

Agenda
City of Dunnellon
City Council Meeting
July 11, 2022, 5:30 P.M.
Join Zoom

<https://dunnellon.zoom.us/j/89340000199?pwd=S0tHYVNIUEFDWHBtMIQ0eXUwcVRGQT09>

Meeting ID:893 4000 0199

Dunnellon City Council meeting will be held on July 11, 2022, 5:30 p.m. at Dunnellon City Hall

Public Comment: Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom **"AUDIO ONLY"** platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk at modom@dunnellon.org.

Members of the public who would like to participate are encouraged to register in advance by 12:00 noon on Monday, July 11, 2022. Please see instructions below on how to register.

Public input on non-agenda items will be heard at the beginning of the meeting. A three (3) minute time limit will be strictly administered.

Instructions on How to Listen and/or Participate in the Meeting

Attachment: [Meeting Instructions \(PDF\)](#)

Call to Order

Pledge of Allegiance

Opening Prayer/Moment of Silence (suggested time limit: 1 minute)

Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may do so if no invitees/citizens volunteer.)

Roll Call

Proof of Publication - Posted on the City's website and City Hall bulletin board on Thursday, July 7, 2022

Council's Comments Regarding Agenda

Public Comments on non-agenda items - 3 minute time limit

CONSENT AGENDA

Accept public comment on consent agenda items prior to making a motion.

(Note: Motion to approve items on the consent agenda is a motion to approve the

recommended actions.)

1. City Council Minutes (Backup To Be Provided)

- May 4, 2022 City Council Workshop
- May 9, 2022 City Council Meeting
- May 23, 2022 Special City Council Meeting

2. Authorize The Mayor To Sign FEMA Notification Of Withdrawal Of Agreement #AGR2020-23, Grant Award For COVID Related Expenses

Documents:

[AGR2020-23 FEMA Declared Disaster DR-4486 COVID.pdf](#)

Consent Agenda Approval

PROPOSED MOTION: I move the consent agenda be approved as presented.

Regular Agenda

- 3. Presentation - Marion Transit Services - Clayton Murch, Director Of Transportation**
- 4. Presentaion - Engineer Report On Agreement #AGR2021-15, DEO TAC Roadway Condition Assessment - Troy Slattery, Public Works Manager**
- 5. One Rake At A Time, Rainbow River Restoration Project**

Accept Public Comment

Proposed Motion: I move to ratify the letter of support for Art Jones, One Rake at a Time, Rainbow River Restoration Project and approve a monetary donation in the amount of _____, finding that it serves a public purpose.

6. Proclamation #PRO2022-10, Dunnellon City Council Election

Accept Public Comment

Proposed Motion: I move Proclamation #PRO2022-10 be read into the record.

Proposed Motion: I move Proclamation #PRO2022-10 be approved.

Documents:

[PRO2022-10 Election.pdf](#)

7. First Reading - Ordinance #ORD2022-09, Blue Run Park Rules & Regulations

Accept Public Comment

Proposed Motion: I move Ordinance #ORD2022-09 be read by title only.

Proposed Motion: I move Ordinance #ORD2022-09 be approved pending approval of Resolution #RES2022-07.

Documents:

[Ordinance ORD2022-09 BRP Rules and Regulations.pdf](#)

[Resolution RES2022-07 Blue Run Park Management Plan Amendment.pdf](#)

Public Hearing Statement

All persons wishing to address the City council will be asked to limit their comments to the specific subject being addressed. Public opinions and input are valued by the Council. However, it is requested that comments are directed at specific issues rather than personal comments directed toward the council members or staff in order to foster mutual respect between council members and the public.

Members of the public in attendance at public forums should listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Members of the public addressing City council and boards/commissions on a specific project or proposal are requested to disclose any personal interest or relationship; and any business, professional, or financial interests with any individual, group, project or proposal regarding the subject matter under review. Members of the public should always err on the side of more public disclosure, not less, in order to provide integrity to the public process.

Follow Public Hearing Notes - Public comment taken during public hearing

8. Public Hearing - Ordinance #ORD2022-06, Purchase Of Goods Charter Referendum (Public Hearing Advertised On The City's Website On June 9, 2022 And Advertised In The Riverland News On June 24, 2022)

9. Final Reading - Ordinance #ORD2022-06, Purchase Of Goods Charter Referendum

Accept Public Comment

Proposed Motion: I move Ordinance #ORD2022-06 be read by title only.

Proposed Motion: I move Ordinance #ORD2022-06 be approved

Documents:

[Agenda Summary for Ordinance ORD2022-06 Purchase of Goods Charter Referendum.pdf](#)

10. Council Liaison Reports And Comments

11. Department Head Reports

12. City Attorney Report

13. Adjourn

Proposed Motion: I move the City Council meeting be adjourned.

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

City of Dunnellon
Agenda Summary Form

Meeting Date: July 6, 2022

1. Responsible Department: Finance
2. Presenter: Jan Smith
3. Recommended Action: Authorize the Mayor to sign FEMA Notification of Withdrawal of Request For Public Assistance (AGR2020-23)

Subject: Withdrawal of FEMA Grant Award for COVID Related Expenses

Request for Approval Summary Explanation & Background:

On July 6, 2020 the City was awarded a grant from FEMA for reimbursement of COVID related expenses the City incurred. This grant would have reimbursed the City up to 75% of “eligible” expenses. Shortly thereafter we were notified by Marion County that they were going to receive funding through the CARES Act for reimbursement of COVID related expenses. Under this program the City was eligible to receive 100% reimbursement for “all” expenses incurred.

The City received reimbursement of \$61,949.93 for all COVID related expenses incurred in FY2020 and through December 30, 2021 through the CARES Act. Further eligible expenses incurred were below the threshold of \$3,300 and not eligible for submission to FEMA. They could not be submitted for CARES Act reimbursement as that program ended as of December 30, 2020.

Eligible COVID related expenses are no longer being incurred and we are now required to formally withdraw from the FEMA COVID Expense reimbursement program.

This withdrawal has no impact on future requests for FEMA disaster assistance funding.

Procurement Method: N/A

Fiscal Information: N/A

Department Head Approval: Jan Smith

Attorney Review: N/A



Florida Division of Emergency Management

NOTIFICATION OF WITHDRAWAL OF REQUEST **FOR PUBLIC ASSISTANCE (RPA)** **FEMA- 4486 -DR-PA**

Applicant Name: City of Dunnellon County: Marion

PA ID Number (FIPS): 083-18675-000

Please withdraw our Request for Public Assistance for the above Presidential Declaration for the following reason
(Please check one):

NO ELIGIBLE DAMAGE, (including Debris Removal/Emergency Protective Measures)

DAMAGE IS LESS THAN \$3,300.00

JUSTIFICATION OF WITHDRAWAL (please explain)

COVID related expenses incurred are less than \$3,300

*If you received Public Assistance (PA) grant funds for this event, you are obligated to return funds prior to the withdrawal of the RPA.

I understand this action will have no impact on obtaining federal assistance for future disaster events.

William P. White

Authorized Representative

Mayor

Title

Signature

July 11, 2022

Date



PROCLAMATION #PRO2022-10

DUNNELLO CITY COUNCIL ELECTION

WHEREAS, the Mayor of the City Council for the City of Dunnellon proclaims a general election to be held on November 8, 2022 for the election of council members for the following seats:

<u>SEAT NUMBER</u>	<u>OCCUPIED BY</u>
2	Louise Kenny
3	C. Anita Williams
4	Valerie Hanchar

WHEREAS, any individual interested in seeking election to the City Council may do so by obtaining election information and qualifying forms from the City's website at www.dunnellon.org or by contacting the Office of the City Clerk and requesting qualification forms. The qualifying period begins at 12:00 noon on August 22, 2022 and ends at 12:00 noon on August 26, 2022. City Hall office hours on August 26, 2022 will be from 8:00 a.m. until 12:00 noon.

WHEREAS, Petitions, as well as the proper financial disclosure and candidate qualifying forms must be submitted to the City Clerk no later than 12:00 noon on August 26th. The cost for qualifying will be \$45.00, plus 1.0% of council's annual salary equaling \$18.00, for a total of \$63.00.

WHEREAS, in the event that the election results in a candidate not receiving the most votes cast, the Mayor of the City Council for the City of Dunnellon proclaims a runoff election to be held on January 17, 2023.

Be it hereby proclaimed that an election will take place on November 8, 2022 and qualifying packages are available on the City of Dunnellon website at www.dunnellon.org.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Dunnellon to be affixed, this 11th day of July 2022.

ATTEST:

Amanda L. Odom, CMC
City Clerk

William P. White, Mayor

35 **WHEREAS**, the overall goal of the Management Plan is to provide visitors with a safe
36 experience in one Florida's natural treasures, while ensuring that the park's natural resources are
37 protected for future generations; and

38 **WHEREAS**, the Management Plan recognizes Marion County as the City of Dunnellon's
39 principal partner regarding protection of Blue Run Park and the park's management; and

40 **WHEREAS**, Blue Run Park is intended to be managed for the conservation,
41 protection, and enhancement of natural resources and for public outdoor passive recreation
42 that is compatible with the conservation, protection, and enhancement of the park; and
43

44 **WHEREAS**, Marion County has historically operated its K.P. Hole shuttle service as
45 contemplated by the Blue Run Park Management Plan and as authorized per the Plan's
46 requirements; and

47 **WHEREAS**, the K.P. Hole shuttle service provided by Marion County (or its contractor
48 on behalf of Marion County) is the sole transportation service authorized to operate within Blue
49 Run Park; and

50 **WHEREAS**, City desires to amend the MP to implement identification requirements
51 for designated shuttles in order to ensure that shuttles performing transportation services
52 within the Park are permitted to do so; and

53 **WHEREAS**, nature trails are meant to provide non-motorized, low-impact, low-traffic
54 pedestrian passage and recreation within the park; and

55 **WHEREAS**, individuals using the park to take part in relatively high-impact, high-traffic
56 water-based recreational purposes such as tubing, kayaking and other water-based activities
57 sometimes carry bulky water-based recreational equipment and other supplies over the nature
58 trails; and

59 **WHEREAS**, such use of nature trails increases impact to natural resources and the
60 environment as well as increases danger to park attendees due to individuals having reduced
61 awareness while carrying heavy and/or bulky objects in the presence of dangerous wildlife; and

62 **WHEREAS**, the City is committed to compliance with Americans with Disabilities
63 Act and making needed accessibility accommodations; and
64

65 **WHEREAS**, the City of Dunnellon recognizes the preemption of firearm regulation by
66 the State legislature; and
67
68
69

70 **WHEREAS**, the rules, regulations, and provisions of this Ordinance have been developed
71 by the City Council of Dunnellon to ensure consistency between the regulations of appropriate
72 State Agencies and the Blue Run Park Management Plan; and

73
74 **WHEREAS**, City Council of the City Dunnellon finds that the rules, regulations, and
75 provisions of this Ordinance are consistent with the Blue Run Park Management Plan; and
76

77 **WHEREAS**, the City Council of the City of Dunnellon determines that it is in the best
78 interest of the health, safety, and welfare of its residents to adopt the rules, regulations, and
79 provisions of this Ordinance as stated herein.
80

81 **LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of
82 Dunnellon Code of Ordinances, ~~striketrough~~ constitutes deletions from the original, and asterisks
83 (***) indicate an omission from the existing text which is intended to remain unchanged.
84

85 **NOW THEREFORE BE IT ORDAINED BY THE CITY OF DUNNELLON, FLORIDA**
86 **AS FOLLOWS:**

87 **SECTION 1:** The “whereas” clauses cited herein are the legislative findings of the City
88 Council.
89

90 **SECTION 2:** Chapter 46 – Parks and Recreation, Article III – BLUE RUN PARK is hereby
91 amended as follows:
92

93 **Article III – Blue Run Park.**

94 ***

95
96 Sec. 46-77. - Blue Run Park User Rules and Regulations.

97 The following rules and regulations for use of Blue Run Park shall apply.

- 98 a) Regular park hours are from dawn to dusk.
99
100 b) Possession and use of alcoholic beverages is prohibited.
101
102 c) Fires are prohibited, however prescribed fires for the purpose of resource management for
103 which the appropriate permit(s) has been obtained are allowed.
104
105 d) Motorized vehicles are prohibited beyond the parking area, except for those necessary for
106 accessibility by persons with disabilities and those utilized for administrative purposes.

- 107 e) Golf carts are prohibited.
- 108
- 109 f) Overnight use or camping is prohibited.
- 110
- 111 g) Pets must be on a leash and controlled at all times, and owner must clean up after.
- 112
- 113 h) Removal or cutting of vegetation is prohibited except for maintenance purposes.
- 114
- 115 i) Collecting or harassing wildlife in any stage of life or form is prohibited.
- 116
- 117 j) Catch and release fishing is permitted in the interior pond. Any other fishing is prohibited.
- 118
- 119 k) Possession and/or discharge of an air gun, slingshot, bow and arrow, or spear gun is
- 120 prohibited.
- 121
- 122 l) Trash must be placed in designated containers.
- 123
- 124 m) Disposal of personal trash from off-site is prohibited.
- 125
- 126 n) Damaging or defacing any park facility or sign is prohibited.
- 127
- 128 o) Metal detectors are prohibited.
- 129
- 130 p) Engaging in violent or disruptive behavior or refusal to follow directions of official staff is
- 131 prohibited.
- 132
- 133 q) Use of facilities is on a first come, first served basis.
- 134
- 135 r) Cyclists and other individuals utilizing any other form of conveyance shall yield to
- 136 pedestrians.
- 137
- 138 s) Equestrian use is prohibited except for official use.
- 139
- 140 t) Individuals shall comply with the City's noise regulations as codified in Sec. 42-3, in the
- 141 Code of Ordinances of the City of Dunnellon.
- 142
- 143 u) Use of any device or vehicle that disturbs the natural soundscape of the park is prohibited. As
- 144 used herein "natural soundscape" shall mean all the natural sounds that occur in Blue Run Park,
- 145 including the physical capacity for transmitting those natural sounds and the interrelationships
- 146 among park natural sounds of different frequencies and volumes.
- 147

148 v) Groups of more than 25 people shall contact the City’s Clerk’s office at least five days in
149 advance in order to make a reservation.

150

151 w) Bulky and/or heavy equipment equal to or greater than two (2) feet in length is prohibited
152 on nature trails and unimproved areas of the park. This restriction is applicable to
153 equipment including, but not limited to, kayaks, inflated tubes and/or inner tubes,
154 paddleboards, canoes, and coolers. This rule shall not be applicable to equipment that is
155 necessary for accessibility by persons with disabilities, equipment utilized for
156 administrative purposes, equipment which must be allowed under state or federal law,
157 and/or fishing poles.

158 ***

159

160 Sec. 46-79. – Prohibition on Commercial Use.

161 a) Commercial use of the park is prohibited except as otherwise provided herein.

162

163 b) For purposes of this section, ‘commercial use’ shall mean:

164

165 i. the sale or rental of any item, good, concession, or merchandise within the boundaries
166 of Blue Run Park; and

167

168 ii. the provision of any service performed within the boundaries of Blue Run Park
169 regardless of whether compensation for such service is paid onsite or offsite.

170

171 Governmental provision of park services by Marion County for water-based recreation
172 and/or other passive recreation programs are exempt from this section so long as such
173 services are authorized both via Interlocal Agreement 2007-14 (entered into between the
174 City and Marion County on May 14, 2007) and per the requirements of the Blue Run Park
175 Management Plan. The K.P. Hole shuttle service provided by Marion County (or its
176 contractor on behalf of Marion County) is the sole transportation service authorized per the
177 requirements of the Blue Run Park Management Plan. All such designated shuttles
178 responsible for guest transportation must be identified by signage on the side of the shuttle that
179 reads “KP Hole Park Shuttle” visible from no less than 50 feet away (letters must be a minimum
180 of five (5) inches in height).

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182 ***

183 **SECTION 4. CONFLICTS.** In any case where a provision of this Ordinance is found to be in
184 conflict with a provision of any other ordinance of this City, the provision which establishes the
185 higher standards for the promotion and protection of the health and safety of the people shall
186 prevail.

187 **SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this
188 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not
189 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
190 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or
191 unconstitutional.

192 **SECTION 6. CODIFICATION.** The provisions of this Ordinance shall be codified as and
193 become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this
194 Ordinance may be renumbered or re-lettered to accomplish such intention and the word
195 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.
196 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

197 **SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective on _____,
198 2022.

199 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
200 reading on the __ day of _____ 2022.

201
202 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
203 the second and final reading and public hearing on the _____ day of _____, 2022.

204
205 Ordinance Posted on the City’s website on _____, 2022. Public hearing advertised on the
206 City’s website on _____, 2022 and advertised in the Riverland News on _____,
207 2022.

208
209 ATTEST:

CITY OF DUNNELLON

210
211 _____
212 Amanda L. Odom, CMC
213 City Clerk

William P. White, Mayor

214
215
216 Approved as to Form:

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218 _____
219 Andrew J. Hand, City Attorney

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CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this __ day of _____ 2022.

Amanda L. Odom, CMC
City Clerk

RESOLUTION #RES2022-07

A RESOLUTION OF THE CITY OF DUNNELLON AMENDING THE BLUE RUN OF DUNNELLON PARK MANAGEMENT PLAN AS SPECIFIED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Blue Run of Dunnellon Park Management Plan (the “MP”) provides for the establishment and administration of Blue Run Park; and

WHEREAS, the City of Dunnellon adopted the MP via Resolution #RES2010-15 on September 27, 2010 and has since amended same by resolution from time to time; and

WHEREAS, the City of Dunnellon desires to amend the MP as set forth herein; and

WHEREAS, per the terms of the MP, the City, Marion County, and Office of Greenways and Trails have a direct interest in the management of Blue Run Park; and

WHEREAS, a copy of the amendments to the MP proposed herein have been provided to Marion County, the Office of Greenways and Trails, and Florida Communities Trust (“FCT”) for feedback and comment; and

WHEREAS, FCT has approved the amendments proposed herein in writing; and

WHEREAS, the City owns Blue Run Park and per the MP is the entity with primary responsibility for management of the Park and ensuring compliance with the MP; and

WHEREAS, the concept of the MP is to carefully overlay the required public facilities and trails on the property to ensure the long-term protection of Blue Run Park’s natural communities while providing park visitors with access to the Park’s exceptional natural resources and interpretive experiences; and

WHEREAS, the MP identifies the capital improvement facilities required for visitor comfort, access, and safety as well as the park’s maintenance, operational, and regulatory needs; and

WHEREAS, the MP recognizes the importance of a comprehensive approach for a successful park program; and

WHEREAS, the overall goal of the MP is to provide visitors with a safe experience in one Florida’s natural treasures, while ensuring that the park’s natural resources are protected for future generations; and

WHEREAS, Blue Run Park is intended to be managed for the conservation, protection, and enhancement of natural resources and for public outdoor passive recreation that is compatible with the conservation, protection, and enhancement of the park; and

WHEREAS, in furtherance of that goal, Section V of the MP requires the City to adopt park rules, regulations and policies to ensure the protection of the natural resources of the park; and

WHEREAS, the K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is the sole transportation service authorized to operate within Blue Run Park; and

WHEREAS, City desires to amend the MP to implement identification requirements for designated K.P. Hole shuttles in order to ensure that shuttles performing transportation services within the Park are permitted to do so; and

WHEREAS, nature trails are meant to provide non-motorized, low-impact, low-traffic pedestrian passage and recreation within the park; and

WHEREAS, individuals using the park to take part in relatively high-impact, high-traffic water-based recreational purposes such as tubing, kayaking and other water-based activities sometimes carry bulky water-based recreational equipment and other supplies over the nature trails; and

WHEREAS, such use of nature trails increases impact to natural resources and the environment as well as increases danger to park attendees due to individuals having reduced awareness while carrying heavy and/or bulky objects in the presence of dangerous wildlife; and

WHEREAS, the City desires to amend the MP to address same; and

WHEREAS, the City Council of the City of Dunnellon finds the amendments to the MP as specified herein to be in the best interests of the City and its residents.

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the MP, ~~strike through~~ constitutes deletions from the original, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Legislative Findings. The Whereas clauses above are adopted as legislative findings of the City Council.

SECTION 2. The City of Dunnellon hereby amends the MP as follows:

- a) The section entitled “Easements, Concession, Leases” of “Chapter IV. Site Development and Improvement” located on page 17 of the MP is amended by addition of the following underlined language:

The K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is the sole transportation service authorized to operate within Blue Run Park. All such designated shuttles responsible for guest transportation must be identified by signage on the side of the shuttle that reads “KP Hole Park Shuttle” visible from no less than 50 feet away (letters must be a minimum of five (5) inches in height).

- b) The section entitled “Easements, Concession, Leases” of “Chapter V. Management Needs” located on page 21 of the MP is amended by addition of the following underlined language:

The K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is the sole transportation service authorized to operate within Blue Run Park. All such designated shuttles responsible for guest transportation must be identified by signage on the side of the shuttle that reads “KP Hole Park Shuttle” visible from no less than 50 feet away (letters must be a minimum of five (5) inches in height).

SECTION 3. The City of Dunnellon hereby amends the MP as follows:

The section entitled “Park Rules, Regulations and Policies” of “Chapter V. Management Needs” located on page 21 of the MP is amended by addition of the following underlined language:

The City of Dunnellon, within one year, will develop an ordinance that will establish the rules, regulations, and policies for public use of the Blue Run of Dunnellon Park. The purpose of the ordinance will be to ensure that the natural resources of the park are protected while providing visitors with compatible access that is consistent with the goals of the Management Plan. The rules will ensure that nature trails are used in a manner consistent with their purpose of providing low-impact recreational passage that will not cause undue environmental impacts or dangers to park users. The rules will also reduce user conflicts that can result from inappropriate use. The rules and policies will be posted throughout the park and be available in a park brochure. Examples are listed below:

- Bulky and/or heavy equipment is prohibited on nature trails and unimproved areas of the Park. (City will specify size restriction within ordinance applicable to equipment including, but not limited to kayaks, inflated tubes and/or inner tubes, paddleboards, canoes, and coolers. This rule shall not be applicable to equipment that is necessary for accessibility by persons with disabilities, equipment utilized for administrative purposes, equipment which must be allowed under state or federal law, or fishing poles.)

SECTION 4. If any section, sentence, clause or phrase of this Resolution is held to be invalid or

unconstitutional by any court of competent jurisdiction, that holding in no way affects the remaining portions of this Resolution.

SECTION 5. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. This resolution shall take effect on _____, 2022.

Upon motion duly made and carried, the foregoing Resolution was adopted by the City Council of the City of Dunnellon on the ___th day of _____ 2022.

CITY OF DUNNELTON, FLORIDA

ATTEST:

William P. White, Mayor

Amanda Odom, CMC, City Clerk

Approved as to form and legality:

Andrew J. Hand, City Attorney

City of Dunnellon
Agenda Summary Form

Meeting Date: June 8, 2022

1. Responsible Department: Finance
2. Presenter: Jan Smith
3. Recommended Action: Review and consider adopting Ordinance #ORD2022-06 Amendment to Section 5 of the City Charter

Subject: Amendment to Section 5 of the City Charter amending purchase requirements for goods and providing the ballot title, summary and text for the proposed amendment

Request for Approval Summary Explanation & Background:

On February 14, 2022 Council approved an amendment to the purchasing policy increasing the purchasing threshold for public improvements requiring sealed bids from \$15,000 to \$35,000. Ordinance #ORD2022-03 was adopted at final reading on March 14, 2022. During the discussion on increasing the purchasing threshold for public improvements staff recommended increasing the purchasing threshold for goods to the same amount of \$35,000. To increase the amount for goods would require a charter referendum.

This ordinance eliminates the purchasing requirement to obtain sealed bids on the purchase of major items (goods) for amounts over \$5,000 but less than \$35,000. The ordinance changes the requirement from sealed bid to obtaining a minimum of 2 written bids or proposals and provides for ballot language to go before the voters to enact this charter change.

Procurement Method:

Fiscal Information:

Attorney Review: Ordinance Amendment Prepared by Andrew Hand

ORDINANCE #ORD2022-06

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, SUBMITTING TO THE ELECTORS OF DUNNELLON A PROPOSED AMENDMENT TO SECTION 5 OF THE CITY CHARTER AMENDING PURCHASE REQUIREMENTS FOR GOODS; PROVIDING THE BALLOT TITLE, SUMMARY, AND TEXT FOR THE PROPOSED AMENDMENT; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE EFFECTIVE DATE OF THE CHARTER AMENDMENT IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, Section 166.031, Florida Statutes, provides that the governing body of a municipality may, by ordinance, submit to the electors of said municipality proposed amendments to its charter, which amendments may be to any part or to all of its charter except that part describing the boundaries of such municipality.

NOW, THEREFORE, BE IT ENACTED BY THE CITY OF DUNNELLON, FLORIDA, THAT:

SECTION 1. The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Dunnellon.

SECTION 2. Proposed Amendment to Charter. The City Council of the City of Dunnellon, pursuant to Section 166.031, Florida Statutes, hereby proposes an amendment to the Charter of the City of Dunnellon, which amendment to Section 5 of the Charter is set forth in Exhibit "A" attached hereto and by this reference made a part hereof. Section 5 of the Charter is attached hereto reflect the proposed changes by showing additions with underlining and deletions with ~~strike-through~~ type.

SECTION 3. Submission to Electors. The proposed amendment to the Charter of the City of Dunnellon, as contained in this Ordinance, shall be submitted to a vote of the electors of the City of Dunnellon at the next municipal election to be held on Tuesday, November 8, 2022. The Supervisor of Elections of Marion County is hereby requested to coordinate all matters of said referendum election with the City Clerk.

SECTION 4. Duties of City Clerk. The City Clerk is hereby directed to ensure that all advertising and notice requirements are complied with pursuant to the City's Charter and to coordinate all activities necessary to conduct the referendum election called in Section 3 of this Ordinance with the Supervisor of Elections for Marion County. Should the proposed change to the Charter be approved by the electors, the City Clerk shall ensure that the Department of State is sent the revised Charter.

SECTION 5. Ballot Title and Text. The ballot title and summary of the proposed amendment to the Charter shall appear on the ballot in the form of a question, set forth as follows:

CHARTER BALLOT QUESTION
CITY OF DUNNELLON, FLORIDA
REFERENDUM ELECTION

PURCHASE REQUIREMENTS FOR GOODS

Shall the Charter of the City of Dunnellon be amended to require that purchases of major items (goods) in an amount over \$5,000.00 but less than \$35,000.00 shall not be awarded without first obtaining a minimum of two written bids or proposals, and that purchases of major items (goods) in an amount of \$35,000.00 or greater shall not be awarded until after the City advertises to receive sealed bids proposals?

_____ YES, For Approval

_____ NO, For Rejection

SECTION 6. Effective Date of Amendment to Charter. If approved by a majority of the voting electors of the City of Dunnellon, the amendment set forth in Exhibit “A” shall become effective in accordance with the provisions of Section 166.031, Florida Statutes. If the electors reject an amendment(s), the rejected amendment(s) shall not take effect.

SECTION 7. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 8. Conflicting Ordinances. All ordinances and Charter provisions, or parts of ordinances and Charter provisions in conflict herewith are hereby repealed.

SECTION 9. Effective Dates. This Ordinance shall take effect immediately upon its final passage and adoption. The revised Charter provisions proposed for approval in this Ordinance shall become effective upon the approval of a referendum election of the electors of the City of Dunnellon.

Upon motion duly made and carried, the foregoing ordinance was adopted on the first reading on the ____ day of _____ 2022.

Upon motion duly made and carried, the foregoing ordinance was adopted on the second and final reading on the ____ day of _____ 2022.

Ordinance Posted on the City’s website on _____, 2022. Public hearing advertised on the City’s website on _____ and advertised in the Riverland News on _____.

William P. White, Mayor

Attest:

Amanda L. Odom, CMC
City Clerk

CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida this _____ day of June 2022 and on the City’s Official Website the _____ day of June 2022.

Amanda L. Odom, City Clerk

EXHIBIT “A”
ORDINANCE #ORD2022-06

SECTION 5 OF THE CHARTER OF THE CITY OF DUNNELLON, FLORIDA

Section 5. - [Additional powers.]

The city council shall have power to levy and collect taxes on all property taxable by law for state purposes; to levy and collect occupational license taxes on all privileges, businesses, trades, occupations, and professions which are operated, conducted, or engaged within the limits of said city, and the amount of such license tax shall be fixed by ordinance, which amounts of said taxes shall not be dependent upon a general state revenue law. To levy special assessments for public improvements, street paving, building, and sidewalks and improving public property and shall have the power and authority to levy and assess against property benefited thereby special assessments; to appropriate money and to provide for the payment of all debts and expenses of the city; to make regulations to prevent the introduction of the contagious diseases in the city; to establish hospitals, jails, houses of detention and correction, and to make regulations for the government thereof; to make regulations to secure the general health of the inhabitants and to prevent and remove nuisances; to provide for the cleaning and keeping in good sanitary condition all premises within the limits of the city; to provide the city with water by waterworks within or beyond the boundaries, by contract or otherwise; to provide for the extinguishment of fires and to organize and establish fire departments; to establish fire limits and to regulate the construction of buildings therein, and to prevent the construction of any building with inflammable material within such limits. To require the use of brick, stone, or concrete in the erection of all buildings in such limits.

To condemn and order removed, or remove, any building that may endanger the property of others when the owners of such building refuse to make the same safe; to provide for lighting of the city by contract or otherwise; to make appropriations; to open, alter, abolish, widen, extend, establish, pave, improve and keep in repair streets, alleys, and sidewalks; to sell, convey or lease the mining rights in any street or alley abolished or discontinued; to erect, establish, regulate, and keep in repair privies, culverts, sewers, and gutters; to grant rights and privileges to and upon streets, alleys, ways, and avenues of the said city for public utilities; to make appropriations for lighting streets and public buildings, and for erection of all buildings necessary for the use of the city; to license hackney carriages, carts, omnibuses, automobiles, wagons, and drays and to fix the rate to be charged for the carriage of persons and property within the city; to regulate the speed of trains, automobiles, motorcycles, and bicycles within the limits of the city; to prohibit and suppress all gambling houses, bawdy and disorderly houses and obscene pictures and literature; to regulate dance halls, poolrooms, and all places of public amusements, and all saloons; to regulate, restrain or prevent the carrying on of manufactories dangerous in causing or producing fires and to regulate the license for the sale of firearms and to suppress the carrying of concealed weapons; to prohibit and regulate the storage of combustible, explosive, or inflammable goods or materials or products of any kind; to provide for and to regulate the inspection of beef, pork, flour, meal, and other provisions, oils, whiskey, and other spirits; to regulate inspection of milk, butter, lard, and other provisions; to regulate the vending of meat, poultry, fish, fruits, and vegetables, to establish and regulate markets, and to require all fresh meats, fish, poultry, and vegetables to be sold therein; to regulate, tax, license, or suppress the keeping and going at large of all animals, including dogs, within the city limits, to impound the same, and in default of redemption in pursuance of the

ordinance, to sell, kill, or otherwise dispose of the same; to establish pound limits within the city; to regulate weights and measures; to provide for enclosing, improving, and regulating public buildings and grounds belonging to the city in or out of the corporate limits; to purchase, lease, receive and hold property, real and personal, for the use and benefit of the city, and to sell, lease, mortgage or otherwise dispose of any and all of the corporate property, both real and personal for the benefit of the said city; to erect, repair, alter, and change public buildings and to make any and all other improvements necessary for the city; to borrow money and pledge the corporate property, as security therefor, for making such improvements as may be necessary for the city; to regulate the anchorage or mooring of vessels, lighters, rafts, boats, and all other water craft in front of the streets, and all such property as may be owned or controlled by the city; to pass all ordinances necessary for the health, morals, convenience, and safety of the citizens; to secure peace and good order in the city and to carry out the further intent and meaning of this act and to accomplish the objects of this incorporation; to provide for the appointment of a police force; to punish resisting arrest or restraining process and obstructing or opposing any police officer of said city; to provide for the arrest of any persons violating any ordinance and for their punishment, upon conviction, by fines, forfeitures, penalties, imprisonment with or without labor; but no penalty shall exceed five hundred dollars, and no term of imprisonment shall be for a longer time than three months for the same offense.

~~Prior to purchase by the city of major items over \$5,000.00, they shall be advertised for bids, except in cases where the health and welfare of the community will be jeopardized. Sealed bids shall be accepted and the purchase shall be authorized by a majority vote of the city council.~~

The purchase of goods with an estimated value of over five thousand dollars (\$5,000.00) but less than thirty-five thousand dollars (\$35,000.00) shall not be awarded without obtaining a minimum of two bids or proposals. The purchase of goods with an estimated value of thirty-five thousand dollars (\$35,000.00) or greater shall be awarded after the city advertises to receive sealed bids or proposals. These thresholds shall not apply in cases where the health and welfare of the community will be jeopardized by such requirements.

The city council shall be permitted to waive bidding requirements when, in the discretion of a majority of the council members, it is determined that it is in the best interest of the city to share a bid price with another entity.

No city parks, beaches or recreation areas shall be disposed of without a referendum approval by a majority vote.