means the bulletin board located on the first floor of the County Administration Center. This bulletin board is used for posting of all public meeting notices, long-range agendas, and Board of County Commissioners meeting agendas. Only the Agenda Development Office has the authority to post to this bulletin board.



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- F. No sign-in shall be required of any person desiring to attend any advisory board meeting, although individuals speaking at public hearings can be required to identify themselves by name and address.
- G. All meetings of County advisory boards shall be held in a County meeting room or office or in an office or meeting room at some governmental building where the public may freely attend, except in the case of a visit by the participating advisory board members to a site or sites which is or are the topic of the meeting. For site visits, the meeting shall be held at the site such that the public readily can attend the meeting and hear the discussion.

II. PROCEDURES

- A. Regular Meetings of County Advisory Boards
 - 1. The schedule shall be posted on the County bulletin board, and such posted schedule shall constitute the only required notice for regular meetings of the advisory board. The schedule shall be available for inspection by the public in the Agenda Development Office. The County staff shall endeavor to also post the schedule on the county internet website. However, failure to post the schedule on the website shall not be deemed as a failure to post the required notice. Furthermore, in the event the schedule posted on the website conflicts with or is not consistent with the schedule posted on the bulletin board, the schedule posted on the bulletin board shall control.
 - 2. The notice of and agenda for each regular meeting shall contain the following language:

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

La Sección 286.0105 de los Estatutos de Florida establece que si una persona decide apelar cualquier decisión tomada por una junta, agencia o comisión con respecto a cualquier asunto considerado en una reunión o audiencia, necesitará un registro de los procedimientos, y que, para tal efecto, podrá necesitar asegurarse de que se levante un acta literal del



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proceso, en la que se incluyan los testimonios y pruebas en que se basará la apelación.

Atik 286.0105, Lwa Florid, deklare ke si yon moun decide depoze yon apèl kont desizyon yon komite, ajans, oswa yon komisyon te pran konsènan yon sijè ki te diskite nan yon reyinyon oswa yon odyans, li pral bezwen yon rapò sou sa ki te diskite yo, e ke, pou rezon sa a, li ka bezwen asire ke li gen yon rapò egzak nan pwosedi ki te fèt la, enkli temwayaj ak prèv ke apèl la dwe baze a.

3. The notice of and agenda for each regular meeting also shall contain the following language:

~~In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at 407-836-5631.~~

~~Para mayor información en español, por favor llame al 407-836-3111.~~

~~Orange County does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), and those requiring language assistance (free of charge) should contact the Title VI/Nondiscrimination Coordinator at access@ocfl.net or by calling 3-1-1 (407-836-3111).~~

~~If you are hearing or speech impaired, you may reach the phone numbers above by dialing 711.~~

~~El Condado de Orange no discrimina por motivos de raza, color, origen nacional, sexo, edad, religión, discapacidad o situación familiar. Aquellos que tengan preguntas o inquietudes sobre la no discriminación, aquellos que requieran asistencia especial según la Ley de Estadounidenses con Discapacidades (ADA) y aquellos que requieran asistencia lingüística (gratuita) deben comunicarse con el Coordinador de No Discriminación/Título VI en access@ocfl.net o llamando 3-1-1 (407-836-3111).~~



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Si tiene problemas de audición o del habla, puede comunicarse con los números de teléfono anteriores marcando 711.

Komin Oranj pa fè diskriminasyon sou baz ras, koulè, orijin nasyonal, sèks, laj, relijyon, andikap oswa sityasyon famiyal. Moun ki gen kesyon oswa enkyetid konsènan non-diskriminasyon, moun ki bezwen asistans espesyal daprè Lwa Ameriken pou Andikape yo (ADA), ak moun ki bezwen èd nan lang (gratis) dwe kontakte Kowòdonatè Tit VI/Non-diskriminasyon an nan access@ocfl.net oswa yo ka rele 3-1-1 (407-836-3111).

Si w soud oswa bèbè, ou ka rele nimewo telefòn ki anwo, peze 711.

4. Except in the event of extraordinary circumstances beyond the control of the County, the agendas for regular meetings shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website no less than five full working days before the day of the meeting.
5. Minutes of regular meetings for each advisory board shall be taken and kept by the County department, division or other entity assigned to provide staff support for the advisory board.
6. The content of the meeting minutes shall include the date, time, location and topic or topics of the meeting, the names of the meeting participants, all official action (if any) taken by the advisory board at the meeting, and any other information as the advisory board members may elect to include.
7. The draft minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting. The draft minutes shall be issued with the word "DRAFT" as a watermark in the document.
8. The approved minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting at which the minutes were approved.

B. Special Meetings of County Advisory Boards

1. The Agenda Development Office shall provide a meeting notice form for all special meetings.



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2. Notice of each special meeting may be posted only by the Agenda Development Office, and each notice shall specify the date, time, location (including the street address), and specific topic or topics of the special meeting. The specified topic or topics in the notice shall be the only topic or topics that may be discussed and/or acted upon during the special meeting.
3. Notices of special meetings shall be posted on the County bulletin board, and County staff shall endeavor to post it on the County's internet website.
4. The notice of each special meeting shall be posted such that there are no fewer than two full working days between the day the notice is posted and the day the meeting takes place. The Agenda Development Office shall not post any special meeting notice that does not meet the time requirements listed herein.
5. Except in the event of extraordinary circumstances beyond the control of the County, the agendas for special meetings shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website no less than five full working days before the day of the meeting.
6. The notice of and agenda for each special meeting shall contain the following language:

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

La Sección 286.0105 de los Estatutos de Florida establece que si una persona decide apelar cualquier decisión tomada por una junta, agencia o comisión con respecto a cualquier asunto considerado en una reunión o audiencia, necesitará un registro de los procedimientos, y que, para tal efecto, podrá necesitar asegurarse de que se levante un acta literal del proceso, en la que se incluyan los testimonios y pruebas en que se basará la apelación.

Atik 286.0105, Lwa Florid, deklare ke si yon moun deside depoze yon apèl



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kont desizyon yon komite, ajans, oswa yon komisyon te pran konsènan yon sijè ki te diskite nan yon reyinyon oswa yon odyans, li pral bezwen yon rapò sou sa ki te diskite yo, e ke, pou rezon sa a, li ka bezwen asire ke li gen yon rapò egzak nan pwosedi ki te fèt la, enkli temwayaj ak prèv ke apèl la dwe baze a.

7. The notice of and agenda for each special meeting also shall contain the following language:

~~*In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at 407-836-5631.*~~

~~*Para mayor información en español, por favor llame al 407-836-3111.*~~

Orange County does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), and those requiring language assistance (free of charge) should contact the Title VI/Nondiscrimination Coordinator at access@ocfl.net or by calling 3-1-1 (407-836-3111).

If you are hearing or speech impaired, you may reach the phone numbers above by dialing 711.

El Condado de Orange no discrimina por motivos de raza, color, origen nacional, sexo, edad, religión, discapacidad o situación familiar. Aquellos que tengan preguntas o inquietudes sobre la no discriminación, aquellos que requieran asistencia especial según la Ley de Estadounidenses con Discapacidades (ADA) y aquellos que requieran asistencia lingüística (gratuita) deben comunicarse con el Coordinador de No Discriminación/Título VI en access@ocfl.net o llamando 3-1-1 (407-836-3111).

Si tiene problemas de audición o del habla, puede comunicarse con los números de teléfono anteriores marcando 711.



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Si w soud oswa bèbè, ou ka rele nimewo telefòn ki anwo, peze 711.

8. Minutes of special meetings shall be taken and kept by the County department, division or other entity assigned to provide staff support for the advisory board.
9. The content of the meeting minutes shall include the date, time, location, and topic or topics of the meeting, names of the meeting participants, the official action (if any) taken by the advisory board at the meeting, and any other information as the advisory board members may elect to include.
10. The draft minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting. The draft minutes shall be issued with the word "DRAFT" as a watermark in the document.
11. The approved minutes shall be available to the public at the assigned county Department, division, or other entity, and on the County's internet website within 10 working days following the meeting at which they were approved.

C. Emergency Meetings of County Advisory Boards

1. Emergency meetings may be held only in *bona fide* emergencies. A situation is a *bona fide* emergency only when there is a substantial probability that, without prompt action by the advisory board, the health or safety or fiscal welfare of the County and its citizens will be materially adversely affected.
2. The Agenda Development Office shall provide a meeting notice form for all emergency meetings.
3. Notices of emergency meetings may be posted only by the Agenda Development Office, and each notice must specify the date, time, location



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(including the street address) and the specific topic or topics of the emergency meeting. The specified topic or topics in the notices shall be the only topic or topics that may be discussed and/or acted upon at the emergency meeting.

4. Notice of each emergency meeting shall be posted on the County bulletin board, and County staff shall endeavor to post it on the County's internet website.
5. Notice of each emergency meeting shall be posted at least 24 hours before the meeting and shall be posted before 5:00 p.m. on the workday preceding the day of the meeting.
6. The notice of and agenda for each emergency meeting shall contain the following language:

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

~~*Para mayor información en español, por favor llame al 407-836-3111.*~~

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Atik 286.0105, Lwa Florid, deklare ke si yon moun decide depoze yon apèl kont desizyon yon komite, ajans, oswa yon komisyon te pran konsènan yon sijè ki te diskite nan yon reyinyon oswa yon odyans, li pral bezwen yon rapò sou sa ki te diskite yo, e ke, pou rezon sa a, li ka bezwen asire ke li gen yon rapò egzak nan pwosedi ki te fèt la, enkli temwayaj ak prèv ke apèl la dwe baze a.



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7. The notice of and agenda for each emergency meeting also shall contain the following language:

~~*In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at 407-836-5631.*~~

Orange County does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), and those requiring language assistance (free of charge) should contact the Title VI/Nondiscrimination Coordinator at access@ocfl.net or by calling 3-1-1 (407-836-3111).

If you are hearing or speech impaired, you may reach the phone numbers above by dialing 711.

El Condado de Orange no discrimina por motivos de raza, color, origen nacional, sexo, edad, religión, discapacidad o situación familiar. Aquellos que tengan preguntas o inquietudes sobre la no discriminación, aquellos que requieran asistencia especial según la Ley de Estadounidenses con Discapacidades (ADA) y aquellos que requieran asistencia lingüística (gratuita) deben comunicarse con el Coordinador de No Discriminación/Título VI en access@ocfl.net o llamando 3-1-1 (407-836-3111).

Si tiene problemas de audición o del habla, puede comunicarse con los números de teléfono anteriores marcando 711.

Komin Oranj pa fè diskriminasyon sou baz ras, koulè, orijin nasyonal, sèks, laj, relijyon, andikap oswa sitiyasyon familyal. Moun ki gen kesyon oswa enkyetid konsènan non-diskriminasyon, moun ki bezwen asistans espesyal daprè Lwa Ameriken pou Andikape yo (ADA), ak moun ki bezwen èd nan lang (gratis) dwe kontakte Kowòdonatè Tit VI/Non-diskriminasyon an nan access@ocfl.net oswa yo ka rele 3-1-1 (407-836-3111).

Si w soud oswa bèbè, ou ka rele nimewo telefòn ki anwo, peze 711.



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8. Notice of each emergency meeting shall be provided immediately by the Communications Division to the media, by telephone, fax, or email, and to other known interested parties and stakeholders by either telephone or email.
9. Minutes of emergency meetings shall be taken and kept by the County department, division or other entity assigned to provide staff support for the advisory board.
10. The content of the meeting minutes shall include the date, time, location, topic or topics of the meeting, names of the meeting participants, the official action (if any) taken, and any other information the advisory board members may elect to include.
11. The draft minutes shall be available to the public at the assigned County department, division, or other entity, and on the County's internet website within 10 working days following the meeting. The draft minutes shall be issued with the word "DRAFT" as a watermark in the document.
12. The approved minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting at which they were approved.

D. "Noticed" Meetings of County Advisory Board Members

1. For purposes of this part, a "noticed" meeting is any meeting between or among two or more advisory board members to discuss some matter on which foreseeable action will be taken by the advisory board, and does not constitute a regular, special, or emergency meeting of the advisory board under the County Charter or the Board's Rules of Procedures. A noticed meeting, therefore, constitutes a "meeting" for purposes of the Sunshine Law, but is not a meeting at which official advisory board action can be taken.
2. The Agenda Development Office shall generate a meeting notice for all noticed meetings.
3. Notice of each noticed meeting may be posted only by the Agenda Development Office, and each notice shall specify the date, location (including the street address), time, and specific topic or topics of the



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meeting. The specified topic or topics shall be the only topic or topics that may be discussed at the meeting.

4. The notices for each noticed meeting shall be posted such that there are no fewer than two full working days between the day the notice is posted and the day the noticed meeting is held. The Agenda Development Office shall not post any noticed meeting notice that does not meet the time requirements listed herein.
5. Except in the event of extraordinary circumstances beyond the control of the County, the agendas for noticed meetings shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website no less than five full working days before the day of the meeting.
6. Notices for all noticed meetings shall be posted on both the County's internet website and the County bulletin board.
7. The notice of and agenda for each noticed meeting shall contain the following language:

Section 286.0105, Florida Statutes, states that if a person decides to appeal any decision made by a board, agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

La Sección 286.0105 de los Estatutos de la Florida establece que si una persona decide apelar cualquier decisión tomada por una junta, agencia o comisión con respecto a cualquier asunto considerado en una reunión o audiencia, necesitará un registro de los procedimientos y que, para tal fin, es posible que deba asegurarse de que se haga un registro literal de los procedimientos. cuyo expediente incluye los testimonios y las pruebas en que se basará la apelación.

Atik 286.0105, Lwa Florid, deklare ke si yon moun decide depoze yon apèl kont desizyon yon komite, ajans, oswa yon komisyon te pran konsènan yon sijè ki te diskite nan yon reyinyon oswa yon odyans, li pral bezwen yon rapò sou sa ki te diskite yo, e ke, pou rezon sa a, li ka bezwen asire ke li gen yon rapò egzak nan pwosedi ki te fèt la, enkli temwayaj ak prèv ke



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apèl la dwe baze a.

8. The notice of and agenda for each noticed meeting shall also contain the following language:

~~*In accordance with the Americans with Disabilities Act (ADA), if any person with a disability as defined by the ADA needs special accommodation to participate in this proceeding, then not later than two business days prior to the proceeding, he or she should contact the Orange County Communications Division at 407-836-56*~~
~~*Para mayor información en español, por favor llame al 407-836-3111.*~~

~~*Para mayor información en español, por favor llame al 407-836-3111.*~~

Orange County does not discriminate on the basis of race, color, national origin, sex, age, religion, disability or family status. Those with questions or concerns about nondiscrimination, those requiring special assistance under the Americans with Disabilities Act (ADA), and those requiring language assistance (free of charge) should contact the Title VI/Nondiscrimination Coordinator at access@ocfl.net or by calling 3-1-1 (407-836-3111).

If you are hearing or speech impaired, you may reach the phone numbers above by dialing 711.

El Condado de Orange no discrimina por motivos de raza, color, origen nacional, sexo, edad, religión, discapacidad o situación familiar. Aquellos que tengan preguntas o inquietudes sobre la no discriminación, aquellos que requieran asistencia especial según la Ley de Estadounidenses con Discapacidades (ADA) y aquellos que requieran asistencia lingüística (gratuita) deben comunicarse con el Coordinador de No Discriminación/Título VI en access@ocfl.net o llamando 3-1-1 (407-836-3111).

Si tiene problemas de audición o del habla, puede comunicarse con los números de teléfono anteriores marcando 711.

Komin Oranj pa fè diskriminasyon sou baz ras, koulè, orijin nasyonal, sèks, laj, relijyon, andikap oswa sitiyasyon familyal. Moun ki gen kesyon oswa enkyetid konsènan non-diskriminasyon, moun ki bezwen asistans espesyal daprè Lwa Ameriken pou Andikape yo (ADA), ak moun ki bezwen



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èd nan lang (gratis) dwe kontakte Kowòdonatè Tit VI/Non-diskriminasyon an nan access@ocfl.net oswa yo ka rele 3-1-1 (407-836-3111).

Si w soud oswa bèbè, ou ka rele nimewo telefòn ki anwo, peze 711.

9. Minutes of noticed meetings shall be taken and kept by the County Department, division, or other entity assigned to provide staff support for the advisory board.
 10. The content of the meeting minutes shall include the date, time, location, and topic or topics of the meeting, the names of all meeting participants, and any other information as advisory board members may elect to include.
 11. The draft minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting. The draft minutes shall be issued with the word "DRAFT" as a watermark in the document.
 12. The approved minutes shall be available to the public at the assigned County Department, division, or other entity, and on the County's internet website within 10 working days following the meeting at which they were approved.
- E. In addition to this Administrative Regulation, any County advisory board that constitutes a "special district" for purposes of Chapter 189 of Florida Statutes, shall also comply with Section 189.417 of Florida Statutes.
- F. Any County advisory board that has legal counsel (other than the County Attorney's Office) shall consult with its counsel from time to time to solicit advice and to ensure the advisory board's compliance with the Sunshine Law, this Administrative Regulation, and any other applicable meeting-notice requirements of law. All other advisory boards shall consult with the County Attorney's Office.

In all instances, legal counsel (whether outside counsel or the County Attorney's Office) shall construe the Sunshine Law and this Administrative Regulation in favor of public notice of and public access to all advisory board meetings.



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FOR MORE INFORMATION CONTACT: Agenda Development Office, County Administrator's Office

REFERENCE: Florida Statutes 286.011; Chapter 80-150, Laws of Florida; Orange County Code, Section 2-203; Florida Statutes 286.0105; Americans's with Disabilities Act; Florida Statutes 189.417

PROPOSED REVISIONS

02/15/2023

 <p style="text-align: center;">ORANGE COUNTY ADMINISTRATIVE REGULATIONS</p>	No.: 6.17
	Date: 1/26/16
	Approved By: BCC
Title: NEIGHBORHOOD GRANT PROGRAM	Page 1 of 3

I. POLICY

Orange County has developed a variety of tools for the purpose of rebuilding older neighborhoods and preserving newly established neighborhoods. The Neighborhood Preservation and Revitalization Division provides funding for neighborhood organizations, nonprofit organizations and businesses to engage in small neighborhood level capital improvement projects that help restore and maintain the physical condition of Orange County neighborhoods. These tools also help to revitalize neighborhoods by bringing residents together around common goals and helping to build pride amongst the residents along with renewed care for their respective neighborhoods.

II. TYPES OF NEIGHBORHOOD GRANTS

A. Beautification Grants

Beautification grants are designed to improve the aesthetic quality of neighborhood entranceways. These grants may include landscaping, entranceway signage, minor entrance wall repairs, entry medians and other enhancements to the front of neighborhoods.

B. Repair Grants

Repair grants are designed to restore conditions to neighborhoods that have fallen into disrepair. These grants may include neighborhood perimeter wall repairs, minor exterior housing repairs within a neighborhood, and other common repair projects.

C. Capital Improvement Grants

Capital Improvement Grants are designed to help implement small scale improvements to common areas within a neighborhood. These grants may include playgrounds, shelters and pavilions, gazeboes, walking or exercise trails, picnic



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tables and benches, fence repair and wall pressure washing, caulking and painting, and ground and common area lighting and irrigation repairs. Any improvements constructed with capital improvement grants shall comply with the requirements of the Americans with Disabilities Act of 1990 (ADA) and the Public Right-of-Way Accessibility Guidelines (PROWAG) standards.

III. ELIGIBILITY

Neighborhood grants are available to neighborhood organizations and nonprofit organizations, including homeowner and condominium associations. Where otherwise indicated, grants may be available to individual citizens. Each applicant must be registered with the Orange County Neighborhood Preservation and Revitalization Division prior to submitting an application for any grant funding.

IV. APPLICATION CRITERIA

In addition to specific criteria for each individual grant program, all applicants must adhere to the following:

- A. Unless otherwise indicated, each organization must have its Board of Directors, Executive Board, or voting members vote on and approve the grant application and the required community match contribution before submitting its application for consideration. A notarized copy of the minutes reflecting the approval vote must be attached to the application.
- B. Each organization must have democratically elected officers and must not discriminate based on sex, race, ethnicity, age, religion, disability or sexual orientation. Use of project funds from the neighborhood grant program by community member(s) must not require conversion to a particular faith or belief.
- C. Neighborhood organizations must make the project area improved with program grant funds (collectively referred to as "Improvement") available to the public for use. Gated communities and condominium communities may only use grant funds for entranceway improvements abutting major streets/roads. Projects shall not be placed behind gates or within communities with private streets as these areas are not open to the public.
- D. The maintenance of any Improvement(s) funded under this grant program shall be the sole responsibility of the grant recipient. The grant recipient must enter into a grant agreement with Orange County wherein all associated maintenance of the Improvement(s) shall be a condition of the grant award. Failure to maintain



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the Improvement(s) in accordance with applicable standards may result in denial of future grant funding. Improvements shall be subject to auditing which may include staff site visits.

- E. It is prohibited for any officer(s) or contact person(s) to receive any financial benefit from this grant program. It is the responsibility of the applicant to notify the County of any conflicts of interests in violation of Orange County Code, policy, or Florida statutes. Grants are subject to audit by the Orange County Comptroller's office and any evidence of violation, misrepresentation or conflict of interest in the use of grant funding will result in loss of grant and/or repayment of grant funds to Orange County.
- F. There are no limits on the number of applications an organization may submit each year. Organizations shall only be awarded one grant from the Division, one time per calendar year. Organizations shall not be awarded grant funds from the Division more than two consecutive years at a time.

V. APPROVAL PROCESS

- A. All proposed grant applications shall be reviewed by Division staff prior to final submission for consideration. Such review must occur prior to the application deadline. Incomplete applications received before the application deadline will be returned to the applicant for correction and resubmittal. Incomplete applications submitted after the deadline will be returned to the applicant and will not be submitted for consideration.
- B. Completed applications will be scored and ranked by a committee of Division staff. The Neighborhood Grants Advisory Board will review the application scores submitted by staff and recommend selected grant winners to the Board of County Commissioners for final approval.
- C. The Board of County Commissioners reserves the right to deny requests for funding, even if all program guidelines and requirements are satisfied in the application.

FOR MORE INFORMATION CONTACT: Neighborhood Preservation and Revitalization

REFERENCE: None

PROPOSED REVISIONS

03/19/2024

 <p style="text-align: center;">ORANGE COUNTY ADMINISTRATIVE REGULATIONS</p>	No.: 8.09
	Date: 09/19/97
	Approved By: BCC Revised: 6/27/06
Title: DEVELOPMENT OF FACILITIES EXEMPT FROM COUNTY ZONING REGULATIONS; PUBLIC MEETING PROCEDURES	Page 1 of 2

I. POLICY

- A. In order to ensure that Orange County governmental facilities can be developed by Orange County and developed in a timely and cost efficient manner, the Orange County Board of County Commissioners adopted Section 38-5 of the Orange County Code on April 29, 1997 exempting those facilities from the zoning regulations set forth in Chapter 38 of the Orange County Code.
- B. Nevertheless, in accordance with Section 38-5, the County Commissioners and the County Mayor can annually review the County's capital improvements program to decide which proposed governmental facilities, if any, a District Commissioner and/or the County Mayor believes should be discussed at a public meeting in accordance with the procedures set forth in this Administrative Regulation.
- C. The sole purpose behind establishing a process whereby a District Commissioner or the County Mayor may call for a public meeting regarding a proposed governmental facility is to afford affected property owners an opportunity to appear at the public meeting to express their views and opinions regarding zoning related issues. Notwithstanding that a public meeting may not be called and held, may be called and held, or may be called but not held pursuant to the notice procedures set forth below, Orange County governmental facilities being exempt from Orange County zoning regulations, no person shall have standing to judicially challenge the development of a governmental facility pursuant to Section 38-5.

II. PROCEDURES

- A.
 - 1. If a governmental facility is proposed to be located in a single County Commission District, the District Commissioner, and/or County Mayor shall decide whether a public meeting should be held.
 - 2. If a governmental facility is proposed to be located in more than one County



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Commission District, any District Commissioner in whose district the facility would be partially located and/or the County Mayor shall decide whether a public meeting should be held.

B. If the County Mayor and/or a District Commissioner decides that a public meeting should be held, the notice of and agenda for the public meeting shall include the information and statements provided in Section 2.09.01.II.B. for special meetings of advisory boards; and the County Mayor and/or the District Commissioner shall designate such project for a public meeting under one of the following three categories described below:

1. *Category "1."* A Category "1" public meeting is a neighborhood meeting held in the affected community. At least ten (10) days before the meeting, the owners of property located adjacent to the boundary of the proposed governmental facility shall be mailed notice of the meeting. The District Commissioner or his/her designee shall host the meeting.

2. *Category "2."* A Category "2" public meeting is a meeting held at the Orange County Administration Center at 201 South Rosalind Avenue in downtown Orlando. At least ten (10) days before the meeting, the owners of property located within three hundred (300) feet of the boundary of the proposed governmental facility shall be mailed notice of the meeting. The District Commissioner or his/her designee shall host the meeting.

3. *Category "3."* A Category "3" public meeting is a meeting held before the Board of County Commissioners in the Board's chambers at the Orange County Administration Center. At least ten (10) days before the meeting, the owners of property located within five hundred (500) feet of the boundary of the proposed governmental facility shall be mailed notice of the meeting, a legal notice shall be published in *The Orlando Sentinel*, and a conspicuous notice shall be posted on the property where the facility is planned for development.

FOR MORE INFORMATION CONTACT:

Zoning Division, Growth Management
Department Planning, Environmental, and
Development Services Department

REFERENCES:

Orange County Code, Section 38-5

PROPOSED REVISIONS

10/31/2024

 ORANGE COUNTY ADMINISTRATIVE REGULATIONS	No.: 11.05.07
	Date: 10/29/90
	Approved By: BCC Revised: 6/27/06
Title: SIDEWALK POLICY	Page 1 of 3

I. POLICY

It is the policy of Orange County to provide sidewalks on at least one side of every Orange County Roadway to serve all users and to provide safety for pedestrians. Sidewalk priority shall ~~be to provide safe access to Elementary, Middle and High Schools, to connect and complete existing sidewalk networks, and to allow a safe and secure method to travel by foot or assistive device for exercise and for mobility, and to complete existing sidewalk networks.~~ Every pedestrian route and facility constructed shall be A.D.A. compliant and be readily accessible to and usable by persons with disabilities, to enhance usability and safety features. ~~for all.~~

II. PROCEDURES

A. The Public Works ~~Engineering Division~~ Department, through the budgeting process, shall submit a request for construction funding for sidewalks to the Board of County Commissioners. In the request for construction funding, the Public Works Department shall assess all missing sidewalks and gaps to produce a Master Sidewalk Priority List, ranked by approved criteria; all applicable safety plans accepted by the Board of County Commissioners; and public input. The Master Sidewalk Priority List shall be updated as needed. The Student/Pedestrian Safety Committee (“Committee”) shall prioritize all new sidewalk requests within two (2) miles of Elementary, Middle and High Schools based on the Committee’s assessment of those sidewalk requests, conditions, or needs, as updated from time to time.

The ~~Student/Pedestrian Safety~~ Committee shall consist of:

- Two representatives from the Orange County Traffic Engineering Division
- Two representatives from ~~the Orange County School Board~~ Public Schools



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- One representative from the Florida Department of Transportation District Five
- One representative from the Orange County Sheriff's School Crossing Guard Program
- Two representatives from the Public Works Engineering/Design Section
- One representative from the Orange County Sheriff's Office
- Two representatives from the City of Orlando
- Any other municipalities within Orange County may participate by sending one representative

B. Public requests for new sidewalks and public input on prioritization will be considered in the prioritization process. The Master Sidewalk Priority List will be posted on the County's website with a request/comment form. If an interested group of citizens requests the construction of a sidewalk and there are no capital improvement funds available to implement the project, the County may assist by establishing a special taxing district to fund the project.

C. Requests for construction of sidewalks within two (2) miles of a school shall be submitted to the ~~Student/Pedestrian Safety~~ Committee by the Public Works Engineering Division or Traffic Engineering Division. Depending on available funding, the sidewalk request shall be programmed based on prioritization ~~criteria established by the Committee, which, in accordance with Federal Executive Order 12898, shall include the Committee~~ approves identification and prioritizes addressing of disproportionately adverse effects of an agency's programs, policies, and activities on minority and lower-income populations. All potentially affected communities shall receive full and fair participation in the decision-making process and the prevention of the denial, reduction, or significant delay in benefits from Orange County's programs, services, and projects, as required by Federal Executive Order 12898.

D. ~~Once the Committee approves and prioritizes~~ From the Master Sidewalk Priority List and the Committee's approved and prioritized ~~the~~ list of requests, Public Works Engineering or Traffic Engineering shall coordinate the design and construction of new sidewalk projects. Sidewalks shall be constructed in conjunction with road-widening projects and drainage ~~constructions~~ projects, whenever practical.

E. ~~The Roads and Drainage Division is responsible for the repair of existing sidewalk projects.~~ The Highway Construction Division is responsible for the construction of new sidewalks.

F. The Roads and Drainage Division is responsible for the inspection and repair of existing County-maintained sidewalks.



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FOR MORE INFORMATION CONTACT:

Traffic Engineering Division, Public Works
Department; Public Works Engineering
Division, Public Works Department Roads
and Drainage Division, Public Works
Department

REFERENCE:

None