CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● NOVEMBER 22, 2022

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

Mayor Via asked for a motion to excuse Commissioner Currie from the meeting tonight due to a family emergency.

Commissioner Penny made a motion to ***EXCUSE COMMISSIONER CURRIE FROM THE CITY COMMISSION MEETING TONIGHT DUE TO A FAMILY EMERGENCY,*** *seconded by Commissioner Danio.*

Mayor Via opened public participation. No one spoke.

PASSED, 4-0.

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

b. Invocation by City Commissioner Roy Johnson

Commissioner Johnson led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the flag.

2. PUBLIC COMMENTS

None.

3. APPROVAL OF MINUTES

1.

Minutes - November 8, 2022 Regular City Commission Meeting, Installation/Swearing-In Ceremony of Unopposed Elected Officials

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 22nd day of November, 2022, in Holly Hill

4. CONSENT AGENDA - ITEMS (1 - 4)

Mayor Via asked if any member of the audience wished to speak to any item on the Consent Agenda or if any member of the Commission wished to speak on or pull an item.

Heidi Heller, Holly Hill spoke about Item No. 4, Resolution 2022-R-93.

There was no one else from the audience to speak on any item on the Consent Agenda.

1. 2022-R-90 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving a Cooperative Agreement with Tetra-Tech, Inc., to Provide Disaster Public Assistance Consulting Services for Hurricane Ian in an Amount Not to Exceed $160,000, 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:	John Penny, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Danio, Johnson
EXCUSED:	Currie

RESOLUTION
2022-R-90
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING A COOPERATIVE AGREEMENT WITH TETRA-TECH, INC., TO PROVIDE DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES FOR HURRICANE IAN IN AN AMOUNT NOT TO EXCEED $160,000, 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, APPROVING A COOPERATIVE AGREEMENT WITH TETRA-TECH, INC., TO PROVIDE DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES FOR HURRICANE IAN IN AN AMOUNT NOT TO EXCEED $160,000, AND

AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City desires a contractor to provide disaster public assistance consulting to assist in the recovery of expenditures from Hurricane Ian; and

WHEREAS, Tetra-Tech has an active agreement with Volusia County for disaster public assistance consulting services which allows for cooperative purchasing agreements; and

WHEREAS, the City is currently contracted with Tetra-Tech to provide debris monitoring services and has benefited from using Tetra-Tech for public assistance consulting services during Hurricane Irma.

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 a cooperative purchasing agreement with Tetra-Tech, Inc., to provide disaster public assistance consulting services for Hurricane Ian in an amount not to exceed $160,000, 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 22nd day of NOVEMBER, 2022.

Enacted and approved this 22nd day of November, 2022, in Holly Hill

2. 2022-R-91 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Hall & Ogle, Inc., to Provide Construction Plans and CEI Services for the New Fire Station Project in the Amount of $228,900; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Danio, Johnson
EXCUSED:	Currie

RESOLUTION
2022-R-91
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HALL & OGLE, INC., TO PROVIDE CONSTRUCTION PLANS AND CEI SERVICES FOR THE NEW FIRE STATION PROJECT IN THE AMOUNT OF $228,900; 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 ENTER INTO AN AGREEMENT WITH HALL & OGLE, INC., TO PROVIDE CONSTRUCTION SERVICES FOR THE NEW FIRE STATION PROJECT IN THE AMOUNT OF $228,900; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City approved the city's continuing services architect, Hall & Ogle, Inc., to provide a schematic design package for the new fire station project; and

WHEREAS, staff desires to proceed with the construction services for the new fire station project; and

WHEREAS, Hall & Ogle, Inc., has submitted a proposal for construction services; and

WHEREAS, the scope of services for construction services includes construction document services, bidding/contractor selection, and construction administration.

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 enter into an agreement with Hall & Ogle, Inc., to provide construction services for the new fire station project in the amount of $228,900.00.

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 22nd day of NOVEMBER,

2022.

Enacted and approved this 22nd day of November, 2022, in Holly Hill

3. –2022-R-92 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Price Agreements for the Purchase of the Fiscal Year 2022-2023 Supply of Water and Wastewater Treatment Chemicals for the Public Works Department and Authorize the City Manager to Execute Any Necessary Price Agreements; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Danio, Johnson
EXCUSED:	Currie

RESOLUTION
2022-R-92
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PRICE AGREEMENTS FOR THE PURCHASE OF THE FISCAL YEAR 2022-2023 SUPPLY OF WATER AND WASTEWATER TREATMENT CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PRICE AGREEMENTS FOR THE PURCHASE OF THE FISCAL YEAR 2022-2023 SUPPLY OF WATER AND WASTEWATER TREATMENT CHEMICALS FOR THE PUBLIC WORKS DEPARTMENT AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill is in need of chemicals for water and wastewater treatment; and

WHEREAS, the City has secured pricing agreements utilizing various procurement methods as permitted under the City's purchasing guidelines; and

WHEREAS, Chapter 287, Florida Statutes, grants the authority to piggyback the purchase of goods and services as a form of intergovernmental 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, By Policy 2.24 section F of the Holly Hill purchasing policy manual; "Standardization procurement is exempt from bidding procedures"; and

WHEREAS, the City Commission approves the price agreements for the purchase of Fiscal Year 2022-2023 supply of water and wastewater treatment chemicals for the Public Works Department.

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

SECTION 1. That the City Commission does hereby approve price agreements for the purchase of the Fiscal Year 2022-23 supply of water and wastewater treatment chemicals for the Public Works Department and authorizes City Manager to execute any necessary price agreements.

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 22nd day of NOVEMBER, 2022.

Enacted and approved this 22nd day of November, 2022, in Holly Hill

4. 2022-R-93 Resolution

A Resolution of the City of Holly Hill, Florida, Waiving Formal Bidding for Retaining Entertainment, Goods and Services for Events at Pictona; Providing for Terms and Conditions of Retaining, Managing and Compensating Events; Providing for Severability; Providing for Conflicting Resolutions; and Providing for an Effective Date.

(Requested by Joseph Forte, City Manager)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	John Penny, District 1 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Danio, Johnson
EXCUSED:	Currie

RESOLUTION
2022-R-93
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, WAIVING FORMAL BIDDING FOR RETAINING ENTERTAINMENT, GOODS AND SERVICES FOR EVENTS AT PICTONA; PROVIDING FOR TERMS AND CONDITIONS OF RETAINING, MANAGING AND COMPENSATING EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, WAIVING FORMAL BIDDING FOR RETAINING ENTERTAINMENT, GOODS AND SERVICES FOR EVENTS AT PICTONA; PROVIDING FOR TERMS AND CONDITIONS OF RETAINING, MANAGING AND COMPENSATING EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill (City) has the right to utilize the Pictona facilities pursuant to a Second Amendment to the Pictona Management Agreement between the City and Pictona of Holly Hill, Inc.; and

WHEREAS, the City entered into a contract with Rick Hamilton, as the Director of City Events, to provide assistance to the City in retaining entertainment, goods and services, and managing the City’s non-tournament events at Pictona; and

WHEREAS, each entertainer and each event is unique and who the City retains will take into consideration such uniqueness, which is not suitable for competitive bidding; and

WHEREAS, these events will mainly occur on weekends and it is customary in the entertainment industry for the services to be compensated immediately after the performance or event ends; and

WHEREAS, the City needs to develop a payment procedure for these events that accommodates the payment for services in a timely manner while also protecting the City's interest.

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

SECTION 1. The City Commission of the City of Holly Hill hereby approves the following for retaining entertainers and managing events at Pictona:

1) The City purchasing policy is hereby waived so that entertainers and ancillary providers of goods and services can be retained through negotiation without regard to the cost being the primary reason for decision making.

2) The City Manager has the authority to delegate to the Director of City Events, the ability to negotiate and retain entertainment on behalf of the City pursuant to the waiver authorized in (1) above.

3) The City Manager is hereby directed to establish a payment policy to timely pay for the entertainment and services at events consistent with industry practice that also protects the City's interest. This may include the Director of City Events approving the goods and services received and authorizing payment.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, 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 3. That all resolutions made in conflict with this Resolution are hereby repealed.

SECTION 4. That this Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 22nd day of NOVEMBER, 2022.

Enacted and approved this 22nd day of November, 2022, in Holly Hill

5. REGULAR AGENDA - NONE

None.

6. PUBLIC HEARINGS

1. 2022-O-3058 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations, by Rezoning the Parcel Described in Exhibit "A" from B-4 (Highway Business District) to 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 briefly went over the staff report that was included in the agenda packet pertaining to Blue Penguin Car Wash Planned Development Rezone located at 1885 N. Nova Road. The subject property is zoned B-4 (Highway Business District) and has a future land use of General Commercial. The applicant is requesting a rezone to BPUD (Business Planned Unit Development) in order for the contract purchaser to develop an automated car wash with the usual associated activities. The property is currently the location of an abandoned commercial building on the west, at the corner of Nova Road and Flomich Street, and a 1,230 square foot house built in 1955, on the east, at the corner of Flomich Street and Sunset Lane. The existing buildings will be demolished. The development of the property will be guided by a development agreement that list the permitted uses as well as development standards such as enhanced buffers and landscaping.
Mike Lucido, ECP Partners was present on behalf of the developer and Blue Penguin. He briefly went over the project with the Mayor and Commissioners and mentioned that they have been working on this project for approximately two years. Mr. Lucido was present to answer any questions they may have had.
Darren Eyre, P.E., Thomas Engineering Group spoke briefly in regards to the engineering portion of the project.
Mayor Via opened public participation. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS] Next: 12/13/2022 6:00 PM**
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Danio, Johnson
EXCUSED:	Currie

7. COMMUNICATIONS

A. City Manager Comments
Mr. Forte informed the Mayor and Commissioners that he sent the proof back for the Veterans Memorial moment; things are moving forward with that. Mr. Forte wished everyone a Happy Thanksgiving.

B. City Attorney Comments
Attorney Simpson wished everyone a Happy Thanksgiving.

C. City Commission Comments
The Commissioners wished everyone a Happy Thanksgiving and asked if they could please keep Commissioner Currie's family in their prayers.

Commissioner Penny spoke about the Grand Opening for Pictona 2.

Commissioner Danio mentioned the Grand Opening as well, thought it was good but thought maybe a bigger crowd would have been present for the concert part.

Commissioner Johnson spoke about the TPO, and the Pictona 2 Grand Opening.

D. Mayor's Comments
Mayor Via enjoyed the Grand Opening of Pictona 2; reminded everyone about the upcoming Christmas Tree Lighting Ceremony on Friday, Dec. 2nd and the parade the following morning. Mayor Via briefly spoke about the Governor and getting help for the coastal areas of the County and a letter that the County sent so that the cities didn't have to.

8. ADJOURNMENT

The meeting adjourned at approximately 6:40 PM.

Valerie Manning

Valerie Manning, City Clerk,CMC 11/22/2022

Chris Via, Mayor 11/22/2022