CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● NOVEMBER 12, 2024

City Commission ChamberReg. CC Meeting/Installation of Elected Officials **6:00 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
<u>ROLL CALL OF THE CURRENT MAYOR AND CITY COMMISSIONERS:</u>

- Mayor Chris Via
- John Penny, City Commissioner
- Penny Currie, City Commissioner
- John Danio, City Commissioner
- Roy Johnson, City Commissioner

All were present.

Attendee Name	Title	Status	Arrived
John Penny	Mayor	Present	
Debra Snow	City Commissioner	Present	
Penny Currie	City Commissioner	Present	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Debra Snow
Pastor Chuck McKeown from United Brethren in Christ (UBIC) led the invocation.

c. Pledge of Allegiance

2. INSTALLATION & OATH OF OFFICE OF ELECTED OFFICIALS - 2024 MUNICIPAL ELECTION

3. ROLL CALL OF NEW ELECTED OFFICIALS

<u>ROLL CALL OF THE NEWLY ELECTED MAYOR AND CITY COMMISSIONERS:</u>

- Mayor John Penny
- Debra Snow, City Commissioner
- Penny Currie, City Commissioner
- Jeff DeLanoy, City Commissioner
- Roy Johnson, City Commissioner

All were present.

4. REORGANIZATION OF CITY COMMISSION

A. Selection of Vice-Mayor

Commissioner Currie made a motion to ***nominate Commissioner Johnson as the Vice-Mayor and nominated Commissioner Johnson to continue serving on the TPO Board and Commissioner Snow as the alternate member to that board****, seconded by Commissioner Johnson.*

Mayor Penny opened public participation. No one spoke.

PASSED, 5-0.

B. Appointment to Board - Transportation Planning Organziation (TPO) & Alternate Board Member

5. PRESENTATIONS

A. Police Department Swearing-In - Officer Elijah Reed

6. PUBLIC COMMENTS

7. APPROVAL OF MINUTES

1.

Minutes - October 22, 2024 Regular City Commission Meeting and October 23, 2024 Workshop, and the October 30, 2024 Workshop

(Requested by Valerie Manning, City Clerk)
Mayor Penny opened public participation. No one spoke.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Penny Currie, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 12th day of November, 2024, in Holly Hill

8. CONSENT AGENDA - ITEMS (1 - 8)

Mayor Penny asked if there was anyone in the audience that wished to speak on any item on the Consent Agenda or if any member of the Commission wished to pull an item for further discussion.

The following audience members spoke on ***Consent Agenda Item No. 6***, pertaining to the Lease Agreement with Pictona at Holly Hill.

Gabriel Varga, Daytona Beach; Kyle Stickney, Holly Hill; Jim Legary, Holly Hill; and Daniel Latona, Holly Hill.

Commissioner Currie asked to pull Consent Agenda Item No. 6 for further discussion.

Commissioner Johnson made a motion to ***ADOPT RESOLUTION 2024-R-93, EXECUTE A LEASE AGREEMENT WITH PICTONA AT HOLLY HILL,*** seconded by Commissioner DeLanoy.

PASSED, 5-0. (see the actual agenda item as well)

1. –2024-R-88 Resolution

A Resolution of the City of Holly Hill, Florida, Approving the Piggyback of Florida Sheriff's Association Contract FSA23-EQU21.0 with Ring Power Corporation for the Purchase of a Caterpillar 420 Backhoe Loader at a Cost of $144,296 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-88
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF FLORIDA SHERIFF'S ASSOCIATION CONTRACT FSA23-EQU21.0 WITH RING POWER CORPORATION FOR THE PURCHASE OF A CATERPILLAR 420 BACKHOE LOADER AT A COST OF $144,296 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACK OF FLORIDA SHERIFF’S ASSOCIATION CONTRACT FSA23-EQU21.0 WITH RING POWER CORPORATION FOR THE PURCHASE OF A CATERPILLAR 420 BACKHOE LOADER AT A COST OF $144,296 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a replacement Caterpillar 420 Backhoe Loader was approved in the fiscal year 2024/2025 budget in keeping with the Fleet vehicle replacement plan; and

WHEREAS, the City of Holly Hill desires to purchase the vehicles under Florida Sheriff’s Association Contract FSA23-EUQ21.0, under the same terms and applicable conditions as that agreement; and

WHEREAS, Chapter 287, Florida Statutes, grants the authority to piggyback the purchase of goods and services as a form inter-governmental cooperative purchasing in which a public purchaser requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself in order to take advantage of the better pricing that large purchasers are able to obtain in order to reduce administrative time and costs involved in the procurement process (i.e., cost of preparing bid specifications, advertising, etc.); and

W**HEREAS,** the City has determined that in this circumstance, piggybacking onto an agreement entered into by the Florida Sheriff's Association is the most economically advantageous way to procure these goods and services.

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

SECTION 1. Pursuant to the City's purchasing policy, "piggyback" contracts are allowed for existing government contracts.

SECTION 2. It is hereby ascertained, determined and declared that it is in the best interest of the City to enter into a contract with Ring Power Corporation for the purchase of Caterpillar 420 backhoe loader at a cost of $144,296.

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 its adoption.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

2. 2024-R-89 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Accepting a Grant Agreement from Florida Inland Navigation District for 50% of the Cost of the Construction of a Replacement Bulkhead at Riverside Park Up to a Maximum Amount of $440,000 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-89
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING A GRANT AGREEMENT FROM FLORIDA INLAND NAVIGATION DISTRICT FOR 50% OF THE COST OF THE CONSTRUCTION OF A REPLACEMENT BULKHEAD AT RIVERSIDE PARK UP TO A MAXIMUM AMOUNT OF $440,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING A GRANT AGREEMENT FROM FLORIDA INLAND NAVIGATION DISTRICT FOR 50% OF THE COST OF THE CONSTRUCTION OF A REPLACEMENT BULKHEAD AT RIVERSIDE PARK UP TO A MAXIMUM AMOUNT OF $440,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission had approved a budget to replace the bulkhead at Riverside Park; and

WHEREAS, the City's design engineering consultant, Dredging and Marine Consultants, drafted a Florida Inland Navigation District (FIND) grant application on behalf of the City to help offset the cost of construction; and

WHEREAS, staff were notified that the City has been selected to receive grant assistance for 50% of the cost of the construction of the replacement bulkhead at Riverside Park up to a maximum amount of $440,000.

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 accept the grant agreement from Florida Inland Navigation District for 50% of the cost of the construction of a replacement bulkhead at Riverside Park up to a maximum amount of $440,000 and authorize the City Manager to execute the same.

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 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

3. 2024-R-90 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding the Contract for Lift Station #4 Replacement to All State Civil Construction in the Amount of $923,705.00 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-90
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING THE CONTRACT FOR LIFT STATION #4 REPLACEMENT TO ALL STATE CIVIL CONSTRUCTION IN THE AMOUNT OF $923,705.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA AWARDING THE CONTRACT FOR LIFT STATION #4 REPLACEMENT TO ALL STATE CIVIL CONSTRUCTION IN THE AMOUNT OF $923,705.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, An Invitation to Bid was advertised for the construction of Lift Station #4 Replacement; and

WHEREAS, Four (4) proposals were received for this project; and

WHEREAS, All State Civil Construction was the apparent low bidder for this project; and

WHEREAS, the proposal from All State Civil Construction has been vetted with a recommendation of award given by the project engineer of record, Parker Mynchenberg & Associates, Inc.; and

WHEREAS, the City utility budgeted for planned Capital Project 25-WW-01 to proceed with construction.

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 award the contract to replace lift station #4 to All State Civil Construction in the amount of $923,705.00 and authorize the City Manager to execute the same.

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 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

4. –2024-R-91 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the Use of Pace Analytical Services, Inc., for Various Water and Waste Water Laboratory Testing as a Sole Source Provider, Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-91
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE USE OF PACE ANALYTICAL SERVICES, INC., FOR VARIOUS WATER AND WASTE WATER LABORATORY TESTING AS A SOLE SOURCE PROVIDER, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE USE OF PACE ANALYTICAL SERVICES, INC., FOR VARIOUS WATER AND WASTEWATER LABORATORY

TESTING AS A SOLE SOURCE PROVIDER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill's Water Treatment Plant and Wastewater Treatment Facility must perform certain tests in order to meet operational requirements required by various regulatory and permitting agencies; and

WHEREAS, Pace Analytical Services, Inc., is the only such laboratory in our area within 40 miles radius that is needed to meet the shelf life of the samples (tests must be completed within 6 hours); and

WHEREAS, The services provided by Pace Analytical Service, Inc., are considered sole source as permitted under section F 2.25 of the Holly Hill Purchasing Policy Manual; and

WHEREAS, The estimated annual amount for services provided is not to exceed $53,700.00; and

WHEREAS, The services are being provided and considered sole source due to the shelf life of the samples. Therefore, the services provided and considered sole source as allowed under section F- 2.25-71 of the Holly Hill Purchasing Policy Manual.

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

SECTION 1. That Pace Analytical Services, Inc., is hereby determined to qualify as a sole source contractor pursuant to the City's Code of Ordinances and the City Manager is authorized to issue purchase orders to Pace Analytical Services, Inc., to perform the various laboratory tests as required in an annual amount not to exceed $53,700.00.

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 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

5. 2024-R-92 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute the Task Order with Mead and Hunt, Inc., for Engineering Services for Wastewater Plant Improvements Associated with Sahfi Grant Facility Plan in the Amount of $1,026,834.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-92
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE TASK ORDER WITH MEAD AND HUNT, INC., FOR ENGINEERING SERVICES FOR WASTEWATER PLANT IMPROVEMENTS ASSOCIATED WITH SAHFI GRANT FACILITY PLAN IN THE AMOUNT OF $1,026,834.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE TASK ORDER WITH MEAD AND HUNT, INC., FOR ENGINEERING SERVICES FOR WASTEWATER PLANT IMPROVEMENTS ASSOCIATED WITH SAHFI GRANT FACILITY PLAN IN THE AMOUNT OF $1,026,834.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City applied for inclusion of a Florida sponsored grant program to fund wastewater treatment system resilience improvements under the Florida Supplemental Appropriations for Hurricane Fiona and Ian (SAHFI) funds; and

WHEREAS, the City was provided a “Clean Water State Revolving Funding Planning, Design, Construction Management and Construction with Loan Agreement WW6410A0,” with a 100% reimbursable value of $9.3 million dollars; and

WHEREAS, the Contract Loan Agreement requires a professional engineering contract to support resiliency improvements in the “Facility Plan” approved in Resolution 2024-R-48; and

WHEREAS, the City approved Professional Consultant Services Agreement for Engineering/CEI Services for water plant improvement with resolution 2022-R-28 with Mead and Hunt, Inc.; and

WHEREAS, the City of Holly Hill Utility has a scope of services from Mead and Hunt, Inc. to complete the required engineering services element of the contract loan agreement.

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 does hereby authorize the City Manager to execute the purchase order with Mead and Hunt, Inc., for professional engineering services to support resiliency improvements in the "Facility Plan" approved in an amount of $1,026,834.00.

SECTION 2. The City Manager is hereby authorized to implant the reimbursable budget amendment to implement the improvements under the "Clean Water State Revolving Funding Planning, Design, and Contract Loan Agreement WW6410A0".

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 become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

6. 2024-R-93 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute a Lease Agreement with Pictona at Holly Hill for the Property Located at 1066 Ridgewood Avenue, Holly Hill, FL; Providing for Severability; and Providing for an Effective Date.

(Requested by Joseph Forte, City Manager)
The following audience members spoke on ***Consent Agenda Item No. 6***, pertaining to the Lease Agreement with Pictona at Holly Hill.
Gabriel Varga, Daytona Beach; Kyle Stickney, Holly Hill; Jim Legary, Holly Hill; and Daniel Latona, Holly Hill.
Commissioner Currie asked to pull Consent Agenda Item No. 6 for further discussion.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Roy Johnson, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-93
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH PICTONA AT HOLLY HILL FOR THE PROPERTY

LOCATED AT 1066 RIDGEWOOD AVENUE, HOLLY HILL, FL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AGREEMENT WITH PICTONA AT HOLLY HILL FOR THE PROPERTY LOCATED AT 1066 RIDGEWOOD AVENUE, HOLLY HILL, FL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on April 14, 2020, the City of Holly Hill (City) entered into a Management Agreement with Pictona at Holly Hill, Inc., to manage and operate the Pickleball Recreation Facility and other improvements; and

WHEREAS, Pictona at Holly Hill and the City wish to enter into an Agreement for the management of a wellness facility at the former Holly Hill Chamber of Commerce/Holly Hill Historical Society building located at 1066 Ridgewood Avenue, Holly Hill, FL.

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 approves the Agreement and authorizes the City Manager of the City of Holly Hill to execute the Agreement.

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 retroactively to October 1, 2024.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

7. 2024-R-94 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Task Order for Lift Station #18 Remedial Improvements Under the Piggyback of the City of Clermont, FL Agreement No. 2023-071, for Sanitary Sewer Manhole, Vault, and Lift Station Rehabilitation with Danus Utilities, Inc., for $67,751.50 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-94
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE TASK ORDER FOR LIFT STATION #18 REMEDIAL IMPROVEMENTS UNDER THE PIGGYBACK OF THE CITY OF CLERMONT, FL AGREEMENT NO. 2023-071, FOR SANITARY SEWER MANHOLE, VAULT, AND LIFT STATION REHABILITATION WITH DANUS UTILITIES, INC., FOR $67,751.50 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

IA RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE TASK ORDER FOR LIFT STATION #18 REMEDIAL IMPROVEMENTS UNDER THE PIGGYBACK OF THE CITY OF CLERMONT, FL AGREEMENT NO. 2023-071, FOR SANITARY SEWER MANHOLE, VAULT, AND LIFT STATION REHABILITATION WITH DANUS UTILITIES, INC, FOR $67,751.50 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City utility system requires assistance with contract septic sewer pumping services to provide for preventative maintenance, planned outages and emergencies to ensure uninterrupted services to the community and spill remediation; and

WHEREAS, Danus Utilities, Inc., has an active 3-year contract (No. 2023-071) with the City of Clermont, FL for the sanitary sewer manhole, vault, and lift station rehabilitation services which the City of Holly Hill piggybacked with City Resolution 2023-R-54; and

WHEREAS, Danus Utilities, Inc., provided a Task Order Quote of $67,751.50 to seal and replumb the station for by-pass pumping for Lift Station #18; and

WHEREAS, The Utility maintains Capital Funding for Lift Station Improvements in FY2024-2025 Budget Account 407-8110-580-6300 to fund the remediation project.

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 approve the task order from Danus Utilities Inc., for Lift Station #18 improvements in the amount of $67,751.50 and authorize the City Manager to execute the same.

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 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

8.

Assistance to Firefighters Grant FY2023 Memorandum of Understanding with the City of Daytona Beach and the City of Ormond Beach for the Procurement of a Mobile Breathing Air Trailer

(Requested by Valerie Manning, City Clerk)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 12th day of November, 2024, in Holly Hill

9. REGULAR AGENDA

1. –2024-R-95 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2024-2025 Annual Operating Budget, Appropriating Open Encumbrances and Project Carry Over Funds from the Fiscal Year 2023-2024 to the Fiscal Year 2024-2025 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

(Requested by Michele Moore, Finance)
Mayor Penny opened public participation.
Gabriel Varga, Daytona Beach.
Mayor Penny closed public participation.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-95
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING OPEN ENCUMBRANCES AND PROJECT CARRY OVER FUNDS FROM THE FISCAL YEAR 2023-2024 TO THE FISCAL YEAR 2024-2025 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING OPEN ENCUMBRANCES AND PROJECT CARRY OVER FUNDS FROM THE FISCAL YEAR 2023-2024 TO THE FISCAL YEAR 2024-2025 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill has certain Purchase Orders issued encumbering funds and projects initiated prior to the fiscal year commencing October 1, 2024, which remain incomplete and will carryover from fiscal year 2024-2025 into the ensuing fiscal year; and

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2024-R-66 approving the Annual Operating Budget for Fiscal Year 2024-2025; and

WHEREAS, the City of Holly Hill City Commission desires to appropriate the necessary carryover funds for continuation and completion of certain City operations and continuing projects and to set forth and appropriate certain revenues and expenses.

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

SECTION 1. BUDGET AMENDMENT. The project carryover funds and funds encumbered with open Purchase Orders are hereby appropriated as set forth in Composite Exhibit "A" attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 2024-2025 budget.

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. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2024 through September 30, 2025. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

2. 2024-R-96 Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2023 - 2024; and Providing for Severability; and Providing for an Effective Date.

(Requested by Michele Moore, Finance)
Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Debra Snow, City Commissioner
SECONDER:	Roy Johnson, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-96
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2023 - 2024; 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, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2023-2024; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Holly Hill, by Resolution 2023-R-52, adopted an operating budget for Fiscal Year 2023 - 2024; and

WHEREAS, The City of Holly Hill, Resolution 2023-R-59, Resolution 2023-R-68, Resolution 2023-R-69, Resolution 2023-R-71, Resolution 2024-R-4, Resolution 2024-R-9, 2024-R-34, and 2024-R-58 amended the operating budget for Fiscal Year 2023-2024; and

WHEREAS, the budget amendments increase revenues and expenditures in total pursuant to itemizations contained in Exhibit “A”, which is attached hereto and incorporated herein; and

WHEREAS, the budget amendment will allow the City of Holly Hill to adjust the Fiscal Year 2023-2024 budget.

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

SECTION 1. AMENDED BUDGET. The City Commission of the City of Holly Hill amends the Fiscal Year 2023-2024 budget by revising the budget in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein.

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 become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024.

Enacted and approved this 12th day of November, 2024, in Holly Hill

3.

2024-2025 VOCA Agreement Victims of Crime Act (VOCA) VOCA-2024-2025 Holly Hill Police Department

(Requested by Michele Moore, Finance)
Mayor Penny opened public participation.
Jim Legary, Holly Hill.
Mayor Penny closed public participation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

Enacted and approved this 12th day of November, 2024, in Holly Hill

10. PUBLIC HEARINGS

1. –2024-O-3079 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit "A" from CC-1 (Commercial Corridor District) to Business Planned Unit Development (BPUD) (Business Planned Unit Development); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
Brian Walker, City Planner/Assist. City Manager briefly went over the staff report within the agenda packet. There was no new information to share with the Mayor and City Commissioners since the first reading on October 22nd. Mark Watts from Cobb Cole, the applicant, and Steve Buswell from Parker Mynchenberg and Associates were present to answer any questions that they might have. *(A copy of the meeting in its entirety is available on the city's YouTube channel or a copy on a CD at the request in the City Clerk's Office).*
Attorney Simpson briefly explained to the Mayor and City Commissioners what a quasi-judicial hearing was and ex parte communication.
At this time Mayor Penny asked the Commissioners if there was any ex parte communication with the applicant pertaining to this agenda item. There was none.
Mayor Penny opened public participation.
Mary Nichols, Holly Hill; Christina Bolin, Holly Hill; Danielle Alderette, Holly Hill; Kyle Stickney, Holly Hill; and Danielle Latona, Holly Hill.
Mayor Penny closed public participation.

RESULT:	**ADOPTED AT 2ND READING [4 TO 1]**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, Johnson
NAYS:	DeLanoy

ORDINANCE
2024-O-3079
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM CC-1 (COMMERCIAL CORRIDOR DISTRICT) TO BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM CC-1 (COMMERCIAL

CORRIDOR DISTRICT) TO BUSINESS PLANNED UNIT DEVELOPMENT (BPUD) (BUSINESS PLANNED UNIT DEVELOPMENT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County, Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et. Seq., Florida Statutes; and

WHEREAS, the City Commission, as authorized by 163.3202, Florida Statutes, has enacted and does enforce the Land Development Regulations, based on, related to, and as a means to implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that it is necessary to amend its Land Development Regulations as herein provided in order to more effectively implement its adopted comprehensive plan; and

WHEREAS, the City Commission has determined that the proposed amendment to the Land Development Regulations is consistent with its adopted comprehensive plan.

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

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in **Attachment A** as BPUD (Business Planned Unit Development) pursuant to the provisions contained in the attached Development Agreement, as **Attachment B** and incorporated in this Ordinance by reference.

SECTION 2. Development of the property described in Attachment A shall conform to the Land Development Regulations of Holly Hill.

<u>SECTION 3.</u> If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

<u>SECTION 4.</u> That all ordinances made in conflict with this Ordinance are hereby repealed.

<u>SECTION 5.</u> That this Ordinance shall be posted at City Hall as required by law.

<u>SECTION 6.</u> This ordinance shall become effective upon approval and adoption by the City Commission of Holly Hill.

APPROVED AND AUTHENTICATED on this 12th day of NOVEMBER, 2024 for second and final reading.

ATTACHMENT A

LEGAL DESCRIPTION:

PARCEL A:

LOT 5, BRITTON'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITH THE STATE ROAD RIGHT OF WAY.

LOTS 4 AND 6, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA. LESS AND EXCEPT ANY PORTION LYING WITHIN THE STATE ROAD RIGHT OF WAY.

LOTS 7 AND 8, BRITTON SUBDIVISION, AS RECORDED IN PLAT AS RECORDED IN MAP BOOK 9 PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 1, AND WESTERLY 24.9 FEET OF LOT 2, BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LOT 2, EXCEPT THE EAST 25.3 FEET AND THE WEST 24.9 FEET BLOCK A, SAULSBURY PLACE, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL B:

PARCEL 1:

LOT 6, EXCEPTING THE WESTERLY 9.0 FEET THEREOF AND EXCEPTING THE WESTERLY 30 FEET OF THE NORTHERLY 60.7 FEET THEREOF, SIMPSON SUBDIVISION AS PER MAP IN MAP BOOK 11, PAGE 131, AND EXCEPTING THAT PORTION DEEDED FOR STATE ROAD RIGHT OF WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED OFFICIAL RECORDS BOOK 3899, PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL 2:

PART OF LOT ONE (1), SIMPSON'S SUBDIVISION, BEING A RESUBDIVISION OF A PORTION OF BLOCK THIRTY-SIX (36), MASON AND CARSWELL'S HOLLY HILL, FLORIDA, AS PER MAP RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) AT THE DISTANCE OF 158.78 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF PREMISES CONVEYED BY THE ATLANTIC REFINING COMPANY TO METROPOLITAN LIFE INSURANCE COMPANY, BY DEED DATED DECEMBER 15, 1952, AND RECORDED AMONG THE PUBLIC RECORDS OF VOLUSIA COUNTY, IN DEED BOOK 479, PAGE 202; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE, SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 138.88 FEET TO A POINT IN LINE OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, THENCE (2) ALONG SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, NORTH 26 DEGREES 32 MINUTES 14 SECONDS WEST 197.67 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE; THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 138.87 FEET TO A POINT IN LINE OF OTHER LANDS OF THE ATLANTIC REFINING COMPANY; AND THENCE (4) PARTLY ALONG LINE OF OTHER LANDS OF THE ATLANTIC

REFINING COMPANY AND PARTLY ALONG LINE OF LANDS OF METROPOLITAN LIFE INSURANCE COMPANY, SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.83 FEET TO THE PLACE OF BEGINNING.

ALSO, BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE (60 FEET WIDE) THE DISTANCE OF 297.66 FEET MEASURED ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST FROM THE SOUTHERLY END OF THE CURVED LINE WHICH CONNECTS THE NORTHERLY RIGHT-OF-WAY LINE OF MASON AVENUE WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH BEACH STREET (ALSO KNOWN AS DIXIE HIGHWAY), SAID POINT OF BEGINNING ALSO BEING AT THE SOUTHWESTERLY CORNER OF OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS; FROM SAID POINT OF BEGINNING EXTENDING THENCE (1) ALONG SAID RIGHT-OF-WAY LINE OF MASON AVENUE SOUTH 63 DEGREES 27 MINUTES 46 SECONDS WEST 150 FEET TO A POINT AT THE SOUTHWESTERLY CORNER OF SAID LOT NO. 1 OF "THE SIMPSON SUBDIVISION"; THENCE (2) ALONG THE WESTERLY LINE OF SAID LOT NO. 1 NORTH 26 DEGREES 30 MINUTES WEST 197.50 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE AT THE NORTHWESTERLY CORNER OF SAID LOT NO. 1, THENCE (3) ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RIVERSIDE PLACE, NORTH 63 DEGREES 24 MINUTES EAST 149.87 FEET TO A POINT IN LINE OF SAID OTHER LANDS CONVEYED BY THE ATLANTIC REFINING COMPANY TO R. C. WILLIAMS, AND THENCE (4) ALONG SAID LINE OF OTHER LANDS CONVEYED TO R. C. WILLIAMS SOUTH 26 DEGREES 32 MINUTES 14 SECONDS EAST 197.67 FEET TO THE PLACE OF BEGINNING.

EXCEPTING FROM THE ABOVE-DESCRIBED PARCEL, THAT PORTION DEEDED FOR STATE ROAD RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3899. PAGE 2533, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL C:

PARCEL 1:

THE EASTERLY 25.3 FEET OF LOT TWO (2) AND THE WESTERLY 25 FEET OF LOT THREE (3), AS MEASURED ALONG FIRST STREET, BLOCK "A", SAULSBURY'S PLACE, A SUBDIVISION OF BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, AS PER MAP THEREOF IN MAP BOOK 6, PAGE 103, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

THE EAST 3/4 OF LOT 3, BLOCK "A", SAULSBURY PLACE, HOLLY HILL, AND INCLUDING WEST 30 FEET OF NORTH 60 FEET OF LOT 6, SIMPSON SUBDIVISION, BLOCK 36, MASON AND CARSWELL'S HOLLY HILL AS PER MAP THEREOF IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

AND

<u>PARCEL 2</u>:

LOT TWO (2), BRITTON SUBDIVISION, PER MAP IN MAP BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND ALSO THE WESTERLY 9 FEET OF LOT ELEVEN (11), AND THE WESTERLY 9 FEET OF THE SOUTH 1/2 OF LOT TWELVE (12), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, PER MAP RECORDED IN MAP BOOK 2, PAGE 90, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, AND LOT THREE (3), BRITTON'S SUBDIVISION OF THE SOUTH 1/2 OF LOT NINE (9), AND ALL OF LOT TEN (10), BLOCK 36, MASON AND CARSWELL'S HOLLY HILL, ACCORDING TO THE MAP RECORDED IN BOOK 9, PAGE 143, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

LESS AND EXCEPT THAT PORTION TAKEN BY ORDER OF TAKING RECORDED APRIL 25, 1994 IN OFFICIAL RECORDS BOOK 3914, PAGE 427, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

THAT PART OF LOTS 2 AND 3, BRITTON'S SUBDIVISION, AS RECORDED IN MAP BOOK 9, PAGE 143, AND LOT 6, THE SIMPSON SUBDIVISION, AS RECORDED IN MAP BOOK 11, PAGE 131, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA IN SECTION 37, TOWNSHIP 15 SOUTH, RANGE 33 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE 3" IRON PIPE MARKING THE NORTHWEST CORNER OF LOT 8, OF SAID BRITTON'S SUBDIVISION; THENCE SOUTH 25°20'46" EAST, ALONG THE EAST LINE OF DAYTONA AVENUE, 136.53 FEET TO THE SOUTHWEST CORNER OF LOT 6, OF SAID BRITTON'S SUBDIVISION; THENCE NORTH 64°29'54" EAST ALONG THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430, A DISTANCE OF 200.00 FEET TO THE SOUTHWEST CORNER OF LOT 3, OF SAID BRITTON'S SUBDIVISION FOR THE POINT OF BEGINNING; THENCE NORTH 25°20'46" WEST ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 37.71 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 7,685.56 FEET, AND A CHORD BEARING NORTH 63°13'46" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°21'14", A DISTANCE OF 47.47 FEET TO A POINT OF REVERSE CURVATURE WITH A CURVE, CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 11,414.38 FEET, AND A CHORD BEARING NORTH 63°16'40" EAST; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°15'32", A DISTANCE OF 51.56 FEET TO THE POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST 9.00 FEET OF LOT 6, OF SAID THE SIMPSON SUBDIVISION; THENCE SOUTH 25°20'46" EAST ALONG SAID EAST LINE, 39.86 FEET TO THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 430; THENCE SOUTH 64°29'54" WEST ALONG SAID EXISTING NORTHERLY RIGHT-OF-WAY LINE, 99.00 FEET, TO THE POINT OF BEGINNING.

Enacted and approved this 12th day of November, 2024, in Holly Hill

11. COMMUNICATIONS

A. City Manager Comments

Mr. Forte informed the Mayor and City Commissioners that there is concrete scheduled to be poured on Thursday, November 14th from 2:00 AM to approximately 12:00 PM at the city's wastewater treatment plant. This is for a 3rd Biological Treatment Unit (BTU) at the plant. Mr. Forte mentioned this is the easiest and best time to have the trucks going back and forth with the concrete to pour. He just wanted to mention it in case anyone gets complaints about possible noise from the trucks. The noise should be very minimum. The contractor has developed a plan to minimize backup alarms on the trucks and any controllable noise as much as possible. The residents will be notified tomorrow of this taking place. Mr. Forte asked for a consensus from the Commission for the concrete pouring to take place; there was consensus from the City Commission. Mr. Forte congratulated the newly elected officials and is looking forward to working with them.

B. City Attorney Comments

Attorney Simpson congratulated everyone and is looking forward to working with Commissioners Snow and DeLanoy.

C. Mayor's Comments

D. City Commission Comments

Commissioners Currie and Johnson welcomed newly elected Commissioner Snow and Commissioner DeLanoy to the Commission and are looking forward to working with them. Commissioner Currie spoke about Pictona and reminded everyone that there are free concerts over there.

Commissioner Snow mentioned that November is Dystonia Awareness month and mentioned that she has tremors in her vocal cords and trimers in her hands. She wanted to mention that because she was asked by a couple of people what was the matter with her voice. Commissioner Snow stated it doesn't mean that I'm upset or scared, it's just the way my voice is and if everybody would learn about Dystonia, all of us that have it, would appreciate it.

Commissioner DeLanoy shared his concerns about the meeting as far as the public audience went tonight and felt bad that some people that wanted to be here, got up and left because they had, had enough. He understands that everyone needs their chance to speak but there's an individual that is driving people out of here. There's got to be a line somewhere that comes sooner or later when someone is behaving like that.

Mayor Penny understands his concerns and frustrations but unfortunately, it's the law to allow them to speak at a public hearing. Mayor Penny stated I have spoken to Police Chief Williams and for those that continue to make outbursts during the meeting, I will warn them once, twice and they will be removed on the third time.

Commissioner DeLanoy stated he enjoys being here but it was kind of rough starting like that tonight but he looks forward to being here and working with everybody and looking forward to seeing what they can possibly get done.

Commissioner Johnson reminded everyone that there is a TPO meeting tomorrow; spoke about the good things taking place in Holly Hill; sports facilities; Flight's Gymnastics; his business Volusia Sports Center is doing well and the ball field that was at Hollyland Park before Pictona came. There was no one using the ball fields. That's what encouraged him to build the Volusia Sports Center because now they have many kids coming there to play baseball and practice. There's a lot taking place there for all ages of kids. He tries to keep making it better.

Mayor Penny reminded everyone that on Friday, November 22nd, there is a free concert at Pictona; Huey Lewis and The News Tribute band will be there. Also, the second meeting in November has been canceled due to the Thanksgiving Day holiday and the second meeting in December has been canceled due to the Christmas holiday. Mayor Penny reminded the Commissioners that it's that time of year again to select a Citizen of The Year and a Business of The Year. If they can bring their nominations to Mr. Forte and they can possibly get it on the December 10th agenda.

12. ADJOURNMENT

The meeting adjourned at approximately 9:00 PM.

Valerie Manning, City Clerk,CMC 11/12/2024

John Penny, Mayor 11/12/2024