CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● NOVEMBER 26, 2019

City Commission Chamber	Regular City Commission Meeting	7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation
Commissioner Danio led the invocation.

c. Pledge of Allegiance
Mayor Via led the Pledge of Allegiance to the flag.

2. POSITIVITY AWARD - FLORIDA HEALTH CARE

1.

Positivity Award - Florida Health Care

(Requested by Valerie Manning, City Clerk)

3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA

1. –2019-R-72

CRA - a Resolution by the Community Redevelopment Agency of the City of Holly Hill, Florida, Authorizing a Piggyback Contract for the Purchase of Vehicles, Equipment and Services Using Charlotte County Vehicle Purchasing Contract; Providing for Implementing Administrative Actions; Providing for Conflicts; Providing for a Savings Provision; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 26th day of November, 2019, in Holly Hill

2. –2019-R-82 Resolution

CRA - a Resolution of the City of Holly Hill, Community Redevelopment Agency, Florida, Authorizing the City Manager to Execute an Assignment Agreement Between the City of Holly Hill and Martens Charities, Inc., Establishing the Terms of the Agreement; Providing Severability; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)
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
ABSENT:	Currie

RESOLUTION
2019-R-82
CRA - A RESOLUTION OF THE CITY OF HOLLY HILL, COMMUNITY REDEVELOPMENT AGENCY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND MARTENS CHARITIES, INC., ESTABLISHING THE TERMS OF THE AGREEMENT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, COMMUNITY REDEVELOPMENT AGENCY, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND MARTENS CHARITIES, INC., ESTABLISHING THE TERMS OF THE AGREEMENT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill (City) and Martens Properties, LLC entered into a Development Agreement dated January 10, 2019 for the development of a portion of Holly land Park for a pickleball facility.

WHEREAS, the City of Holly Hill Community Redevelopment Agency (CRA) and Martens Properties, LLC entered into an Incentive Agreement dated January 10, 2019 providing the incentives to be provided by the CRA towards the development of the pickleball facility.

WHEREAS, Martens Properties, LLC was voluntarily dissolved on April 5, 2019.

WHEREAS, pursuant to Florida Statute Section 605.0709, a dissolved limited liability company can take action to wind up the affairs of the dissolved limited liability company, including the distribution of assets.

WHEREAS, pursuant to Florida Statute Section 605.0709, Martens Properties, LLC would like to assign both agreements to Martens Charities, Inc. as part of the process of winding up the affairs of Martens Properties, LLC.

WHEREAS, Martens Charities, Inc. hereby accepts the assignment of said agreements.

WHEREAS, the City and the CRA are agreeable to the assignment of these agreements from Martens Properties, LLC to Martens Charities, Inc.

NOW, THEREFORE, for and in consideration of mutual covenants contained herein, the sufficiency of which are hereby acknowledged, the undersigned parties hereby agree to the following:

1) The above WHEREAS provisions are incorporated herein.

2) Martens Properties, LLC hereby assigns all of its rights, obligations and interests in the Development Agreement dated January 10, 2019 between the City and Martens Property, LLC to Martens Charities, Inc.

3) Martens Charities, Inc., hereby accepts all of the rights, obligations and interest of Martens Properties, LLC in the Development Agreement dated January 10, 2019 between the City and Martens Properties, LLC.

4) The City hereby consents to the assignment of the Development Agreement from Martens Properties, LLC to Martens Charities, Inc.

5) Martens Properties, LLC hereby assigns all of its rights, obligations and interests in the Incentive Agreement dated January 10, 2019 between the CRA and Martens Property, LLC to Martens Charities, Inc.

6) Martens Charities, Inc., hereby accepts all of the rights, obligations and interest of Martens Properties, LLC in the Incentive Agreement dated January 10, 2019 between the CRA and Martens Properties, LLC.

7) The CRA hereby consents to the assignment of the Incentive Agreement from Martens Properties, LLC to Martens Charities, Inc.

City of Holly Hill Community Redevelopment Agency

By:___________________

Title :_________________

Date:_________________

Martens Properties, LLC	Martens Charities, Inc.
By:__________________	By:____________________
Title:________________	Title:__________________
Date:________________	Date:__________________
______________________ Rainer Martens, Member/Manager of Martens Properties, LLC	______________________ Julie Martens, Member/Manager of Martens Properties, LLC
Date:__________________	Date:_________________

Enacted and approved this 26th day of November, 2019, in Holly Hill

5. ADJOURN AS THE CRA & RECONVENE THE CC MTG

6. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners: Jim Schultz, Ormond Beach and Jim Cameron, Daytona Beach Chamber of Commerce.

7. APPROVAL OF MINUTES

1.

Minutes - November 12, 2019, Regular City Commission & CRA Meeting

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

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

Enacted and approved this 26th day of November, 2019, in Holly Hill

8. CONSENT AGENDA - ITEMS (1 - 6)

Mayor Via asked if there was any member of the audience or Commission that would like to discuss any item on the Consent Agenda. There was no one.

1. 2019-R-73 Resolution

A Resolution by the City Commission of the City of Holly Hill, Florida, Authorizing a Piggyback Contract for the Purchase of Vehicles, Equipment and Services Using Charlotte County Vehicle Purchasing Contract; Providing for Implementing Administrative Actions; Providing for Conflicts; Providing for a Savings Provision; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION
2019-R-73
A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A PIGGYBACK CONTRACT FOR THE PURCHASE OF VEHICLES, EQUIPMENT AND SERVICES USING CHARLOTTE COUNTY VEHICLE PURCHASING CONTRACT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A PIGGYBACK CONTRACT FOR THE PURCHASE OF VEHICLES, EQUIPMENT, AND SERVICES USING CHARLOTTE COUNTY VEHICLE PURCHASING CONTRACT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR A SAVINGS PROVISION;

PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Community Redevelopment Agency, Community Policing Officers, are due to have their police vehicles replaced which according to the City's CRA Master Plan, these expenditures are qualified expenses to be funded from the CRA budget.

WHEREAS, the City of Holly Hill desires to purchase vehicles under Charlotte County Vehicle Purchase Contract #2018000509, 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

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

WHEREAS, the City Commission of the City now desires to (i) authorize and approve the form of the contract by the Charlotte County Contract # 2018000509, any exhibits attached thereto, and any other related documents and, (ii) the execution and delivery of the documents and (iii) provide additional limited general authority; and

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

WHEREAS, the City has performed all acts, conditions, and things relating to the acquisition of the software as are required by the Constitution and Laws of the State of Florida, and the Charter and Code of Ordinances of the City.

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

SECTION 1: Pursuant to Article VIII, Section 2, of the Constitution of the State of Florida and Chapter 166, Florida Statutes, (collectively, the "Act")., as well as the City Charter and Code of Ordinances.

SECTION 2. DEFINITIONS. As used herein:

(a). "City" means the City of Holly Hill, Florida.

(b). "City Manager" means the City Manager of the City or designee.

(c). "Clerk" means the Clerk of the City or designee.

(d). "Finance Director" means the Finance Director of the City.

(e). "Mayor" means the Mayor of the City or in the Mayor’s absence or unavailability the Vice-Mayor.

(f). "City Attorney" means the City Attorney of the City or designee.

SECTION 3. FINDINGS AND AWARDS.

(a). The findings and declarations of the City contained in the above WHEREAS clauses are hereby incorporated as a part of this Resolution.

(b). It is in the best interest of City and its inhabitants to enter into a contract Bartow Ford for the purchase of vehicles and equipment.

(c). It is hereby ascertained, determined and declared that in light of prevailing and anticipated market conditions, it is in the best interests of the City to enter into a contract with Bartow Ford for the purchase of vehicles and equipment.

SECTION 4. Authorization of Contract. The forms of the scope of services and contract documents attached hereto, Exhibit A, or as may be required to be modified are hereby approved. The Mayor is hereby authorized to execute said agreement for vehicle and equipment purchase, in substantially the forms attached hereto.

SECTION 5. Additional Authorizations Concerning the Scope of services and Contract. The City Manager, or designee(s), are hereby charged with the responsibility for implementing the agreement for purchase of vehicles and equipment.

SECTION 6. SEVERABILITY. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

SECTION 7. CONFLICTS. All resolutions of the City or parts thereof in conflict herewith, if any, are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of NOVEMBER, 2019.

Enacted and approved this 26th day of November, 2019, in Holly Hill

2. –2019-R-74 Resolution

A Resolution of the City of Holly Hill, Florida, Authorizing a Piggyback Contract for the Purchase of Vehicles, Equipment and Services Using Charlotte County Vehicle Purchasing Contract; Providing for Implementing Administrative Actions; Providing for Conflicts; Providing for a Savings Provision; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2019-R-74
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A PIGGYBACK CONTRACT FOR THE PURCHASE OF VEHICLES, EQUIPMENT AND SERVICES USING CHARLOTTE COUNTY VEHICLE PURCHASING CONTRACT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A PIGGYBACK CONTRACT FOR THE PURCHASE OF VEHICLES, EQUIPMENT, AND SERVICES USING CHARLOTTE COUNTY VEHICLE PURCHASING CONTRACT; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR A SAVINGS PROVISION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill desires to purchase vehicles under Charlotte County Vehicle Purchase contract, 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

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

WHEREAS, the City Commission of the City now desires to (i) authorize and approve the form of the contract by the Charlotte County, any exhibits attached thereto, and any other related documents and, (ii) the execution and delivery of the documents and (iii) provide additional limited general authority; and

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

WHEREAS, the City has performed all acts, conditions, and things relating to the acquisition of the software as are required by the Constitution and Laws of the State of Florida, and the Charter and Code of Ordinances of the City.

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

SECTION 1: Pursuant to Article VIII, Section 2, of the Constitution of the State of Florida and Chapter 166, Florida Statutes, (collectively, the "Act")., as well as the City Charter and Code of Ordinances.

SECTION 2. DEFINITIONS. As used herein:

(a). "City" means the City of Holly Hill, Florida.

(b). "City Manager" means the City Manager of the City or designee.

(c). "Clerk" means the Clerk of the City or designee.

(d). "Finance Director" means the Finance Director of the City.

(e). "Mayor" means the Mayor of the City or in the Mayor's absence or unavailability the Vice-Mayor.

(f). "City Attorney" means the City Attorney of the City or designee.

SECTION 3. FINDINGS AND AWARDS.

(a). The findings and declarations of the City contained in the above WHEREAS clauses are hereby incorporated as a part of this Resolution.

(b). It is in the best interest of City and its inhabitants to contract with Bartow Ford purchase of vehicles and equipment.

(c). It is hereby ascertained, determined and declared that in light of prevailing and anticipated market conditions, it is in the best interests of the City to enter into a contract with Bartow Ford for the purchase of vehicles and equipment.

SECTION 4. Authorization of Contract. The forms of the scope of services and contract documents attached hereto, Exhibit A, or as may be required to be modified are hereby approved. The Mayor is hereby authorized to execute said agreement for vehicle and equipment purchase, in substantially the forms attached hereto.

SECTION 5. Additional Authorizations Concerning the Scope of services and Contract. The City Manager, or designee(s), are hereby charged with the responsibility for implementing the agreement for purchase of vehicles and equipment.

SECTION 6. SEVERABILITY. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

SECTION 7. CONFLICTS. All resolutions of the City or parts thereof in conflict herewith, if any, are hereby repealed to the extent of such conflict.

SECTION 8. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of NOVEMBER, 2019.

Enacted and approved this 26th day of November, 2019, in Holly Hill

3. 2019-R-83 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving an Extension to the Mirage Subdivision Improvement Agreement; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

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

RESOLUTION
2019-R-83
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN EXTENSION TO THE MIRAGE SUBDIVISION IMPROVEMENT AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN EXTENSION TO THE MIRAGE SUBDIVISION IMPROVEMENT AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Mirage property owners (Developer) have expressed a desire to subdivide and develop their property and have submitted a preliminary and final plat to the City for approval on January 24, 2017; and

WHEREAS, The City Staff has determined that the Developer may receive an offset or reduction of impact fees due in exchange for the Developer financing or expending money for the improvements which will benefit the City; and

WHEREAS, The City Stormwater fund will pay the building permit fees, impact fees or any other fees due in connection with the Development of the Stormwater pond in exchange for the Developer's agreement to construct and donate to the City the Stormwater Pond on the Property which exceeds the Stormwater requirements of the Development and provides additional capacity to meet the City's Stormwater needs; and

WHEREAS, Upon completion of the Stormwater Pond and dedication of the Stormwater Pond to the City of Holly Hill, the Developer shall be entitled to credits in the amount of $400.000.00 (Credits). The credits shall be used to offset fees associated with the development of the residential properties associated with the Mirage project; and

WHEREAS, The Developer was to complete the construction of the Stormwater Pond within thirty (30) months of the commencement of construction. Construction of the Stormwater Pond commenced on in May 2017 and was due to be complete in November 2019.

WHEREAS, The City may, in accordance with City Code, extend the time to complete all or any portion of the Stormwater Pond.

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 authorizes the City Manager to extend the date of completion from November, 2019 to March 31, 2020.

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 26th day of NOVEMBER, 2019.

Enacted and approved this 26th day of November, 2019, in Holly Hill

4. –2019-R-84 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute an Assignment Agreement Between the City of Holly Hill and Martens Charities, Inc. Establishing the Terms of the Agreement; Providing Severability; and Providing an Effective Date

(Requested by Joseph Forte, City Manager)

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

RESOLUTION
2019-R-84
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND MARTENS CHARITIES, INC. ESTABLISHING THE TERMS OF THE AGREEMENT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ASSIGNMENT AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND MARTENS CHARITIES, INC. ESTABLISHING THE TERMS OF THE AGREEMENT; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill (City) and Martens Properties, LLC entered into a Development Agreement dated January 10, 2019 for the development of a portion of Holly land Park for a pickleball facility; and

WHEREAS, the City of Holly Hill Community Redevelopment Agency (CRA) and Martens Properties, LLC entered into an Incentive Agreement dated January 10, 2019 providing the incentives to be provided by the CRA towards the development of the pickleball facility; and

WHEREAS, Martens Properties, LLC was voluntarily dissolved on April 5, 2019 and

WHEREAS, pursuant to Florida Statute Section 605.0709, a dissolved limited liability company can take action to wind up the affairs of the dissolved limited liability company, including the distribution of assets and

WHEREAS, pursuant to Florida Statute Section 605.0709, Martens Properties, LLC would like to assign both agreements to Martens Charities, Inc. as part of the process of winding up the affairs of Martens Properties, LLC; and

WHEREAS, Martens Charities, Inc. hereby accepts the assignment of said agreements and

WHEREAS, the City and the CRA are agreeable to the assignment of these agreements from Martens Properties, LLC to Martens Charities, Inc.

NOW, THEREFORE, for and in consideration of mutual covenants contained herein, the sufficiency of which are hereby acknowledged, the undersigned parties hereby agree to the following:

1) The above WHEREAS provisions are incorporated herein.

2) Martens Properties, LLC hereby assigns all of its rights, obligations and interests in the Development Agreement dated January 10, 2019 between the City and Martens Property, LLC to Martens Charities, Inc.

3) Martens Charities, Inc., hereby accepts all of the rights, obligations and interest of Martens Properties, LLC in the Development Agreement dated January 10, 2019 between the City and Martens Properties, LLC.

4) The City hereby consents to the assignment of the Development Agreement from Martens Properties, LLC to Martens Charities, Inc.

5) Martens Properties, LLC hereby assigns all of its rights, obligations and interests in the Incentive Agreement dated January 10, 2019 between the CRA and Martens Property, LLC to Martens Charities, Inc.

6) Martens Charities, Inc., hereby accepts all of the rights, obligations and interest of Martens Properties, LLC in the Incentive Agreement dated January 10, 2019 between the CRA and Martens Properties, LLC.

7) The CRA hereby consents to the assignment of the Incentive Agreement from Martens Properties, LLC to Martens Charities, Inc.

City of Holly Hill

By:___________________

Title :_________________

Date:_________________

Martens Properties, LLC Martens Charities, Inc.

By:__________________	By:____________________
Title:________________	Title:__________________
Date:________________	Date:__________________
______________________ Rainer Martens, Member/Manager of Martens Properties, LLC	______________________ Julie Martens, Member/Manager of Martens Properties, LLC
Date:__________________	Date:_________________

Enacted and approved this 26th day of November, 2019, in Holly Hill

5. –DOC-2019-14

Florida Blue - Build Healthy, Strong Communities $100,000.00 Grant

(Requested by Joseph Forte, City Manager)

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

Enacted and approved this 26th day of November, 2019, in Holly Hill

6. –DOC-2019-15

Recommendation of Award for RFP 20-ED-01 Real Estate Services

(Requested by Stella Gurnee, Finance)

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

Enacted and approved this 26th day of November, 2019, in Holly Hill

9. REGULAR AGENDA

1. –2019-R-85 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Expressing Support for the ECHO Grant Application for Pictona at Hollyland Park Located at 1082 Ridgewood Avenue, Holly Hill, Florida; and Providing for an Effective Date.

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

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

RESOLUTION
2019-R-85
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, EXPRESSING SUPPORT FOR THE ECHO GRANT APPLICATION FOR PICTONA AT HOLLYLAND PARK LOCATED AT 1082 RIDGEWOOD AVENUE, HOLLY HILL, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, EXPRESSING SUPPORT FOR THE ECHO GRANT APPLICATION FOR PICTONA AT HOLLYLAND PARK LOCATED AT 1066 RIDGEWOOD AVENUE, HOLLY HILL, FLORIDA 32117; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, In 2000, the voters of Volusia County approved the Volusia ECHO initiative, which provides grants to not-for-profits, municipalities and county departments; and

WHEREAS, The program provides grant funds for projects that enhance the quality of life in Volusia County by insuring the availability of environmental, cultural, historical and outdoor recreational opportunities; and

WHEREAS, City staff has reviewed and prepared the grant application for the fiscal year 2019-2020; and

WHEREAS, the proposed project for the ECHO Application known as Pictona At Hollyland Park is to be constructed at 1066 Ridgewood Avenue, Holly Hill, Florida 32117; and

WHEREAS, the total cost of this phase is $800,000 of which we are asking for $400,000 in ECHO funds. The 1:1% match is comprised of $200,000 of unencumbered cash; $200,000 is comprised of a combination of previously spent cash and land value; and

WHEREAS, should the total project costs exceed the budgeted amount, said funds shall be paid out of the existing contingency in the general fund.

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 support the ECHO Grant Application for Pictona At Hollyland Park, located at 1066 Ridgewood Avenue, Holly Hill, FL 32117.

SECTION 2. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding shall in no way affect the remaining portions of this Resolution.

SECTION 3. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of NOVEMBER, 2019.

Enacted and approved this 26th day of November, 2019, in Holly Hill

10. PUBLIC HEARING

1. 2019-R-86 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Final Budget for the City of Holly Hill for the Fiscal Year 2018-2019; and Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)
Mayor Via opened public participation.
Jim Legary, Holly Hill, spoke.
Mayor Via closed public participation.

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

RESOLUTION
2019-R-86
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FINAL BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2018-2019; 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 FINAL BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2018-2019; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill of Volusia County Florida, set forth the amended appropriations and revenue estimate for the Budget for Fiscal Year 2018-2019.

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

SECTION 1. The Fiscal Year 2018-2019 final Budget shall be amended per "Attachment A".

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 26th day of NOVEMBER, 2019.

Enacted and approved this 26th day of November, 2019, in Holly Hill

11. COMMUNICATIONS

A. City Manager & Staff Comments
Mr. Forte gave an update on the Birmingham waterline; boat launch ramp at Sunrise Park; concrete being poured at Hollyland Park for Pictona, project is moving along; 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; there was discussion about the LPGA widening; an update by Mr. Forte on the US1 underground project.

D. Mayor's Comments
Mayor Via reminded everyone about the upcoming tree lighting ceremony on December 6, the parade on Saturday, Dec. 7; light up Holly Hill was discussed; IEMO training he attended; Positivity Award - there was consensus to finish out this year with doing this then in 2020 do it as needed; consensus for Holly Hill to support baseball issue at the

Daytona Tortugas field; consensus for nothing to be done with the sales tax issue on this upcoming election in 2020; wished everyone a Happy Thanksgiving.

12. ADJOURNMENT

The meeting adjourned at approximately 8:30 PM.

Valerie Manning, City Clerk,CMC 11/26/2019

Chris Via, Mayor 11/26/2019