CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● NOVEMBER 14, 2023

City Commission Chamber	Regular City Commission Meeting	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

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 by City Commissioner John Penny
c. Pledge of Allegiance

2. RECESS THE CC MTG & CONVENE AS THE CRA

The City Commission meeting was recessed at approximately 6:03 PM to convene as the Community Redevelopment Agency (CRA) for the CRA meeting.

3. CRA AGENDA

1. –2023-R-64

A Resolution of the Community Redevelopment Agency of the City of Holly Hill, Florida, Approving an Agreement with FPL for the Replacement of Lighting Fixtures in Riverside Park at an Initial Cost of $14,076.30, Monthly Maintenance Cost of $102.75 and the Ongoing Cost of Electricity Powering the Lights, and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing an Effective Date.

(Requested by Antoine Khoury, Public Works)
Mayor Via opened public participation. No one spoke.

Mr. Forte stated on the Regular Agenda there is an item that's for the CRA Consultant with our efforts to move the CRA to an extension. It really should be heard as a CRA Agency. There's no Resolution or item number to it but he thinks it's good for them to hear it as the CRA Agency and take action on it and then they will do it again under the

Regular Agenda.

Mayor Via stated with no objection they will copy Regular Agenda Item #1, Resolution 2023-R-67 to their CRA Agency agenda.

Attorney Simpson stated that the Resolution can be read under the Regular Agenda, however, the item can be heard and then the Commission can make a recommendation for approval and then he will read the Resolution that they have.

Mr. Forte stated they can say it's an agenda item as an RFP updating the 2007 City of Holly Hill Community Redevelopment Area Master Plan and extending the CRA sunset date from May 2026 to May 2036 and awarding the project to GAI at a cost of $98,289 and authorizing the City Manager to execute the contract. Mr. Forte asked if John Cox, CRA Economic Development Manager to come forward and give the Mayor and Commissioners an initial blush of what's going on and then they will be able to address any questions that they may have.

John Cox, CRA Economic Development Manager stated a number of months ago you held a work session and in that work session you talked about whether or not you wanted to extend the CRA Beyond its expiration date which is in 2026 as part of that discussion you affirmed as a as a commission your desire to continue to eliminate blight and slum like conditions in the City of Holly Hill, which you've done effectively for many years and you desire to continue to do that based on that staff was given direction to create an RFP to issue it, which we did. We had a number of bids returned on a date certain and those bids were open in front of a committee that was selected to evaluate all the bids. A score sheet was put together and the scores were looked at. Positives and negatives were discussed and out of that came the recommendation that we would select GAI. References have been called and the responses that we got from doing reference checks were all very positive. They have a long history of work in this area and one of the things that helped probably distinguish them as the one who won the bid was the fact that they have worked with and they desire to work with County Commissions very early in the process to determine how the County Commission feels about the extension of the CRA. We would hate to go through an extensive process and spend about $100,000 only at the very end to find out that the Commission, the County Council, may not be in favor of it. This particular proposal begins with the County Commission. Its extensive. It will take many months to do. That's how this recommendation came to be. It will take the 2007 plan, it will update it, there will be community input, there will be input, certainly from the City Commission. They will work with your CRA team which, would be a number of people here in the room and in City Hall and he thinks that we're going to end up getting the result that we want.

Mayor Via stated one question for you John is do we know if this current County Council will be the one that's deciding these CRAs or is it the next seated one?

Mr. Cox stated I'm not real good at looking into a crystal ball.

Mr. Forte and Attorney Simpson stated it's the timing.

Attorney Simpson stated it's a timing issue because you have a…he thinks the County Council has an election a year from now.

Mayor Via stated, right.

Attorney Simpson stated so it's all timing.

Mr. Forte stated it all depends on who is seated. This is this is a 365 day contract, right? By the time we execute this, there will probably be an election before the conclusion of this.

Mayor Via stated, okay. So, it will be the next Council and the point to that is, you know elections can change the whole makeup of ideas.

Mr. Forte stated unless depending upon what may happen, we try to expedite the…to get before the current Council before they change, which would probably be better.

Attorney Simpson stated he guesses one thing he would point out, just listen to and he thinks he likes the idea of going to the County Council to get their feel for it because they have to agree that they delegated since we're Charter County but the County Council you talk to now is not going to be the County Council that makes the decision later.

Mayor Via stated, right. That's his point.

Attorney Simpson stated that's probably maybe your point is that if we, if we get resistance now he thinks the question would be, well who is that resistance and are those people up for election?

Mayor Via stated, right.

Attorney Simpson asked do we want to continue moving forward with the thought maybe they won't be there.

Mayor Via stated right and he does know that it is a mixed bag of feelings from the Council so just from my conversations thus far. He's going to be for this tonight because he thinks we need to move this forward and we need to discuss this and see if we are able to because as he's stated before the CRA has been one of the best tools for economic development and to obviously reduce blight here along our city and he thinks most of the residents in and people all around the area would agree with that. Especially, with the progress we've made on US1 alone. So, the other question that he has for Mr. Cox is, did you say that they will go with these consultants, go to the County Council for us on our behalf?
Mr. Cox stated, yes.

Mayor Via stated, okay.

Mr. Forte stated for clarification. They're going to do it in the beginning to make sure…They're doing it in the beginning because if the County Council says, you know what, we are absolutely not extending any CRAs, don't waste your time and money.

Mayor Via stated, right.

Mr. Forte stated we close it. If the Council seems supportive and says, all right bring us your presentation, prove that you're worthy enough of an extension, we go through the process and at the end then they bring us to the County Council for the final approval.

Mayor Via stated so, they will bring us and present it for us with the County Council at the end?

Mr. Forte stated that's how he understands it.

Mayor Via stated, great. Great to hear that.

Commissioner Penny stated the length of the extension is a tenure, is that a standard extension? Is it that the maximum extension?

Mr. Cox stated it is not the maximum extension. A CRA can have a 60-year life. Trying to read the tea leaves, he thinks a lot of jurisdictions, when they've looked at an extension, they've looked at a 10-year extension as opposed to longer.

Mayor Via opened public participation.

Philip Wahby, Holly Hill; and Jim Legary, Holly Hill.

Mayor Via closed public participation.

Mayor Via addressed Mr. Wahby's question. The CRA is, what they call TIF (Tax Increment Financing) so, the amount available will be determined on taxable value and how much it goes up or down but the grants that the city gives out, that he thinks that you're addressing, is set every year by this City Commission. If you would like us to look at other grant opportunities he knows this Commission would be happy to look at that and we'll go through that. In the last couple years we've actually had trouble with some funds and some grants getting all of the money out so, if you have ideas for that, he's all ears and he knows staff is as well.

Mr. Forte stated he thinks what Mr. Legary is asking kind of a double question. One is, when we move forward with the consultant there will be public outreach for input for the plan as it moves forward. He thinks what Mr. Legary is asking is if the County Council decides not to move forward with it, does that then stop any community outreach. Is that what you're asking Mr. Legary?

Mr. Legary stated, yes.

Mr. Forte stated so, he's still asking for some kind of community outreach whether we move forward with the CRA plan or not.

Mayor Via stated, okay and I think we'll have that discussion when we determine it but if this is moving forward then we will definitely take the public's input on the CRA. We're going to hold a meeting and make sure that it's representative of what the citizens want. Thank you for the question. Now I will entertain a motion for approval for recommendation from the CRA board to the City Commission.

Commissioner Currie made a motion for ***APPROVAL FOR RECOMMENDATION FROM THE CRA BOARD TO THE CITY COMMISSION***, seconded by Commissioner Johnson.

PASSED, 5-0.

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

Enacted and approved this 14th day of November, 2023, in Holly Hill

4. ADJOURN AS THE CRA & RECONVENE THE CC MTG

The Community Redevelopment Agency (CRA) meeting adjourned at approximately 6:15 PM. The City Commission regular meeting reconvened at that approximate time.

5. PUBLIC COMMENTS

None

6. APPROVAL OF MINUTES

1.

Minutes - October 24, 2023 Regular City Commission Meeting and October 24, 2023 Workshop

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

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

Enacted and approved this 14th day of November, 2023, in Holly Hill

7. CONSENT AGENDA - ITEMS (1 - 4)

Mayor Via asked if there was anyone in the audience who wished to speak on any item on the Consent Agenda or if any member of the Commission wanted to pull an item for further discussion. There was no one.

1. 2023-R-65 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving an Agreement with FPL for the Replacement of Lighting Fixtures in Riverside Park at an Initial Cost of $14,076.30, Monthly Maintenance Cost of $102.75 and the Ongoing Cost of Electricity Powering the Lights, 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:	John C. Danio, District 3 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

RESOLUTION
2023-R-65
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN AGREEMENT WITH FPL FOR THE REPLACEMENT OF LIGHTING FIXTURES IN RIVERSIDE PARK AT AN INITIAL COST OF $14,076.30, MONTHLY MAINTENANCE COST OF $102.75 AND THE ONGOING COST OF ELECTRICITY POWERING THE LIGHTS, 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, APPROVING AN AGREEMENT WITH FPL FOR THE REPLACEMENT OF LIGHTING FIXTURES IN RIVERSIDE PARK AT AN INITIAL COST OF $14,076.30, MONTHLY MAINTENANCE COST OF $102.75 AND THE ONGOING COST OF ELECTRICITY POWERING THE LIGHTS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires to upgrade the lighting in Riverside Park and install decorative street lighting and decorative fixtures to match the proposed poles and streetlights fixtures along Riverside Drive; and

WHEREAS, City staff have found the terms of the proposal from FPL to be reasonable and appropriate.

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 authorize the City Manager to enter into an agreement with FPL for lighting improvements in Riverside Park at an initial cost of $14,076.30, monthly maintenance cost of $102.75 and the ongoing costs of electricity powering the lights.

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 by the City Commission.

APPROVED AND AUTHENTICATED on this 14th day of NOVEMBER, 2023.

Enacted and approved this 14th day of November, 2023, in Holly Hill

2. –2023-R-66 Resolution

A Resolution of the City of Holly Hill, Florida, Approving the Piggybacking of Contract Ifb-20-076 Between Tohopekaglia Water Authority and USSI, LCC and Authorizing the City Manager to Execute an Agreement for the Purchase of Services with USSI for In-Flow Abatement Services in an Amount Not to Exceed $ 126,000.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2023-R-66
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACKING OF CONTRACT IFB-20-076 BETWEEN TOHOPEKAGLIA WATER AUTHORITY AND USSI, LCC AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF SERVICES WITH USSI FOR IN-FLOW ABATEMENT SERVICES IN AN AMOUNT NOT TO EXCEED $ 126,000.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PIGGYBACKING OF CONTRACT IFB-20-076 BETWEEN TOHOPEKAGLIA WATER AUTHORITY AND USSI, LCC AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE PURCHASE OF SERVICES WITH USSI FOR IN-FLOW ABATEMENT SERVICES IN

AN AMOUNT NOT TO EXCEED $126,000.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, pursuant to the City's purchasing policy, "piggyback" contracts are allowed for existing government contracts; and

WHEREAS, the City has determined that in this circumstance, piggybacking onto an agreement entered into by Toho Water Authority, is the most economically advantageous way to procure these goods and services; and

WHEREAS, the City Commission of the City now desires to authorize and approve staff to piggy-back a contract with USSI in-flow abatement services and authorize the City Manager to execute an agreement for the purchase of this service.

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 piggybacking of the Toho Water Authority contract IFB-20-076 and authorize the City Manager to execute an agreement and task orders not to exceed $126,000.00 for in-flow abatement services.

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 14th day of NOVEMBER, 2023.

Enacted and approved this 14th day of November, 2023, in Holly Hill

3.

Amendment to the RCG Agreement

(Requested by Joseph Forte, City Manager)

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

Enacted and approved this 14th day of November, 2023, in Holly Hill

4.

FDOT Grant - 2024 Speed / Aggressive Driving Enforcement Program Project Number : SC-2024-00157 FDOT Contract Number : G2P39

(Requested by Jeff Miller, Police)

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

Enacted and approved this 14th day of November, 2023, in Holly Hill

8. REGULAR AGENDA

1. 2023-R-67 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving 23-CRA-05, an RFP Updating the 2007 City of Holly Hill Community Redevelopment Area Master Plan and Extending the CRA Sunset Date from May 2026 to May 2036 and Awarding the Project to GAI at a Cost of $98,289.00 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

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

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

RESOLUTION
2023-R-67
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING 23-CRA-05, AN RFP UPDATING THE 2007 CITY OF HOLLY HILL COMMUNITY REDEVELOPMENT AREA MASTER PLAN AND

EXTENDING THE CRA SUNSET DATE FROM MAY 2026 TO MAY 2036 AND AWARDING THE PROJECT TO GAI AT A COST OF $98,289.00 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, APPROVING 23-CRA-05, AN RFP UPDATING THE 2007 CITY OF HOLLY HILL COMMUNITY REDEVELOPMENT AREA MASTER PLAN AND EXTENDING THE CRA SUNSET DATE FROM MAY 2026 TO MAY 2036 AND AWARDING THE PROJECT TO GAI AT A COST OF $98,289.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Holly Hill CRA was established in 1992 through an adoption of a Delegation of Authority Resolution (92-257) from the Volusia Board of County Commissioners; and

WHEREAS, the CRA's Redevelopment Plan was adopted in May 1996 providing the CRA with a base operational timeframe of thirty years (2026), with an option to be extended up to sixty years (2056) and was updated May 1, 2005; and

WHEREAS, the CRA Master Plan was adopted in October 2007 and is now in need of updating given that blight and slum like conditions still exist in Holly Hill.

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 a Contract for Updating the CRA Plan and for Extending the sunset year to 2036 with GAI at an established price of $98,289.00, and authorizes 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 14th day of NOVEMBER, 2023.

Enacted and approved this 14th day of November, 2023, in Holly Hill

2. –2023-R-68 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2023-2024 Annual Operating Budget, Appropriating the State Fire Marshall Grant Award to the Fiscal Year 2023-2024 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

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

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

RESOLUTION
2023-R-68
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2023-2024 ANNUAL OPERATING BUDGET, APPROPRIATING THE STATE FIRE MARSHALL GRANT AWARD TO THE FISCAL YEAR 2023-2024 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2023-2024 ANNUAL OPERATING BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the city applied for a State appropriation grant for the Fire Department

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2023-R-52 approving the Annual Operating Budget for Fiscal Year 2023-2024;

WHEREAS, the City requires all expenditures to be fully budgeted and requires a budget amendment to identify the revenue source and encumber the expenditure; and

WHEREAS, the City of Holly Hill City Commission desires 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 grant award funds 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 2023-2024 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, 2023 through September 30, 2024 This Resolution shall become effective immediately upon receipt of the executed agreement and documentation from the State of Florida Division of State Fire Marshall .

APPROVED AND AUTHENTICATED on this 14th day of NOVEMBER, 2023.

Enacted and approved this 14th day of November, 2023, in Holly Hill

3. –2023-R-69 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2023-2024 Annual Operating Budget, Appropriating Open Encumbrances and Project Carry Over Funds from the Fiscal Year 2022-2023 to the Fiscal Year 2023-2024 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

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

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

RESOLUTION
2023-R-69
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2023-2024 ANNUAL OPERATING BUDGET, APPROPRIATING OPEN ENCUMBRANCES AND PROJECT CARRY OVER FUNDS FROM THE FISCAL YEAR 2022-2023 TO THE FISCAL YEAR 2023-2024 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 2023-2024 ANNUAL OPERATING BUDGET, APPROPRIATING OPEN ENCUMBRANCES AND PROJECT CARRY OVER FUNDS FROM THE FISCAL YEAR 2022-2023 TO THE FISCAL YEAR 2023-2024 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES 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, 2023, which remain incomplete and will carryover from fiscal year 2023-2024 into the ensuing fiscal year; and

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2023-R-52 approving the Annual Operating Budget for Fiscal Year 2023-2024; 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 2023-2024 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, 2023 through September 30, 2024. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of NOVEMBER, 2023.

Enacted and approved this 14th day of November, 2023, in Holly Hill

4.

Request for a Lien Reduction - 172 Flomich Street

(Requested by Joseph Forte, City Manager)

Mr. Forte stated the staff's recommendation is to reduce the lien from $26,250.00 to the excess funds amount received by the City of Holly Hill in the amount $3,030.26, with payment due no later than December 15, 2023.
Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 14th day of November, 2023, in Holly Hill

5.

Vineyards Final Plat

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Via opened public participation.
Heidi Heller, Holly Hill, spoke.
Mayor Via closed public participation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 14th day of November, 2023, in Holly Hill

9. PUBLIC HEARINGS

1. -2023-O-3065 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1872 N Nova Road and 1888 N Nova Road Having Parcel Numbers 4242-31-01-0290 and 4242-31-01-0291, by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from MXZ (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. And SECOND READING - ORDINANCE 3066 - 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 B-5 (Heavy Commercial) Volusia County, to CC-1 (Commercial Corridor District) Holly Hill; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, Board of Planning and Appeals)
ORDINANCE 3065

Commissioner Johnson made a motion to ***ADOPT ORDINANCE 3065, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD HAVING PARCEL NUMBERS 4242-31-01-0290 AND 4242-31-01-0291, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL,*** *Commissioner Currie.*

PASSED, 5-0.

ORDINANCE 3066

Commissioner Johnson made a motion to ***ADOPT ORDINANCE 3066, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM B-5 (HEAVY COMMERCIAL) VOLUSIA COUNTY, TO CC-1 (COMMERCIAL CORRIDOR DISTRICT) HOLLY HILL,*** *seconded by Commissioner Currie.*

PASSED, 5-0.

Mayor Via opened public participation. No one spoke.

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

ORDINANCE
2023-O-3065
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD HAVING PARCEL NUMBERS 4242-31-01-0290 AND 4242-31-01-0291, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. AND SECOND READING - ORDINANCE 3066 - 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 B-5 (HEAVY COMMERCIAL) VOLUSIA COUNTY, TO CC-1 (COMMERCIAL CORRIDOR DISTRICT) HOLLY HILL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1872 N NOVA ROAD AND 1888 N NOVA ROAD HAVING PARCEL NUMBERS 4242-31-01-0290 AND 4242-31-01-0291, BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; 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 has reviewed the future land use designation for the parcel described in Attachment "A" and determined that it is necessary to amend its Future Land Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

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

SECTION 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcels identified as 1872 N Nova Road having parcel number 424231010290 and 1888 N Nova Road Old Kings Road having parcel number 424231010291 as described in Attachment A, as General Commercial.

SECTION 2. The City Manager is authorized and directed to submit the proposed amendment to the Florida Department of Economic Opportunity and the Volusia Growth Management Commission, as required by law.

<u>SECTION 3</u>. The proposed amendment will not become final until certification of consistency is provided by the Volusia Growth Management Commission and approval is noticed by the Florida Department of Economic Opportunity.

<u>SECTION 4</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 5</u>. That all ordinances made in conflict with this Ordinance are hereby repealed.

APPROVED AND AUTHENTICATED on this <u>14th</u> day of NOVEMBER, 2023 for second and final reading.

<u>ATTACHMENT "A"</u>

THE NORTHERLY 75 FEET OF LOT 29, AND THE SOUTHERLY 20 FEET OF LOT 30, (EXCEPTING THEREFROM THAT PORTION DEEDED FOR HIGHWAY PURPOSES AND EXCEPT THAT PORTION IN ORDER OF TAKING FILED IN OFFICIAL RECORDS BOOK 3742, PAGE 550), BLOCK 1, LARSEN SUBDIVISION, ACCORDING TO THE MAP THEREOF, RECORDED IN MAP BOOK 11, PAGE 252, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE NORTHWEST CORNER OF LOT 31, BLOCK 1, THENCE S25◦48'33"E FOR A DISTANCE OF 180 FEET TO POINT OF BEGINNING, SAID POINT BEING 20 FEET NORTHWESTERLY FROM THE SOUTHERLY MOST CORNER OF LOT 30, BLOCK 1; THENCE CONTINUE S25◦48'33"E FOR A DISTANCE OF 95 FEET TO A POINT THAT IS 25' NORTHWESTERLY FROM THE SOUTHERLY MOST CORNER OF LOT 29, BLOCK 1; THENCE N64°14'23"E A DISTANCE OF 300 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF LOT 29; THENCE

N25°48'33"W FOR A DISTANCE OF 75 FEET TO THE NORTHEASTERLY CORNER OF LOT 29, BLOCK 1; THENCE S64°14'23"W A DISTANCE OF 100 FEET TO THE EASTERLY MOST CORNER OF LOT 30, BLOCK 1; THENCE N25°48'33"W FOR A DISTANCE OF 20 FEET TO THE NORTH LINE OF THE SOUTH 20 FEET OF LOT 30, BLOCK 1; THENCE S64°14'23"W A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION DEEDED FOR HIGHWAY PURPOSES AND EXCEPT THAT PORTION IN ORDER OF TAKING FILED IN OFFICIAL RECORDS BOOK 3742, PAGE 550), BLOCK 1, LARSEN SUBDIVISION, ACCORDING TO THE MAP THEREOF, RECORDED I

N MAP BOOK 11, PAGE 252, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL NUMBER: 4242-31-01- 0291

THE SOUTH 25 FEET OF LOT 29, BLOCK 1, LARSEN SUBDIVISION, AS PER MAP IN MAP BOOK 11, PAGE 252, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, INCLUDING THE NORTH 75 FEET OF UNPLATTED PART ADJOINING SAID LOT ON THE SOUTH, EXCEPT THAT PART TAKEN FOR ROAD RIGHT OF WAY AS SHOWN IN DEED BOOK 558, PAGE 353, AND AS PER DEED RECORDED IN O.R. BOOK 3694, PAGE 1071, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS: COMMENCE AT THE NORTHWEST CORNER OF LOT 31, BLOCK 1, THENCE S25°48'33"E FOR A DISTANCE OF 275 FEET TO POINT OF BEGINNING, SAID POINT BEING 25 FEET NORTHWESTERLY FROM THE SOUTHERLY MOST CORNER OF LOT 29, BLOCK 1; THENCE CONTINUE S25°48'33"E FOR A DISTANCE OF 100 FEET ALONG THE EXTENSION OF THE SOUTHWESTERLY LOT LINE OF LOT 29, BLOCK 1; THENCE N64°14'23"E A DISTANCE OF 300 FEET TO A POINT ALONG THE EXTENSION LINE OF THE NORTHEASTERLY LOT LINE OF LOT 29, BLOCK 1; THENCE N25°48'33"W FOR A DISTANCE OF 100 FEET TO THE NORTH LINE OF THE SOUTH 25 FEET OF LOT 29, BLOCK 1; S64°14'23"W A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING. EXCEPTING THEREFROM THAT PORTION DEEDED FOR HIGHWAY PURPOSES AND EXCEPT THAT PORTION IN ORDER OF TAKING FILED IN OFFICIAL RECORDS BOOK 3742, PAGE 550), BLOCK 1, LARSEN SUBDIVISION, ACCORDING TO THE MAP THEREOF, RECORDED IN MAP BOOK 11, PAGE 252, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA.

PARCEL NO. 4242-31-01-0290

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 B-5 (HEAVY COMMERCIAL) VOLUSIA COUNTY, TO CC-1 (COMMERCIAL CORRIDOR DISTRICT) HOLLY HILL;

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 CC-1 (Commercial Corridor District.)

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

SECTION 3. This ordinance shall become effective following approval of the future land use map amendments designated as CPA-2023-03, by the Florida Department of

Economic Opportunity and certification of the same amendment by the Volusia Growth Management Commission.

SECTION 4. 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.

SECTION 5. That all ordinances made in conflict with this Ordinance are hereby repealed.

APPROVED AND AUTHENTICATED on this 14th day of NOVEMBER, 2023 for second and final reading.

ATTACHMENT "A"

LEGAL DESCRIPTION:

A PORTION OF THE FOLLOWING: THE SOUTHERLY 20 FEET OF LOT 30, LOT 29, INCLUDING THE NORTH 75 FEET OF UNPLATTED PART ADJOINING SAID LOT ON THE SOUTH, BLOCK 1, LARSEN SUBDIVISION, ACCORDING TO THE MAP THEREOF, RECORDED IN MAP BOOK 11, PAGE 252, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 31, BLOCK 1, MAP BOOK 11, PAGE 252, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA; THENCE S25°48'33"E ALONG THE SOUTHWESTERLY BOUNDARY OF SAID BLOCK 1 FOR A DISTANCE OF 180.00 FEET TO POINT OF BEGINNING, SAID POINT BEING 20 FEET NORTHWESTERLY FROM THE SOUTHERLY MOST CORNER OF LOT 30, BLOCK 1; THENCE CONTINUE S25°48'33"E ALONG THE SOUTHWESTERLY BOUNDARY OF SAID BLOCK 1 FOR A DISTANCE OF 195.00 FEET TO A POINT THAT IS 25' NORTHWESTERLY FROM THE WESTERLY MOST CORNER OF LOT 28, BLOCK 1; THENCE N64°14'23"E FOR A DISTANCE OF 229.12 FEET; THENCE N50°09'43"W ALONG THE SOUTHWESTERLY BOUNDARY OF NORTH NOVA ROAD AS

DESCRIBED IN ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 3742, PAGE 550 FOR A DISTANCE OF 214.13 FEET; THENCE S64°14'23"W FOR A DISTANCE OF 140.81 FEET TO THE POINT OF BEGINNING.

Enacted and approved this 14th day of November, 2023, in Holly Hill

10. COMMUNICATIONS

A. City Manager Comments

Mr. Forte reminded everyone about the upcoming parade, Saturday, December 2nd beginning at 10:00 AM, the Christmas tree lighting will be on Friday night, December 1st at 6:00 PM in front of City Hall; brief discussion over the staging area for the Mayor and Commissioners, elected officials; Miss World America 2023 Victoria DiSorbo as our Grand Marshal and she will be here Friday night and for the Christmas parade; “Welcome To Holly Hill” painted on the wall at Pictona by the pickleball courts; price is a bit high so Natasha who has painted the murals for us, he reached out to her and asked for a quote; the Holly Hill Chamber of Commerce is dissolving, completely closing down, the city is not taking over the corporation of that due to too much liability; phone lines and events will be transferred internally with staff for the events and tickets; staff is still moving forward with the motels; gave an update on Anniston property to the Mayor and Commissioners; reminder that there is the Thanksgiving Day luncheon with the employees on Friday; showed some mosaic pictures on the overhead that Mr. Michael Pickett would like to put on the Daytona Avenue bridge.

B. City Attorney Comments

None.

C. City Commission Comments

Commissioner Penny reminded everyone that the Farmer’s Market at Sunrise Park will be taking place again this coming Sunday, November 19th from 9:00 AM to 3:00 PM; the ladies are doing a great job, good turnouts; reminded the Mayor and Commissioners about nominating the 2023 Citizen of The Year; reminder that on December 9th at 9:00 AM at R & R Roofing will be packing the Christmas food boxes for families and reminded everyone about the Pickleball Tournament taking place this weekend.

Commissioner Danio mentioned the 3rd Street and Riverside Park homeless site.

Commissioner Johnson informed the Mayor and Commissioners that the TPO meeting is tomorrow; update on LPGA, moving ahead; continuous traffic issues; the corner lot on Nova Road where the car wash is supposed to be going and the overgrown grass; Veterans Day ceremony.

D. Mayor's Comments

Mayor Via mentioned that he attended the Elected Officials Round Table meeting that took place yesterday; brief discussion on the Live Local Act with staff and Attorney Simpson shared some in put with the Mayor and Commissioners; neighborhood community meetings. ***(A copy of this meeting in its entirety is available upon request in the City Clerk's Office or by listening online on the city's YouTube channel)***

11. ADJOURNMENT

The meeting adjourned at approximately 7:40 PM.

Valerie Manning, City Clerk,CMC 11/14/2023

Chris Via, Mayor 11/14/2023