

**CITY OF DUNNELLON
CITY COUNCIL WORKSHOP**

DATE: December 9, 2015
TIME: 5:30 p.m.
PLACE: City Hall
20750 River Dr., Dunnellon, FL 34431

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Whitt called the meeting to order at approximately 5:44 p.m. and led the Council in the Pledge of Allegiance then called for a moment of silence. No attendee was present to provide the invocation.

ROLL CALL

The following members answered present at roll call:
Nathan Whitt, Mayor, Seat 1
Dennis Evans, Vice-Mayor, Seat 2
Chuck Dillon, Councilman, Seat 3
Walter Green, Councilman, Seat 4
Penny Fleegeer, Councilwoman, Seat 5

STAFF PRESENT

Eddie Esch, City Manager
Dawn Bowne, City Clerk
Lt. Todd Spicher, MCSO
Troy Slattery, Interim Fire Chief
Jan Smith, Finance Dept.
Lynn Wyland, Staff Assistant

LEGAL COUNSEL

Virginia Cassady
Shepard, Smith & Cassady

PROOF OF PUBLICATION

Mrs. Bowne announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Monday, December 7, 2015.

AGENDA ITEM NO. 1 – BOARD REPORTS

Hugh Lochrane, Chair, presented his report on the last UAB meeting, which consisted of a tour of the water and sewer facilities.

AGENDA ITEM NO. 2 – DUNNELLON BUSINESS ASSOCIATION REPORT

Charlene Williams presented her report on the upcoming Christmas parade and the celebration to be held after the parade at the Dunnellon Plaza on Saturday, December 12, 2015.

AGENDA ITEM NO. 3 – CHAMBER OF COMMERCE REPORT

Penny Lofton reported on upcoming events and discussed an anticipated project she is hoping to complete in 2016. She said she would like to bring the Vietnam Memorial Wall to Dunnellon for the community to view.

Councilman Dillon presented a report for the 125th Anniversary Committee

Councilman Dillon discussed finalizing the plans for the proposed park. He requested this item to be placed on the consent agenda. He stated the name of park would be “125 Anniversary Park” and there would be a dedication in remembrance of Barbara Spitznogle. He said the committee set the date for the groundbreaking ceremony on Saturday, January 23, 2016, from 1:00-3:00 p.m.

AGENDA ITEM NO. 5 – INTERVIEWS WITH APPLICANTS FOR LEGAL SERVICES RFP #BID2015-07

Andrew Hand, PA, from the firm Shepard, Smith & Cassady, provided Council and staff with his professional and personal background.

Vice-Mayor Evans asked questions regarding travel time and expenses regarding attendance at the City’s Council and Planning Commission meetings.

Attorney Hand stated there would be no additional rate to attend the meetings.

AGENDA ITEM NO. 4 – SPECIAL PRESENTATION BY DUNNELLON CITY COUNCIL TO FIREFIGHTER/EMT CHRIS CASTLEBERRY

Mayor Whitt presented a plaque to Firefighter, Chris Castleberry and read the following:

“Thank you for 15 years of honorable and dedicated service to the citizens of the City of Dunnellon. Your commitment to our City is truly commendable and will forever be appreciated.”

Mr. Castleberry thanked everyone.

AGENDA ITEM NO. 6 – PRESENTATION BY KENNETH METCALF, PLANNING DIRECTOR, STEARNS WEAVER MILLER, P.A. (CITY CONSULTANT) REGARDING 2016 DUNNELLON COMPREHENSIVE PLAN AMENDMENT PROCESS AND RELATED REQUIREMENTS OF DEPARTMENT OF ECONOMIC OPPORTUNITY TECHNICAL ASSISTANCE GRANT

Mr. Metcalf provided a PowerPoint presentation to Council and staff, attached hereto and made part of these minutes. He explained the planning process pursuant to the DEO Technical Grant and the statutory requirements. Following are his summary notes he provided to staff after the meeting:

**SWM Summary
City Council Planning Workshop**

12/9/2015

1. Ken Metcalf gave a comprehensive presentation on the planning process pursuant to the DEO Technical Grant and statutory requirements.
2. Board members asked several questions regarding the potential scope of plan amendments and the review schedule. Ken Metcalf explained that:
 - a. The scope would be based on the City's Evaluation Notice Letter;
 - b. Local Planning Agency would be provided an opportunity to review draft policies and provide recommendations to the City Council;
 - c. SWM's role is not to make policy decisions, but rather to outline alternative policy approaches for consideration by the Local Planning Agency and the City Council; and
 - d. Grant cycle and scope of work does not include adoption of the plan amendments, but that the City would have the option of proceeding with adoption following review of the Objections, Recommendations and Comments (ORC) report if issued by the Florida Department of Economic Opportunity (DEO). SWM's goal is to transmit to DEO a proposed set of plan amendments that will generate minimal if any objections from the state. The City should be in a position to proceed with adoption and would ideally have few revisions to consider following SWMs review of the ORC report, if issued by the State. This should allow the City to proceed to adoption with minimal additional costs, but the City would also have the option of conducting workshops if desired. The City has 180 days following receipt of the ORC to adopt the plan amendments.
3. One member of the public asked questions regarding the need for transparency in the process and raised concerns about whether the pending, first deliverable would include any proposed policy changes and whether the first deliverable would be posted on line by the City.
 - a. Ken Metcalf emphasized that the first deliverable is limited to consolidating the adopted components of the comprehensive plan, including all amendments, into a single, consolidated Dunnellon Comprehensive Plan. The first deliverable will not include or result in any proposed changes to the adopted Dunnellon Comprehensive Plan. The second deliverable will involve drafting plan amendments and that the public would be encouraged to provide input on the draft throughout the process. He also explained that the first deliverable is a public record and that he would work with the City to ensure that it is made available to the

public and posted on the City’s website. City Council members concurred with his response.

AGENDA ITEM NO. 7 – REQUEST APPOINTMENT TO POLICE OFFICERS AND FIREFIGHTERS PENSION BOARD

Mrs. Bowne explained City resident Gloria Williams resigned from the Police Officers & Firefighters Pension Board. She stated one application was received from city resident Virginia Saalman. Mrs. Bowne said Ms. Saalman has been a city resident for two years and has extensive governmental experience.

Council agreed to place this item on the consent agenda.

Back to agenda item 4 – Norm D. Fugate, PA Presentation

Mr. Fugate introduced his legal team and staff. He provided his firm’s professional and personal background.

He also provided Council with a presentation, which is attached and made part of these minutes.

Council and staff briefly discussed the \$5,500 per month retainer fee. Attorney Fugate stated they prefer the retainer fee, but are open an hourly rate.

Vice-Mayor Evans asked questions regarding the number of meetings.

City Attorney RFP/BID2015-07 (Listed in no particular order)

Law Firm/Attorney	Hrly Rate or Mntly Lump Sum Retainer Fee	Travel-Hrly Rates	Litigation-Hrly Rates	Review Bond/Note Issue-Hourly Rates	Other
Andrew Hand - Primary Attorney - Shepard, Smith & Cassady, P.A. (Maitland, FL) Asst. Attorneys - Cliff Shepard, Drew Smith, Virginia Cassady and Kalanit Oded	\$175	\$175.00 to and from Marion County (Council Meetings & Workshops included in standard rate)	\$200.00	\$200.00	\$75.00 per hour for paralegal services related to real estate closing
Norm D. Fugate, P.A. (Williston, FL) Blake Fugate	\$5,500 per month retainer fee	None	\$200.00	\$200.00	All additional charges such as secretarial, paralegal, postage, per diem etc. included in retainer fee

Council agreed to place this item on the regular meeting agenda.

AGENDA ITEM NO. 8 – CDBG GRANT – COUNCILMAN DILLON

Councilman Dillon explained, due to the waterline project not being completed by the completion date of the hotel, he would like Council to direct staff to send a letter to the hotel owners, notifying them that the waterline project will not be completed by the

proposed completion date of the hotel in January. He requested the notice include an anticipated date the project will be completed.

Council and staff engaged in a brief discussion regarding the waterline project and the CDBG grant process.

Mr. Esch said he would draft a letter with the projected completion date and provide to Council and staff.

Moved to questions for Mr. Metcalf

Louise Kenny, 19970 Ibis Court, voiced her concerns regarding the comp plan amendments and discussed the Planning Commission meetings prior to submitting.

Mr. Metcalf emphasized the first deliverable is limited to consolidating the adopted components of the Comp Plan, including all amendments, into a single consolidated Dunnellon Comprehensive Plan. He said this first deliverable will not include or result in any proposed changes to the adopted Comp Plan. He stated the second deliverable will involve drafting plan amendments and the public would be encouraged to provide input throughout the process. He also explained that the first deliverable is a public record and he would work with the City to ensure that it is made available and posted on the City's website.

AGENDA ITEM NO. 9 – CHARTER AMENDMENTS – COUNCILMAN DILLON

Councilman Dillon stated he believes there are two items the citizens of Dunnellon need to decide: 1) whether or not they want to continue funding a Fire and Police Department and 2) the City Manager's position. He explained a ballot initiative can be accomplished with 125 signatures. He asked Council if there is a number they would be comfortable with that would voice what the citizens want in order to move forward with a referendum on the 2016 ballot. Or would the Council not want the referendum at all. He said he thinks it's the responsibility of the citizens to decide what they want in Dunnellon.

Attorney Cassady quoted 166.03 of the Florida Statute. She said she wanted to point out that the statute does allow the governing body by a unanimous vote to abolish municipal departments that are provided for in the charter.

Councilman Dillon stated he did not want to make that decision, he would rather the citizens make that decision. He said he wants us to provide an opportunity for the citizens to decide what they want to pay for. He said all he is asking for is to let the citizens decide the services they want.

Council and staff engaged in lengthy discussion regarding the Fire/Police Departments and changing the form of the City's government.

Attorney Cassidy said there are two ways of changing the Charter. She said one is initiated by the voters and the other is by Council; both ultimately require a referendum (a vote). She proceeded to explain the process for both.

Attorney Cassidy explained Councilman Dillon is suggesting somewhat of an in between process, by having the citizens, by petition, have an interim straw-vote so that if they don't want it, Council does not have to go through the process of creating an ordinance.

Attorney Cassidy asked Council if they wanted to put this on the agenda for the Council meeting in January to make a motion to conduct a straw-ballot.

Councilman Dillon stated there is a petition containing 300 signatures with regard to the Police Department. Vice-Mayor Evans questioned how many of the petitioners lived in Dunnellon. Councilman Dillon suggested Council decide what percentage of voters they would require in order to have this on the 2016 ballot. He stated the citizens can do it with 120 signatures (10 %). He questioned if Council wanted twice that many, or three times that many. He said the only way he is going to know what the citizens want, is to ask them.

Attorney Cassidy discussed the straw-ballot. She said Council should come up with questions as though those questions are going to be on the ballot. She said this would require a legal review, because there is case-law that says how those questions have to look, so there is no misrepresentation and they are limited to 50 or 75 words. She said by doing that, then if you get 10% of the registered voters saying yes. She explained then when you go through the ordinance process, your questions for the ballot that will be adopted by the ordinance and will appear on the ballot, will be the same as the straw-ballot.

Councilman Green asked Council if they wanted to get a consensus and decide on a number tonight.

Mayor Whitt stated this is not something he is willing to discuss, while moving forward with a balanced budget...he stated 10% is something the voters can do on their own. He stated if Council feels like they have the votes, move forward with Council.

After much discussion and debate Council directed Mrs. Bowne to place the following on the agenda for the Council meeting:

1. Abolishing the City
2. No Fire Department
3. No Police Department
4. Abolishing City Manager

Councilman Dillon requested to conduct a straw-poll of the registered voters in Dunnellon.

Vice-Mayor Evans stated the “City Manager” (#4) would need to be clarified. He said it’s a form of government so you have to amend the Charter, changing the form of government.

Attorney Cassady stated she would help Mrs. Bowne with the language for number four. She said it would read something like this: “consideration of moving forward with a straw-poll of the registered voters to amend the Charter to eliminate the Police Chief and the Police Department, change the form of government to a “Mayor, City Council form of government, abolishing the City Manager, and abolishing the Fire Department.”

Mayor Whitt asked for any further discussion regarding amending the City’s Charter.

There was none.

AGENDA ITEM NO. 10 – POLICE DEPARTMENT DISCUSSION – COUNCILMAN GREEN

Councilman Green discussed the status of the Police Department for the last few months. He stated the City went from a stable Police Department to a situation that has evolved several times now. He said he has been questioned many times by citizens as to what is going on. He asked Mr. Esch to clarify the current status of the department.

Mr. Esch explained the events leading up to the hiring of Lt. Spicher from the Marion County Sheriff’s Office.

Councilman Green requested that Council be familiar with major changes in our City so when asked by citizens, they can accurately respond.

Councilman Green asked Mr. Esch if he spoke to Interim Chief Slattery from the Fire Department, about serving in a “dual role”. Mr. Esch stated no.

Interim Chief Slattery stated Mr. Esch only spoke to him about serving as Interim Chief for the Fire Department.

Councilman Green asked Mr. Esch to explain a previous comment he made, “three strikes you’re out”, during discussion about Sergeant Webb.

Mr. Esch explained his conversations and meetings with Sergeant Webb regarding the Chief’s position.

Walk on item-Proclamation #PRO2015-07

Attorney Cassady discussed the proclamation she prepared for Council’s review.

Vice-Mayor Evans proposed the following changes:

- The fourth “Whereas” down, the third line, the word “insulted” to be changed to “assaulted”.

- Same sentence, insert after the word “matters”, “both related and unrelated”.
- Same sentence, after “while doing so” remove “placed her hand on” and insert “battered Mrs. Bowne...” by placing her hands on Mrs. Bowne’s cheek three times in an uninvited and derogatory manner.”
- Page 2, number (2), after “uninvited touching” add “assault and battery”

Attorney Cassady said she would amend the proclamation.

Council agreed to place this item on the consent agenda.

AGENDA ITEM NO. 11 – COUNCIL COMMENTS

Mayor Whitt commented on the discussion during agenda item #9, abolishing the City Manager form of government, and potentially the City as well.

AGENDA ITEM NO. 12 – CITY MANAGER COMMENTS

Mr. Esch provided his report on the following:

- Chris Sajek from SWFWMD will provide presentation during January’s council meeting regarding the SWIM Plan
- Meeting with Mr. Sajek regarding the Palmetto Court and Oak Street project
- SW 180th Street meeting with the immediate stakeholders, regarding the tie-in to the force main project
- Expired lease on the Little League Ball Field

AGENDA ITEM NO. 13–PUBLIC COMMENTS

Comments were received by the following:

- Joan Duggins, 19687 SW 88th Loop, Rainbow Springs, discussed the Fire/Police departments.
- Pam MacIntyre, 11809 Camp Dr., Blue Cove, discussed the positions of the Police Chief/Lieutenant.
- Fred Ward, 11781 Camp Dr., Blue Cove, discussed the water tap and the diminish of service utilities.
- Mary Ann Hilton, 12078 Palmetto Ct., Blue Cove, discussed the possible straw-ballot and voter turnout.
- Linda Fernandez, 12499 N. Water Way, discussed the Fire Department.
- Louise Kenny, 19970 Ibis Ct., Blue Cove, discussed the Fire Department.
- Randy Robertson of the Dunnellon Fire Department discussed the Fire Department.
- Bobby Lewis, Juliette Falls, discussed the Fire Department.

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The meeting was adjourned at approximately 10:12 p.m.

Attest:

Dawn Bowne, MMC
City Clerk

Nathan Whitt, Mayor

City of Dunnellon



Norm D. Fugate, P.A.

A L A W F I R M



Norm D. Fugate, P.A.

A Law Firm

Education

Norm D. Fugate

University of Florida, College of Law

Juris Doctor

Graduated 1994, with Honors

University of Florida

Bachelor of Science Degree, Business Administration, Major in Finance

Graduated 1981, with Honors



Norm D. Fugate, P.A.

A L A W F I R M

Woodroe Blake Fugate

University of Florida
Bachelor of Science Degree, Business Administration,
Graduated 2006

Florida Coastal School of Law
Juris Doctor
Graduated 2011



Norm D. Fugate, P.A.

A L A W F I R M

Experience

The Firm has had over 47 years of cumulative representation at its several municipalities



Norm D. Fugate, P.A.

A Law Firm

Certifications

One of only 251 **Board Certified City, County and Local Government Law** attorneys in the State of Florida and one of only three situated in the Citrus/Levy/ Marion County areas.

Board Certified in the area of Real Estate Law





Norm D. Fugate, P.A.

A L A W F I R M

Areas of Practice

- Municipal law
- Real Estate Law
- Estate Planning
- Probate Law
- Contract law
- Financial Institution Representation
- Corporate/Business Law



Norm D. Fugate, P.A.

A Law Firm

Municipal Client List

- Town of Inglis
- City of Chiefland
- City of Cedar Key



Norm D. Fugate, P.A.

A L A W F I R M

Billing Plan

The proposed retainer would cover all legal, paralegal and secretarial services except Litigation and review of Bond/Note Issues. Additionally this retainer would cover all incidental costs such as research, telephone, fax, copy, postage, supplies, mailing, travel, per diem, office space and overhead.

The firm is willing to prepare/negotiate/entertain an hourly rate offer if the City so desires.



Norm D. Fugate, P.A.

A Law Firm

Staff and Availability

Other than the two attorneys the City will also work with our dedicated Municipal Legal Assistant Jennifer Munden (14 years experience). Other staff will supplement as necessary.

The staff remains at all times under the supervision of the attorneys in office. The staff shall maintain files, draft documentation, correspond with city staff, preparation for meetings, billing, and other areas as needed or directed.

Communication with attorneys will be available whenever necessary. We try to accommodate all of our clients with their request or needs as soon as reasonably possible.

CITY OF DUNNELLON
COMPREHENSIVE PLANNING WORKSHOP
DECEMBER 9, 2015

Kenneth Metcalf, AICP
Planning Director
Stearns Weaver Miller, P.A.

PURPOSE OF PLANNING WORKSHOP

- Introduce Stearns Weaver Miller, P.A.
- Statutory Requirements for Comprehensive Plan Amendments Based on Evaluation and Appraisal Letter
- DEO Planning Grant Requirements and Schedule
- Progress Report on First Deliverable

STEARNS WEAVER MILLER, P.A.

- Full Service Law Firm
- Statewide Practice
- Land Use/Environmental Department
- Primary SWM Team Members
 - Ken Metcalf, Planning Director and Project Manager for Dunnellon Grant
 - Chris Smith, GIS Director
 - Reggie Bouthillier, Esq.

My Background/Professional Experience

- ▣ Masters in Urban and Regional Planning
- ▣ American Institute of Certified Planners
- ▣ 30 Years as Professional Planner in Florida
 - 3 Years – City of Ocala/MPO Planner
 - 16 Years – Florida Department of Community Affairs
 - 10 Years – Planning Director, Greenberg Traurig, P.A.
 - Joined SWM as Planning Director in 2014
 - Periodic Adjunct Instructor – FSU Department of Urban and Regional Planning
- ▣ Expert Witness in 45 Administrative/Judicial Hearings on Comprehensive Planning/Compliance Issues

DCA Southeast Florida Regional Planning Administrator

- ▣ Supervise Managers/Planners Implementing All Agency Planning Programs
 - ▣ Comprehensive Planning (125 Local Governments)
 - ▣ Developments of Regional Impact (100+)
 - ▣ Florida Keys Area of Critical State Concern
 - ▣ Transportation Planning (Statewide)
 - ▣ Marina Siting/Manatee Protection (Statewide)

Comprehensive Planning

- ▣ Directed Compliance Review
- ▣ Compliance Determinations
- ▣ Compliance Settlement Negotiations
- ▣ Expert Witness for All Southeast Florida Compliance Hearings
- ▣ Legislation/Rulemaking
- ▣ Drafting Comprehensive Plans/Land Development Regulations for Florida Keys
- ▣ Evaluation and Appraisal Report Sufficiency Determinations

Examples of Private Sector Comprehensive Planning

- ❑ **Charlotte County** – Settlement Negotiations on EAR-based Amendments.
- ❑ **Haines City, Florida** – Drafting/Settlement Negotiations on EAR-based Amendment/Water Supply Plan.
- ❑ **City of Edgewater** – Compliance Hearing on EAR-Based Amendments.
- ❑ **Volusia County, Florida** (for developer client) – Compliance Hearing on Farmton Amendments.
- ❑ **Palm Coast, Florida** (for developer client) – EAR-based Amendments, Water Supply Planning, Northwest Plan, Settlement Negotiations.
- ❑ **Baker County, Florida** (for developer client) – Plan Amendments for Cedar Creek DRI.

Chris Smith – GIS Director

- ▣ 17 Years as GIS Professional
- ▣ Degree in Geology
- ▣ Public Sector/Private Sector Work with Local Governments
 - 4 Years – Project Manager At Department of Environmental Protection - Source Water Assessment and Protection Program
 - Bay, Calhoun, Franklin, Gadsden, Gulf, Jefferson, Leon, Pasco, Polk and Wakulla Counties
 - Port St. Joe, Midway, Haines City and Dade City
- ▣ Comprehensive Plans/Maps/Supporting Analysis
- ▣ Complex Spatial Database Management and Analysis
- ▣ High Quality Mapping Services

Reggie Bouthillier, Esq.

- ▣ 23 Years Experience in Florida
- ▣ Land Development, Land Use and Environmental Department Head
- ▣ Statewide Practice
- ▣ Primarily Private Sector Clients
- ▣ Substantial Experience with Comprehensive Planning and Growth Management Issues
- ▣ Administrative Hearings on Compliance

Chapter 163, Florida Statutes Community Planning Act

- ▣ Chapter 163, F.S., was substantially amended in 2011 and Rule 9J-5, F.A.C., was repealed.
 - State agencies' review limited to subject matter for agency (i.e., FDOT focuses on transportation).
 - State review focused on whether plan amendment will adversely impact “an important state resource or facility.”
 - DEO can raise other compliance issues, but has not done so in practice.
 - Local government discretion to balance economic development and development limitations/controls.
 - Eliminated mandatory Evaluation and Appraisal Reports.
 - Local governments submit notice letter advising if plan amendments will be adopted in response to changes in statutory requirements.

Chapter 163, Florida Statutes

Community Planning Act

- ▣ Examples of Local Government Discretion:
 - Determining “land use need” based on job creation, economic diversification and capital investment.
 - Land use need defined as a minimum allocation test (floor rather than ceiling).
 - Urban Sprawl test is more flexible with clear compliance criteria.
 - Mandatory concurrency applies only to sanitary sewer, potable water, drainage and solid waste.
 - Transportation and school concurrency are optional.

Comprehensive Plan Evaluation and Amendment Process (Section 163.3191, F.S)

- ❑ Dunnellon submitted Evaluation Notice Letter on 11/19/2014.
- ❑ Notice letter confirmed intent to adopt Comprehensive Plan Amendments in response to statutory changes (Community Planning Act).
- ❑ These are referred to as EAR- or EAL-Based Comprehensive Plan Amendments.
- ❑ EAL-Based Comprehensive Plan Amendments were due within one year of Notice Letter or by 11/19/2015.
- ❑ Timing of grant execution did not allow City to prepare and adopt EAL-based Comprehensive Plan Amendments by 11/19/2015.
- ❑ The City is statutorily prohibited as of 11/20/2015 from adopting other Comprehensive Plan Amendments until the overdue EAL-based Comprehensive Plan Amendments are adopted.

EAL-Based Comprehensive Plan Preparation and State Review Process (Section 163.3184, F.S)

- ▣ Grant schedule requires preparation and transmittal of Comprehensive Plan Amendments to DEO by 3/31/2016.
- ▣ DEO will implement “State Coordinated Review” process as required for this type of Comprehensive Plan Amendment.
- ▣ DEO has 60 days (about 6/1/2016) to complete review and issue Objections, Recommendations and Comments (ORC) Report.

Schedule for Adoption of EAL-Based Comprehensive Plan Amendments

- ❑ 2015-2016 Grant schedule is very aggressive, but does include adoption of EAL-based plan amendments.
- ❑ SWM has two months to prepare the supporting data and analysis and draft EAL-based amendments. This is normally at least a 6-month process.
- ❑ Grant schedule completes State review (ORC Report) and SWM review of ORC in June 2016. 2015-2016 grant cycle ends June 30, 2016.
- ❑ Dunnellon must adopt Plan Amendment within 180 days following receipt of DEO ORC Report or by about 12/1/2016.

Schedule for Adoption of EAL-Based Comprehensive Plan Amendments

- City has two options for final adoption after ORC is issued and grant cycle ends in June 2016:
 - Option 1. Apply for 2016-2017 DEO technical assistance grant to fund the final work required to adopt the transmitted plan amendments.
 - Pro: State funding, minimal City costs.
 - Con: Delay extends prohibition on other Plan Amendments.
 - Option 2. Use City funds/staff resources to do final work required for adoption of transmitted plan amendments.
 - Pro: Expedites adoption/resolves prohibition.
 - Con: Requires more City funding.
- If ORC issues are minimal as expected, minimal funding should be required to complete adoption process.

Department of Economic Opportunity Planning Grant

- ▣ Objective: City of Dunnellon adopts required Comprehensive Plan Amendments based on Section 163.3191, Florida Statutes. (2016-2017 Grant Cycle)
- ▣ 2015-2016 Grant: Prepare and submit proposed Comprehensive Plan Amendments to DEO and respond to DEO ORC Report.
- ▣ Anticipated 2016-2017 Grant: Adopt Comprehensive Plan Amendments based on Section 163.3191, Florida Statutes and prepare/adopt supplemental Comprehensive Plan Amendments (Spring Protection/Other City Priorities).
- ▣ Anticipated 2017-2018 Grant: Prepare and adopt Land Development Regulations.

DEO 2015-2016 Grant

▣ Three Major Deliverables

- **Deliverable 1** (12/31/2015) - Consolidate adopted Comprehensive Plan, hold Planning Workshop and submit documentation to DEO.
- **Deliverable 2** (2/12/2016) - Revise Evaluation Notice Letter to focus on EAL-Based Plan Amendments, prepare supporting analysis, draft EAL-based Plan Amendments and submit documentation to DEO .
- **Deliverable 3** (6/6/2016) - Hold public hearings on draft Plan Amendments, revise draft Plan Amendments based on public hearings, transmit Proposed Plan Amendments to DEO for State Coordinated Review (3/31/2016), review DEO ORC Report and prepare draft Response to DEO ORC Report (6/6/2016).
- 2/16/2016 - Planning Commission Public Hearing (Local Planning Agency)
- 3/14/2016 - City Council Public Hearing (Transmittal Hearing)

Department of Economic Opportunity Planning Grant

▣ First Deliverable

- Determine Goals, Objectives and Policies adopted by City in 1991 and by subsequent Comprehensive Plan Amendments.
- Identify any data and analysis adopted by the City in 1991 and by subsequent Comprehensive Plan Amendments.
- Submit consolidated Comprehensive Plan incorporating all adopted components (including adopted maps).
- Submit list of adoption Ordinances.
- Hold Planning Workshop and submit Workshop notice, Workshop agenda and Summary of Workshop comments.
- First Deliverable Due 12/31/2015.

Progress Report on First Deliverable

- ▣ On Schedule for submittal to DEO by end of month.
- ▣ Submit draft to staff by end of this week.
- ▣ Methodology:
 - Reviewed DEO archived records on Dunnellon Comprehensive Plan and Plan Amendments.
 - Compared to Dunnellon records on Comprehensive Plan and Plan Amendments.
 - Identified controlling Ordinance language and Exhibits.
 - Compared to 1991 Florida Statutes, subsequent statutory requirements, 1991 Rule 9J-5, F.A.C., and subsequent rule requirements defining adopted components.
 - Confirmed City adoption is consistent with those standards.

Key Findings for First Deliverable

- ❑ Neither the City nor DEO records include Exhibit A to Ordinance 91-05 (Original Comprehensive Plan).
- ❑ DCA Found Original Comprehensive Plan Not In Compliance.
- ❑ Remedial Amendment 92-R1 includes Comprehensive Plan Elements, dated October 1991, except for three Elements, dated June 1992, that were revised based on DCA Settlement Agreement. These are the best records of the originally adopted comprehensive plan.
- ❑ Original adoption ordinance clearly distinguishes between adopted GOPS/future conditions maps and un-adopted Technical Support Documents (Data and Analysis).
- ❑ 1991 Consultant reports make same distinction.
- ❑ Adopted Components include:
 - ❑ Goals, Objectives and Policies
 - ❑ Future Land Use Map Series
 - ❑ Future Traffic Circulation Map

First Deliverable Products

- ▣ Binder/CD Documenting Methodology and Results:
 - Matrix documenting findings of adoption Ordinances for 1991 Comprehensive Plan and all Plan Amendments.
 - Matrix documenting GOPS and map changes adopted by each Plan Amendment.
 - Consolidated Comprehensive Plan including all adopted Plan Amendments.
 - GIS database with Future Land Use Map Amendments and related attribute data.
 - Workshop documentation.

Next Steps

- ▣ Obtain staff feedback on draft, first Deliverable.
- ▣ Submit first Deliverable to DEO by December 31, 2015.
- ▣ Initiate work on Support Document for EAL-Based Amendments.
- ▣ Prepare Draft EAL-Based Comprehensive Plan Amendments, including GOPS and Maps.
- ▣ Finalize draft with City staff.
- ▣ Submit draft (2nd Deliverable) to DEO by 2/12/2016.
- ▣ Hold LPA Public Hearing on 2/16/2016.

Thank You!

Questions?

Kenneth Metcalf, AICP
Planning Director
Stearns Weaver Miller, PA