

RESOLUTION #RES2021-16

A RESOLUTION OF THE CITY OF DUNNELLON AMENDING THE MARCH 2008 BLUE RUN OF DUNNELLON PARK MANAGEMENT PLAN AS SPECIFIED HEREIN; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the March 2008 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

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 none of the aforementioned entities have objected to the proposed amendments; and

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

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

LEGISLATIVE UNDERSCORING: Underlined words constitute additions to the MP, ~~strikethrough~~ constitutes deletions from the original.

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) Paragraph 5 of 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:

Any and all fees collected for use this property will be placed in a segregated account and used solely for the upkeep and maintenance of this project site. Commercial use of the property will be prohibited except by written agreement approved by the City of Dunnellon and FCT. ‘Commercial use’ means:

- i. the sale or rental of any item, good, concession, or merchandise within the boundaries of Blue Run Park; and
- ii. the provision of any service performed within the boundaries of Blue Run Park regardless of whether compensation for such service is paid onsite or offsite.

Notwithstanding the definition of ‘commercial use,’ the K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is a governmental transportation service and is specifically authorized to operate within Blue Run Park in accordance with any existing and/or future interlocal agreement(s) between the City of Dunnellon and Marion County consistent with this Management Plan.

- b) Paragraph 5 of 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:

Any and all fees collected for use this property will be placed in a segregated account and used solely for the upkeep and maintenance of this project site. Commercial use of the property will be prohibited except by written agreement approved by the City of Dunnellon and FCT. ‘Commercial use’ means:

- iii. the sale or rental of any item, good, concession, or merchandise within the boundaries of Blue Run Park; and
- iv. the provision of any service performed within the boundaries of Blue Run Park regardless of whether compensation for such service is paid onsite or offsite.

Notwithstanding the definition of ‘commercial use,’ the K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is a governmental transportation service and is specifically authorized to operate within Blue Run Park in accordance with any existing and/or future interlocal agreement(s) between the City of Dunnellon and Marion County consistent with this Management Plan.

- c) The list of rules and policy examples of the section entitled “Park Rules, Regulations, and Policies of “Chapter V. Management Needs” located on page 23 of the MP is amended by striking the sentence:

~~“Fishing in the interior pond is prohibited.”~~

And replacing same with the following:

“Catch and release fishing is permitted in the interior pond.”

SECTION 3. 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 4. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This resolution shall take effect on April 1, 2022.

Upon motion duly made and carried, the foregoing Resolution was adopted by the City Council of the City of Dunnellon on the 10th day of January 2022.

CITY OF DUNNELLO, FLORIDA

ATTEST:

William P. White, Mayor

Amanda Odom, CMC, City Clerk