

**From:** Dan Lobeck [<mailto:dlobeck@lobeckhanson.com>]

**Sent:** Thursday, September 14, 2017 5:12 PM

**To:** John Holic <[JHolic@Venicegov.com](mailto:JHolic@Venicegov.com)>

**Cc:** [dpersson@swflgovlaw.com](mailto:dpersson@swflgovlaw.com); Jeanette Gates <[JGates@Venicegov.com](mailto:JGates@Venicegov.com)>; Robert Daniels <[RDaniels@Venicegov.com](mailto:RDaniels@Venicegov.com)>; Richard Cautero <[RCautero@Venicegov.com](mailto:RCautero@Venicegov.com)>; Kit McKeon <[KMCKEON@venicegov.com](mailto:KMCKEON@venicegov.com)>; Deborah Anderson <[DAnderson@Venicegov.com](mailto:DAnderson@Venicegov.com)>; Fred Fraize <[FFraize@Venicegov.com](mailto:FFraize@Venicegov.com)>; Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>; 'Holly Laird' <[hlairdpbs@gmail.com](mailto:hlairdpbs@gmail.com)>; 'Kimel, Earle' <[earle.kimel@heraldtribune.com](mailto:earle.kimel@heraldtribune.com)>

**Subject:** Public Comment at September 19 Meeting

Mayor Holic:

This is to confirm my request after the August 31 City Council meeting, for the homeowners of Pinebrook South HOA and others, that members of the public be allowed to speak at the next transmittal meeting, which is now scheduled for Tuesday, September 19 (at 9 am at City Hall), prior to the Council vote on transmittal of the revised Venice Comprehensive Plan.

Such a right to express questions, comments and concerns on any agenda item is guaranteed to all members of the public present at the meeting, "at the time the item is under consideration by the Council", by Section 2-53(a)(3) of the City Code. The time that the item at issue is under consideration by the Council is on September 19.

Significantly, there has not yet been a vote by the City Council to close the public hearing, so it remains open. As such, all persons who wish to speak should be granted that opportunity at the meeting on Tuesday.

Further, as a practical matter, the opportunity for public comment at prior sessions of the Council with regard to transmittal has generally come only after lengthy presentations, mainly by City representatives, which have required members of the public to wait for hours for an opportunity to speak. If the September 19 session may, as is apparently planned, be the meeting at which the transmittal is actually decided, then the public should be given a convenient and appropriate opportunity to express their views, and not be denied that right on the basis that it was accorded to them on another date and time.

When we spoke about this, you stated that you would confer with City Attorney David Persson and make a decision in this matter.

Please let me know what is determined in this regard, as soon as convenient, so that I may let others know.

Thank you very much for your considerations.

-- Dan Lobeck

**From:** Lori Stelzer

**Sent:** Thursday, September 14, 2017 1:55 PM

**To:** 'Dan Lobeck' <[dlobeck@lobeckhanson.com](mailto:dlobeck@lobeckhanson.com)>; John Holic <[JHolic@Venicegov.com](mailto:JHolic@Venicegov.com)>

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**Subject:** RE: Venice Comp Plan Transmittal Continuance Date?

Dan,

The meeting has been continued to Tuesday, Sept. 19 at 9 a.m. As far as I know, Mayor Holic, Jeanette Gates, Kit McKeon, Bob Daniels and Fred Fraize will be in attendance. I have not heard from Deborah Anderson or Rich Cautero to know if they will be there. The five were at the meeting yesterday when it was rescheduled. I believe Deborah mentioned she would not be here for the Sept. 13 meeting when it was rescheduled last time. I personally did not hear that during the meeting but was told she stated it. You could listen to the audio of the last meeting to confirm.

Thanks.

Lori Stelzer, MMC  
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**From:** Dan Lobeck [<mailto:dlobeck@lobeckhanson.com>]

**Sent:** Thursday, September 14, 2017 1:41 PM

**To:** Lori Stelzer <[LStelzer@Venicegov.com](mailto:LStelzer@Venicegov.com)>; John Holic <[JHolic@Venicegov.com](mailto:JHolic@Venicegov.com)>

**Subject:** Venice Comp Plan Transmittal Continuance Date?

Can either of you please tell me the date, time and place to which the transmittal hearing for the Comprehensive Plan revision was continued yesterday?

And has it been scheduled this time for a date when a full City Council will be available, and if not who is expected to be unavailable? (It is my understanding that when the original September 13 date was set it was known that Deborah Anderson would be unavailable, but please correct me on that if I am mistaken).

Thank you very much,

-- Dan Lobeck