

RESOLUTION NO. R-12-212

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, ESTABLISHING THE MANATEE COUNTY PUBLIC SAFETY COORDINATING COUNCIL; PROVIDING FOR MEMBERSHIP OF THE COUNCIL; ENCOURAGING ATTENDANCE AND PARTICIPATION IN MEETINGS OF THE COUNCIL; PROVIDING FOR CHAIRMAN OF THE COUNCIL; PROVIDING FOR ASSIGNMENT OF SUPPORT PERSONNEL; PROVIDING DUTIES AND RESPONSIBILITIES OF THE COUNCIL RELATING TO COUNTY DETENTION AND CORRECTIONAL FACILITIES, LOCAL PUBLIC SAFETY PLAN, AND COMPREHENSIVE LOCAL REENTRY PLAN; AUTHORIZING THE COUNCIL TO COORDINATE CRIMINAL JUSTICE POLICY AND RECOMMEND CHANGES; PROVIDING EXCLUSIVE AUTHORITY OF THE COUNCIL FOR RECOMMENDATIONS REGARDING PUBLIC SAFETY FACILITIES PLANNING; PROVIDING FOR ADOPTION OF RULES OF PROCEDURE; REQUIRING MEETINGS AND RECORDS OF THE COUNCIL TO BE OPEN TO THE PUBLIC; PROVIDING DIRECTIONS REGARDING CODIFICATION; REPEALING AND SUPERSEDING PRIOR AND CONFLICTING RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 951.26, Florida Statutes (1992), authorized the Board of County Commissioners to establish a Public Safety Coordinating Council for the purpose of assessing, recommending and planning public safety facilities and programs; and

WHEREAS, on January 5, 1993, the Board of County Commissioners of Manatee County, Florida, adopted Resolution No. R-93-07, which established the Manatee County Public Safety Coordinating Council under the authority of Section 951.26, Florida Statutes (1992); and

WHEREAS, since the adoption of Resolution No. R-93-07 by the Board of County Commissioners, Section 951.26, Florida Statutes, has been amended several times to revise the membership and duties and to provide additional responsibilities for the Public Safety Coordinating Council; and

WHEREAS, the Board of County Commissioners desires to maintain consistency with Section 951.26, Florida Statutes, as amended, by the adoption of a resolution establishing a new Public Safety Coordinating Council for Manatee County; and

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WHEREAS, the Board of County Commissioners finds that it is in the best interest of the citizens of Manatee County to adopt a resolution establishing a new Public Safety Coordinating Council for consistency with Section 951.26, Florida Statutes, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA:

Section 1. The Board of County Commissioners hereby establishes the Manatee County Public Safety Coordinating Council (also referred to as the "Council"). The Council shall have all duties described in Section 951.26, Florida Statutes, as may be amended from time to time, and additional responsibilities set forth in this resolution.

Section 2. The Manatee County Public Safety Coordinating Council shall consist of the following members:

- a. The State Attorney, or an Assistant State Attorney designated by the State Attorney.
- b. The Public Defender, or an Assistant Public Defender designated by the Public Defender.
- c. The Chief Circuit Judge, or another Circuit Judge designated by the Chief Circuit Judge.
- d. The Chief County Judge, or another County Judge designated by the Chief County Judge.
- e. The Chief Correctional Officer.
- f. The Sheriff, or a member designated by the Sheriff.
- g. The State Probation Circuit Administrator, or a member designated by the State Probation Circuit Administrator, to be appointed to a four (4)-year term.
- h. The Chairman of the Board of County Commissioners, or another County Commissioner as designee.
- i. The Manager of the County Probation Division, to be appointed to a four (4)-year

term.

- j. The Director of a local substance abuse treatment program, or a member designated by the Director, to be appointed to a four (4)-year term.
- k. Representatives from county and state jobs programs and other community groups who work with offenders and victims, appointed by the Chairman of the Board of County Commissioners to four (4)-year terms.

Section 3. The Clerk of the Circuit Court, the Court Administrator, and the County Administrator are encouraged to attend and participate in meetings of the Council.

Section 4. The Chairman of the Board of County Commissioners, or another County Commissioner as designee, shall serve as the chairman of the Council until the Council elects a chairman from the membership of the Council. The Council shall meet at least quarterly upon the call of the chairman.

Section 5. The County Administrator shall assign appropriate support personnel to coordinate the meetings and facilitate the work of the Council.

Section 6. The Council shall assess the population status of all detention or correctional facilities owned or contracted by Manatee County and formulate recommendations to ensure that the capacities of such facilities are not exceeded. Such recommendations shall include an assessment of the availability of pretrial intervention or probation programs, work-release programs, substance abuse programs, gain-time schedules, applicable bail bond schedules, and the confinement status of the inmates housed within each facility owned or contracted by Manatee County.

Section 7. The Council may also develop a local public safety plan for future construction needs. The plan must cover at least a five (5)-year period. The plan may be submitted for consideration to the Manatee County Planning Commission, as the local planning agency for the County, at least one hundred twenty (120) days before the adoption of or amendment to the

Manatee County comprehensive plan by the Planning Commission, as the local planning agency, pursuant to Part II of Chapter 163, Florida Statutes.

Section 8. If Manatee County contracts to receive community corrections funds for the County's community corrections programs under Section 948.51, Florida Statutes, the Council shall develop a comprehensive public safety plan as described in said Section 948.51 which includes the future public safety construction needs as described in section 7 of this resolution.

Section 9. The Council may also develop a comprehensive local reentry plan that is designed to assist offenders released from incarceration to successfully reenter the community. The plan should cover at least a five (5)-year period. In developing the plan, the Council shall coordinate with public safety officials and local community organizations that can provide offenders with reentry services, such as assistance with housing, health care, education, substance abuse treatment, and employment.

Section 10. In addition to the duties specified in Section 951.26, Florida Statutes, the Council shall be responsible for coordination of criminal justice policy in Manatee County, provided that the Council shall not manage or administer any criminal justice agency. The Council shall formulate recommendations to the Board of County Commissioners regarding systemic changes in criminal justice policy.

Section 11. The Manatee County Public Safety Coordinating Council established pursuant to this resolution and Section 951.26, Florida Statutes, shall be the sole and exclusive council, committee, board or agency with the responsibility to provide recommendations regarding public safety facilities planning in Manatee County.

Section 12. The Council may adopt rules of procedure necessary to implement and effectuate this resolution that are not in conflict with the provisions of this resolution or Section 951.26, Florida Statutes.

Section 13. All meetings of the Manatee County Public Safety Coordinating Council, as

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well as the records, books, documents, and papers of the Council, are open and available to the public in accordance with Section 119.07 and Section 286.011, Florida Statutes.

Section 14. This resolution shall not be codified in the Manatee County Code of Resolutions.

Section 15. All prior and conflicting resolutions, including but not limited to Resolution No. R-93-07, are hereby repealed, rescinded, superseded, and replaced by this resolution.

Section 16. In the event that any provision, portion or section of this resolution is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining provisions, portions or sections of this resolution which shall remain in full force and effect.

Section 17. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED by the Board of County Commissioners of Manatee County, Florida, with a quorum present and voting, on the 11 day of December, 2012.

ATTEST: R. B. SHORE
Clerk of the Circuit Court

BOARD OF COUNTY COMMISSIONERS
OF MANATEE COUNTY, FLORIDA

By: [Signature]
Deputy Clerk

By: [Signature]
Chairman

