



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • SEPTEMBER 9, 2019

City Commission Chamber

First Public Hearing Budget Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

City Clerk's office: (386) 248-9441 - Fax: (386) 248-9448

1. CALL TO ORDER

a. Roll Call

Attendee Name	Title	Status	Arrived
Chris Via	Mayor	Present	
John Penny	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John C. Danio	District 3 - Commissioner	Present	
Roy Johnson	District 4 - Commissioner	Present	

b. Invocation

Commissioner Penny led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. PUBLIC HEARINGS - BUDGET

1. -2019-R-51 Resolution

FIRST PUBLIC HEARING - a Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Levying of Ad Valorem Taxes for the City of Holly Hill for the Fiscal Year 2019-2020; and Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

Mr. Forte read the entire Resolution for the record:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 9, 2019, adopted a Fiscal year 2019-2020 tentative millage rate following a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the gross taxable value for operating purposes, not exempt from taxation, has been certified by the Volusia County Property Appraiser to the City of Holly Hill as \$664,654,238.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The FY 2019-2020 operating millage is 6.50 mills, which is greater than the rolled-back rate of 6.1047 mills by 6.475%.

SECTION 2. The Final Public Hearing will be September 24, 2019 at 7:00pm.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

Mayor Via opened public participation.

The following individuals spoke to the Mayor and City Commissioners:

Jim Cameron, Senior Vice President - Government Relations Daytona Regional Chamber, commended the Finance Director Stella Gurnee for her assistance pertaining to the budget is always helpful; he put out a matrix/comparison chart that he puts out for tax rates and budgets and believes Holly Hill has a competitive rate.

Floyd Faria, 557 10th Street, Holly Hill came forward and shared his concerns about the extra \$96 on his water bill and what it's for.

Commissioner Penny stated he thinks Mr. Faria is speaking about the stormwater.

Mr. Forte stated every year, the residents pay a non-ad valorem tax of a certain dollar amount and for Mr. Faria it may be \$96.

Mayor Via closed public participation.

RESULT:	ADOPTED [4 TO 1]
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Penny, Currie, Danio, Johnson
NAYS:	Via

RESOLUTION

2019-R-51

FIRST PUBLIC HEARING - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE LEVYING OF AD VALOREM TAXES FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 9, 2019, adopted a Fiscal year 2019-2020 tentative millage rate following a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the gross taxable value for operating purposes, not exempt from taxation, has been certified by the Volusia County Property Appraiser to the City of Holly Hill as \$664,654,238.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The FY 2019-2020 operating millage is 6.50 mills, which is greater than the rolled-back rate of 6.1047 mills by 6.475%.

SECTION 2. The Final Public Hearing will be September 24, 2019 at 7:00pm.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 9th day of SEPTEMBER, 2019.

Enacted and approved this 9th day of September, 2019, in Holly Hill



2. -2019-R-52 Resolution

FIRST PUBLIC HEARING - a Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Adopting the Tentative Budget for the City of Holly Hill for the Fiscal Year 2019 - 2020; and Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John Penny, District 1 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION**2019-R-52**

FIRST PUBLIC HEARING - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019 - 2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ADOPTING THE TENTATIVE BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019 - 2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill of Volusia County, Florida, on September 9, 2019, held a public hearing as required by Florida Statute 200.065; and

WHEREAS, the City of Holly Hill of Volusia County Florida, set forth the appropriations and revenue estimate for the Budget for Fiscal Year 2019-2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Commission of the City of Holly Hill, Florida pursuant to the Charter of the City of Holly Hill and Chapter 166, Florida Statutes, does hereby adopt the Tentative General, Enterprise and all other related Fund Budgets and Capital Improvements Programs, which are attached hereto and incorporated herein as Exhibit "A" which may later be amended by the City Commission.

SECTION 2. Set the final public hearing for September 24, 2019 immediately following adoption of the Millage Rate Resolution.

SECTION 3. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 9th day of SEPTEMBER, 2019.

Enacted and approved this 9th day of September, 2019, in Holly Hill



3. POSITIVITY AWARD - NONE**4. PUBLIC COMMENTS**

The following individuals spoke to the Mayor and City Commissioners:

Arthur Vescovi, 24 Pinelynn Lane, Palm Coast, shared his concerns about the property located at 938 Hibiscus Avenue not being able to get a permit as the Trustee for that property. Mr. Vescovi turned over to the City Clerk some information pertaining to the trust and photos of the property in question and the issue about trustees and a trust.

Floyd Faria, 557 10 Street, Holly Hill, shared his concerns about the extra \$96 on his water bill and what it's for.

Mayor Via stated he believes that's for his stormwater fee.

Mr. Forte stated the \$6 a month on the water bill is the R & R for the water and sewer plant. The \$96 a month, he's assuming that's the dollar amount, is the stormwater fee. That stormwater fee goes in to the city's Enterprise Fund that's used to operate the stormwater system throughout the entire city. It could be for building ponds or outflows. The city will be enlarging the one that's out on Flomich from Daytona Avenue out to the river and that's several hundred dollars and that's what his money is going for.

Mr. Faria stated okay, that's what he wanted to know.

5. APPROVAL OF MINUTES**1. -DOC-2019-10**

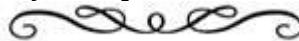
Minutes - August 27, 2019, Regular City Commission Meeting and August 30, 2019, Emergency Meeting Called by the Mayor for Hurricane Dorian

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 9th day of September, 2019, in Holly Hill

**6. CONSENT AGENDA - ITEMS (1 - 7)**

Mayor Via asked if there was any member of the Commission or anyone from the audience that would like to speak on any item on the Consent Agenda? Mayor Via stated he would like to pull Consent Agenda item no. 5, Granicus Master Subscription Agreement Renewal for clarification.

Mayor Via opened public participation.

Heidi Heller, 460 Ridgewood Avenue, Holly Hill shared her concerns about a few passed Resolutions that have the same number and that it's not a good search engine for items/Resolutions. Ms. Heller spoke about FDOT Consent Agenda item as well pertaining to a street name, Brentwood Drive.

Staff informed the Mayor, Commissioners and Ms. Heller that the Resolutions she mentioned with the same number have been corrected about seven months or so ago.

Mayor Via closed public participation.

1. -2019-R-53 Resolution

A Resolution of the City of Holly Hill, Florida, Ratifying the Eastern Volusia Regional Water Authority 2019-2020 Budget; and Providing an Effective Date.

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2019-R-53

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RATIFYING THE
EASTERN VOLUSIA REGIONAL WATER AUTHORITY 2019-2020 BUDGET; AND
PROVIDING AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY OF HOLLY HILL,
FLORIDA, RATIFYING THE EASTERN VOLUSIA
REGIONAL WATER AUTHORITY 2019-2020 BUDGET;
AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, by Resolution 2010-R-78, the City Commission approved an Interlocal Agreement with the City of Daytona Beach and the City of South Daytona, creating the Eastern Volusia Regional Water Authority (EVRWA); and

WHEREAS, the Interlocal Agreement requires that the City ratify EVRWA's annual budget prior to it becoming effective and make required contributions toward the administrative portion of the budget; and

WHEREAS, the proposed budget prepared by EVRWA for the 2019-2020 fiscal year shows that the EVRWA has reserved funds on hand; and

WHEREAS, EVRWA proposes to use these reserved funds to pay for each member's required contribution toward the administrative portion of the EVRWA budget for the 2019-2020 fiscal year; and

WHEREAS, the City Manager and Public Works Director recommend that

the City ratify EVRWA's annual budget.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION
OF THE CITY OF HOLLY HILL, FLORIDA:**

SECTION 1. Based on the recitals above, the City Commission hereby ratifies the Eastern Volusia Regional Water Authority (EVRWA) 2019-2020 budget. No additional City funding is required in association with this ratification. A copy of the EVRWA's Budget FY ending 09/30/20 is attached hereto and made a part hereof.

SECTION 2. This Resolution shall take effect immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 9th day of SEPTEMBER,
2019.**

Enacted and approved this 9th day of September, 2019, in Holly Hill



2. -2019-R-54 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute a Memorandum of Agreement with the Florida Department of Transportation for the State Roads Rights-Of-Way Maintenance.

(Requested by Antoine Khoury, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION

2019-R-54

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL,
FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A
MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF
TRANSPORTATION FOR THE STATE ROADS RIGHTS-OF-WAY
MAINTENANCE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE
CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE
CITY MANAGER TO EXECUTE A MEMORANDUM OF
AGREEMENT WITH THE FLORIDA DEPARTMENT OF
TRANSPORTATION FOR THE STATE ROADS RIGHTS-
OF-WAY MAINTENANCE ; AND PROVIDING FOR
SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the City has an agreement with the Florida Department of Transportation whereby the City is reimbursed for maintenance of state road rights-of-way and median strips located along US 1 and Nova Road. Under this agreement the FDOT compensates the City for routine maintenance; and

WHEREAS, the agreement expires October 5, 2019. FDOT has presented the attached memorandum of agreement; and

WHEREAS, the Florida Department of Transportation has requested the City of Holly Hill execute this new memorandum of agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

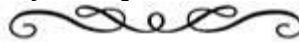
SECTION 1. That the City Manager of the City of Holly Hill is hereby authorized to execute that "Memorandum of Agreement - Highway Maintenance, Contract #AS283-R1," between the City of Holly Hill and Florida Department of Transportation, and mutually agreed upon renewals, a copy of which is attached hereto and incorporated herein by reference.

SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption

APPROVED AND AUTHENTICATED on this 9th day of SEPTEMBER, 2019.

Enacted and approved this 9th day of September, 2019, in Holly Hill



3. -2019-R-55 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the Continuation of the Memorandum of Understanding by and Between the City of Holly Hill, Florida, and Concerned Citizens for Animal Welfare (CCFAW) and Renewing a Trap/Neuter/Return (TNR) Program for the Control of the Free Roaming Cat Population; Providing for Severability; Providing and Allowing Budgetary Concerns; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION**2019-R-55**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CONTINUATION OF THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF HOLLY HILL, FLORIDA, AND CONCERNED CITIZENS FOR ANIMAL WELFARE (CCFAW) AND RENEWING A TRAP/NEUTER/RETURN (TNR) PROGRAM FOR THE CONTROL OF THE FREE ROAMING CAT POPULATION; PROVIDING FOR SEVERABILITY; PROVIDING AND ALLOWING BUDGETARY CONCERNS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CONTINUATION OF THE MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF HOLLY HILL, FLORIDA, AND CONCERNED CITIZENS FOR ANIMAL WELFARE (CCFAW) RENEWING A TRAP/NEUTER/RETURN (TNR) PROGRAM FOR THE CONTROL OF THE FREE ROAMING CAT POPULATION; PROVIDING FOR SEVERABILITY; PROVIDING AND ALLOWING FOR BUDGETARY CONCERNS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City recognizes that many free roaming cats are often deemed unadoptable and unfortunately euthanized; and

WHEREAS, by partnering with the Concerned Citizens for Animal Welfare (CCFAW), cat colonies can be safely maintained; and

WHEREAS, Trap/Neuter/Return programs have been operating in Holly Hill which have demonstrated promising cost savings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The City Commission supports the continued memorandum of understanding partnership with the Concerned Citizens for Animal Welfare (CCFAW) in order to better serve the animals, particularly feral cats, while providing the savings of tax dollars.

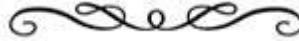
SECTION 2. SEVERABILITY If any section or portion of a section of this

Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE This Resolution shall take effect immediately upon adoption of the fiscal year 2019/2020 final budget appropriation by the City Commission.

APPROVED AND AUTHENTICATED on this 9th day of SEPTEMBER, 2019.

Enacted and approved this 9th day of September, 2019, in Holly Hill



4.

Harris System Maintenance Agreements FY2019-2020

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson



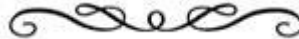
5. -DOC-2019-11

Granicus Master Subscription Agreement - Renewal

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 9th day of September, 2019, in Holly Hill



6. -DOC-2019-12

Team Volusia - Economic Development Agreement FY2019-2020

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 9th day of September, 2019, in Holly Hill



7.

BMC CPAs Audit Engagement Letter and Amendment
(Requested by Stella Gurnee, Finance)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson



7. **REGULAR AGENDA - NONE**

8. **PUBLIC HEARING**

Mayor Via opened public participation. No one spoke.

1. -2019-O-3019 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Amending Chapter 14 (Buildings and Building Regulations) Creating Sections 14-3 and 14-4, to Add Regulations for Storm Protection and Damaged Structures, Amending Section 14-231, Adopting the International Property Maintenance Code; Providing for Severability; Providing for Codification; and Providing for an Effective Date.

(Requested by Brian Walker, City Planner)

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE

2019-O-3019

**SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL,
FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY
AMENDING CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS)**

CREATING SECTIONS 14-3 AND 14-4, TO ADD REGULATIONS FOR STORM PROTECTION AND DAMAGED STRUCTURES, AMENDING SECTION 14-231, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 14 (BUILDINGS AND BUILDING REGULATIONS) CREATING SECTIONS 14-3 AND 14-4, TO ADD REGULATIONS FOR STORM PROTECTION AND DAMAGED STRUCTURES, AMENDING SECTION 14-231, ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission finds it periodically necessary to amend its Land Development Regulations in order to update regulations and procedures to implement planning goals and objectives; and

WHEREAS, the City Commission finds it necessary to provide regulations concerning the protection of damaged structures and to update language adopting the International Property Maintenance Code; and

WHEREAS, it is the intent of the City Commission that this Ordinance be enacted to protect and promote the health, welfare, and safety of the citizens of and visitors to the City of Holly Hill by taking steps to prevent economic deterioration and eliminate blight; and

WHEREAS, the City Commission deems it to be in the best interest of the citizens and residents of Holly Hill to adopt the proposed amendments to the Land Development Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. Incorporation of Recitals. The above recitals are incorporated herein by reference and form an integral part of the Ordinance.

SECTION 2. - That Sections 14-3 and 14-4, be created and added as follows:

Sec.	14-3	Damaged	structures.
	Damaged openings such as doors, windows or other apertures or holes in the building envelope or roof shall be allowed to be temporarily protected, but repairs or replacement of the damaged doors, windows, other apertures or holes in the building envelope or roof, must take place within 90 days. Materials used to protect or cover the opening can be any material approved for use by the then current edition of the Florida Building Code. If using wood		

structural panels, oriented strand board (OSB), plywood or any other natural wood product, the material used to enclose the building must be neatly fitted to protect the opening and shall be painted to blend in or match the rest of the building. This section applies to uninhabited or vacant and inhabited or occupied structures.

Sec. 14-4 Temporary storm protection of structures.

Openings on residential structures, such as doors, windows or other apertures may be temporarily protected up to 7 days prior to the projected landfall of any named storm or weather system. Temporary protection must be removed within 14 days after the storm threat has passed. Unoccupied residential structures using Florida Product Approved storm shutters may keep them attached for the entire hurricane season. After the official hurricane season is over, shutters must be removed or opened. Commercial structures may be temporarily protected up to 7 days prior to the projected landfall of any named storm or weather system. Temporary protection must be removed within 14 days after the storm threat has passed.

SECTION 3. That Section 14-231. - Adoption is hereby amended to add underlined language and remove language ~~stricken through~~ as follows:

Sec. 14-231. - Adoption.

~~There is hereby adopted by reference as if set out at length herein those publications known as the International Property Maintenance Code, 2012 Edition, including all appendices thereto except where amended or superseded by ordinance. A copy of said maintenance code shall be kept on file in the office of the city clerk.~~

The city hereby adopts and incorporates into the Code of Ordinances the most current edition of the International Property Maintenance Code (IPMC), including all future amendments and updates, except where superseded by ordinance. A copy of said maintenance code shall be kept on file in the Community Development Office.

SECTION 4. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 5. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed consistent, however, with the provisions of this Ordinance relative to the transitional application of the land development regulations.

SECTION 6. CODIFICATION. It is the intent of the City Commissioners that the Substantive provision of this Ordinance will become and be made part of the Land Development Regulations of Holly Hill and that the word "ordinance" may be changed to "section", "part", or other appropriate word or phrase, and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; providing, however, that sections 4, 5, 6, and 7 of this Ordinance shall not be codified.

SECTION 7. EFFECTIVE DATE. That this Ordinance shall become effective immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 27th day of AUGUST, 2019
for second reading.**

Enacted and approved this 9th day of September, 2019, in Holly Hill



9. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte stated at the Board of Planning and Appeals, the Commission is going to hear and it's going to come to the Commission on September 24th, is this Madison Bay Senior Affordable Housing development at 3rd Street and Ridgewood Avenue. It's a workforce housing, Florida Housing Finance Corporation project, not workforce senior, where they are going to apply for the tax credits. In the meantime, tomorrow, the County is opening up an application for a SHIP financing, actually tomorrow's the last day. This applicant has asked, they would like to apply for that SHIP funding that the County is going to issue and it's for \$300,000. The County is only going to issue it to one project. He's sure there is going to be several people requesting this \$300,000. In order for them to do that, because of the amount of their project and the type of project that it is, their local match has to be \$560,250. They have contacted him and they said, *"Will the city loan the contractor \$260,250 in order for them to then qualify for the \$300,000 from the County?"* Mr. Forte stated what they are looking for is a letter saying that "yes, we will do that." Now, the details come a little bit later. The details are rather simple. What they look for with this SHIP money is local support. The only way they find local support is through some type of financing. It can be any variation of financing. It can be a thirty (30) year loan, it can be a five (5) year loan, it can be a six (6) month loan and that's what they are looking for. Is a six (6) month loan between 3% and 5% in interest, interest only with a final payout in six

(6) months. The loan would be issued at the time of Certificate of Occupancy, the collateral would be the project itself. For the six (6) month period, that the city would loan them this money, will earn 3% interest on it and then they will pay it off at six (6) months and that takes place in about a 1.5 years from now. He wanted to go ahead and issue them the letter saying they can go ahead and apply for the \$300,000, we get into the details and that's when Attorney Simpson will get involved and he'll read this letter (Mr. Forte showed him) and if at that time the city finds out there's something wrong, the city doesn't have to move forward with it but he wanted to at least give them the opportunity to apply for the \$300,000.

Commissioner Currie stated the letter of agreement, is it going to include that if they do not receive the SHIP grant...

Mr. Forte stated it's only if they get it.

Commissioner Currie stated but that's going to be in there?

Mr. Forte stated, yes. It's contingent upon them getting the \$300,000 grant and it's contingent upon them getting the Florida Housing Finance Corporation grant. It's only issued upon the Certificate of Occupancy.

Commissioner Currie stated, okay.

Commissioner Danio stated the worst case is the city gets a building.

Mr. Forte stated the worst case is the city gets 3% on our money.

Commissioner Danio stated and if they don't pay, the city gets the building.

Commissioner Penny stated not if the city is the second place holder.

Mr. Forte stated the city would only get its portion of it.

Commissioner Penny asked is there any other financing involved with this project? Do these guys have cash to build this thing? Here's his concern. The city is a second place holder and they file bankruptcy and the city loses its \$200,000.

Mr. Forte stated, no. What they would do is when they go to apply for their...they go through the construction loan process and when they go to convert the construction loan to a final, that's when the city gets its money back.

Commissioner Penny asked what if they never get there?

Mr. Forte stated the city isn't going to issue it until they have a Certificate of Occupancy.

Mayor Via asked the city doesn't actually give them the loan until they...

Commissioner Penny stated Attorney Simpson, in bankruptcy, doesn't the second place holder always lose?

Attorney Simpson stated well, you're in second place. It depends on how much the first mortgage is and yes, to protect yourself as the second lien holder. He doesn't even know if we're going to have a mortgage. It only becomes an issue if we have a mortgage, is it a secured or unsecured loan, what collateral they are providing...

Mr. Forte stated and they even said they would do a personal guarantee.

Attorney Simpson stated he would prefer the word "*not committed*" not be there in the letter.

Commissioner Penny stated the city can't really commit to it until they see the contract, right?

Attorney Simpson stated, right.

Mr. Forte stated right now, all this letter says is go ahead and apply, the city is going to support you with this loan and then "*if*" they are successful with getting the SHIP money then the city goes into the details of the loan itself.

Commissioner Penny stated and if the city can't negotiate the loan then the whole thing falls apart anyways.

Mr. Forte stated, pretty much.

Commissioner Currie stated she's comfortable with that.

Attorney Simpson stated this is the only thing he's worried about. It says, "The City of Holly Hill has committed to provide a loan to Madison Bay, LLC in the amount of \$260,250." There's no contingency there. We're committed to doing it. That's why he's saying the word "committed" concerns him. The city can say, "we're willing to consider", which they may balk at or the city can say, "has committed subject to terms and conditions acceptable to both parties," or something like that.

Commissioner Currie stated, yes.

Mayor Via stated it would make logical sense to him that if the city has to give them this money or loan them this money then at that point they would have that \$300,000 grant come in. So, right away, there's the money.

Mr. Forte stated the city isn't going to give them money until they have the Certificate of Occupancy and have built the entire project then the city will write them a check and in six (6) months they are going to give the city the money back and if they default on it...he doesn't know why they built this building...

Commissioner Currie stated six (6) months doesn't concern her as much as two, three, four or five years.

Mr. Forte stated it would be different if they said, "give it to us now and we'll pay it back when we get a Certificate of Occupancy." The city isn't giving it to them until they are done building that project and they have the Certificate of Occupancy. This is just to show them that the city is committed to the project. The city has a bailout beyond this letter.

*There was **consensus** from the Commission for the City Manager to move forward with the letter.*

B. City Attorney Comments

None.

C. Mayor's Comments

Mayor Via mentioned the elected officials roundtable meeting he attended today and Fire Chief Bland was there and did a great job representing the city today on Fire Consolidation because it was a topic that came up. The mayors were asked to go back to their cities and ask if anyone is interested in doing consolidation and he will tell the Commissioners he is 100% against it and so is Mr. Forte and Chief Bland. They saw through the numbers today, there's not really a cost savings and all of the recommendations in 2010 have already been done, like 90%. There really is no benefit to consolidate and it was brought up by the Chairman of the County and Mayor Via stated he feels the idea is failing across the board. He wanted to bring it up tonight so he can say he brought it up and unless somebody objects.

There was consensus from the Commissioners that they do not support fire consolidation.

D. City Commission Comments

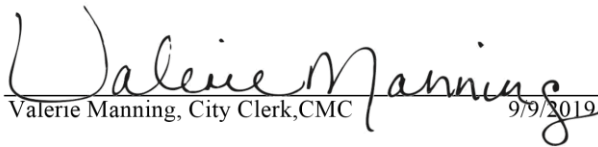
Commissioner Currie thanked the employees for everything they did during Hurricane Dorian; thankful that the city's emergency management did the pre-planning that they did, good job. Continue prayers for those affected in the Bahama's during Hurricane Dorian.

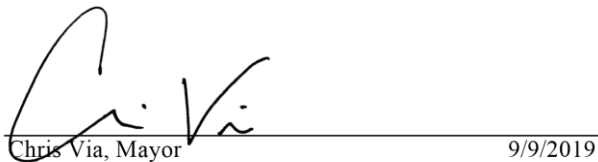
Commissioner Johnson thanked Commissioner Danio for the pizza he served during the hurricane and for being open.

Commissioner Penny thanked staff and citizens for preparing for the worse during the hurricane and asked if they could keep Chuck Mills in their prayers; he fell and hurt his back.

10. ADJOURNMENT

The meeting adjourned at approximately 8:20 PM.


Valerie Manning, City Clerk,CMC 9/9/2019


Chris Via, Mayor 9/9/2019