

1 **ORDINANCE SUMMARY**

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3 This ordinance amends Chapter 9, Section 9-3 of the Lake County Code, regarding the Lake
4 County Public Safety Coordinating Council, to modify the number of members assigned to the
5 Council and to reduce the members required to be present to have a quorum.

6
7 Changes are shown as follows: ~~Strikethrough~~ for deletions and Underline for additions to
8 existing Code sections. Renumbering and/or relettering were added as needed.

9
10 **ORDINANCE NO. 2016 - ____**

11
12 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
13 **LAKE COUNTY, FLORIDA; AMENDING LAKE COUNTY CODE**
14 **CHAPTER 9, SECTION 9-3, ENTITLED “LAKE COUNTY PUBLIC**
15 **SAFETY COORDINATING COUNCIL”; MODIFYING THE MEMBERS**
16 **OF THE COUNCIL; MODIFYING THE NUMBER OF MEMBERS**
17 **REQUIRED TO OBTAIN A QUORUM; PROVIDING FOR INCLUSION**
18 **IN THE CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING**
19 **FOR AN EFFECTIVE DATE.**

20
21 **WHEREAS**, Section 951.26, Florida Statute requires each board of county
22 commissioners to establish a Public Safety Coordinating Council for the county; and

23
24 **WHEREAS**, Section 9-3 of Chapter 9, Lake County Code, creates the Lake County
25 Public Safety Coordinating Council;

26
27 **WHEREAS**, the purpose of the Lake County Public Safety Coordinating Council is to
28 assess the population status of all detention or correctional facilities owned or contracted by Lake
29 County, and formulate recommendations to ensure that the capacities of such facilities are not
30 exceeded; and

31
32 **WHEREAS**, on December 4, 2007, the Board of County Commissioners adopted
33 Ordinance No. 2007-56, which appointed additional members to the Public Safety Coordinating
34 Council in order to satisfy the membership requirements set forth in Chapter 2007-200, Laws of
35 Florida, later codified in Section 394.657, Florida Statutes; and

36
37 **WHEREAS**, Chapter 2014-19, Laws of Florida amended Section 394.657, Florida
38 Statutes; and

39
40 **WHEREAS**, the Board of County Commissioners desires to amend the listed members
41 for the Public Safety Coordinating Council contained in Chapter 9, Section 9-3, Lake County
42 Code.

43
44 **NOW, THEREFORE, BE IT ORDAINED**, by the Board of County Commissioners of
45 Lake County, Florida, as follows:
46

1 **Section 1. Recitals.** The foregoing recitals are true and correct and incorporated
2 herein by reference.

3
4 **Section 2. Amendment.** Lake County Code Chapter 9, Section 9-3 is hereby
5 amended as follows:

6
7 **Sec. 9-3. Lake County Public Safety Coordinating Council.**

8
9 (a) Creation. Pursuant to F.S. § 951.26, the Lake County Public Safety Coordinating
10 Council is hereby created.

11
12 (b) Purpose.

13
14 (1) The council shall assess the population status of all detention or correctional
15 facilities owned or contracted by Lake County, and formulate
16 recommendations to ensure that the capacities of such facilities are not
17 exceeded. Such recommendations shall include an assessment of the
18 availability of pretrial intervention or probation programs, work-release
19 programs, substance abuse programs, gain-time schedules, applicable bail
20 bond schedules, and the confinement status of the inmates housed within each
21 facility owned or contracted by the county.

22
23 (2) The council may also develop a local public safety plan for future construction
24 needs. The plan must cover at least a five-year period. The plan may be
25 submitted for consideration to the local planning agency for the county, at
26 least one hundred twenty (120) days before the adoption of or amendment to
27 the comprehensive plan for the county by the local planning agency pursuant
28 to F.S. Ch. 163, Pt. II.

29
30 (c) Membership. Members of the Lake County Public Safety Coordinating Council
31 shall be appointed by the board of county commissioners and shall consist of
32 ~~thirteen~~twenty-one (~~13~~21) members as follows:

- 33
34 (1) The state attorney, or an assistant state attorney designated by the state
35 attorney.
36 (2) The public defender, or an assistant public defender designated by the public
37 defender.
38 (3) The chief circuit judge, or another circuit judge designated by the chief
39 circuit judge.
40 (4) The chief county judge, or another county judge designated by the chief
41 county judge.
42 (5) The chief correctional officer.
43 (6) The sheriff, or a member designated by the sheriff.
44 (7) The state probation circuit administrator, or a member designated by the state
45 probation circuit administrator, to be appointed to a four-year term.

- 1 (8) The chairperson of the board of county commissioners, or another county
2 commissioner as designee.
- 3 (9) The director of the county probation or pretrial intervention program, to be
4 appointed to a four-year term.
- 5 (10) The director of a local substance abuse treatment program, or a member
6 designated by the director, to be appointed to a four-year term.
- 7 (11) ~~Three (3)~~ One (1) representatives from a county and/or state jobs programs
8 and/or other community groups who works with offenders and victims,
9 appointed by the chairperson of the board of county commissioners to four-
10 year terms.
- 11 (12) The police chief, or a person designated by the local police chief's
12 association.
- 13 (13) A representative of the substance abuse program office and the mental health
14 program office of the Department of Children and ~~Familiesy Services~~,
15 selected by the substance abuse and mental health program supervisor of the
16 Florida Department of Children and Families, ~~District 13~~.
- 17 (14) A primary consumer of mental health services, selected by the substance
18 abuse and mental health program supervisor of the Florida Department of
19 Children and Families, ~~District 13~~.
- 20 (15) A primary consumer of substance abuse services, selected by the substance
21 abuse and mental health program supervisor of the Florida Department of
22 Children and Families, ~~District 13~~.
- 23 (16) A family member of a primary consumer of community based-treatment
24 services, selected by the substance abuse and mental health program
25 supervisor of the Florida Department of Children and Families, ~~District 13~~.
- 26 (17) A representative from an area homeless program or a supportive housing
27 program.
- 28 (18) The director of the detention facility of the ~~d~~Department of ~~j~~Juvenile ~~j~~Justice,
29 or a person designated by the director.
- 30 (19) The chief probation officer of the ~~d~~Department of ~~j~~Juvenile ~~j~~Justice, or an
31 employee designated by the chief probation officer.
- 32 (20) The local court administrator, or a person designed by the local court
33 administrator.
- 34 (21) The director of a community mental health agency, or person designated by
35 the director.
- 36
- 37 (d) Procedure.
- 38
- 39 (1) The chairperson of the board of county commissioners, or another county
40 commissioner as designee, shall serve as the chairperson of the council until
41 the council elects a chairperson from the membership of the council. The
42 membership of the council shall also elect a vice-chairman.
- 43
- 44 (2) All meetings of the Lake County Public Safety Coordinating Council, as well
45 as its records, books, documents, and papers, are open and available to the
46 public in accordance with F.S. §§ 119.07 and 286.011.

(3) Pursuant to F.S. § 286.011(6), meetings shall not be held at any facility or location which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which operates in such a manner as to unreasonably restrict public access to such a facility.

(4) All meetings shall be noticed and minutes recorded.

(5) Robert's Rules of Order, Newly Revised, shall be the final authority on all questions of parliamentary procedure.

(6) A quorum for conducting business shall be ~~a majority of theseven~~ (7) members.

Section 3. Inclusion in Code. It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Lake County Code and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 4. Severability. If any section, sentence, clause or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Filing with the Department of State. The Clerk shall be and is hereby directed forthwith to send a copy of this Ordinance to the Secretary of State for the State of Florida in accordance with Section 125.66, Florida Statutes.

Section 6. Effective Date. This Ordinance shall become effective as provided for by law.

Enacted this _____ day of _____, 2016.

Filed with the Secretary of State _____, 2016.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF LAKE COUNTY, FLORIDA

Neil Kelly, Clerk of the
Board of County Commissioners
of Lake County, Florida

Sean M. Parks, Chairman

This _____ day of _____, 2016.

Approved as to form and legality:

Melanie Marsh, County Attorney