CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● DECEMBER 10, 2024

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
John Penny	Mayor	Present	
Debra Snow	City Commissioner	Present	
Penny Currie	City Commissioner	Present	
Jeffrey DeLanoy	City Commissioner	Present	
Roy Johnson	City Commissioner	Present	

b. Invocation by City Commissioner Debra Snow
The invocation was led by Pastor Dr. Wiley Lowe of Holly Hill Church of Christ.

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

2. PRESENTATIONS

A. Swearing-In of HHPD Officer Laurie Bird
B. 1088 10th Street Update - Rob Cramp and Dr. Miriam Moore

3. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:

Polly Cappuccio, from the Holly Hill Historic Preservation Society Museum; Gabriel Varga, Daytona Beach; Jim Legary, Holly Hill; Daniel Latona, Holly Hill; Cheryl Columbo, Holly Hill; Danielle Alderette, Holly Hill; Claire Bullin (?), Holly Hill.

4. APPROVAL OF MINUTES

1.

Minutes - November 12, 2024 - Regular City Commission & Swearing-In Ceremony of Newly Elected Officials

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

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

Enacted and approved this 10th day of December, 2024, in Holly Hill

5. CONSENT AGENDA - ITEMS (1 - 5)

Mayor Penny 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 City Commission wished to pull an item for further discussion.

Commissioner Currie asked if ***Consent Agenda Item No. 4*** be pulled for further discussion/clarification.

1. 2024-R-97 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Task Order for Emergency Lift Station #18 Cleaning and Bypass Pumping to Facilitate Remedial Improvements Under the Piggyback of the City of Clermont, FL Agreement No. 2023-071, for Sanitary Sewer Manhole, Vault, and Lift Station Rehabilitation with Danus Utilities, Inc., for $13,686.00 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2024-R-97
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE TASK ORDER FOR EMERGENCY LIFT STATION #18 CLEANING AND BYPASS PUMPING TO FACILITATE REMEDIAL IMPROVEMENTS UNDER THE PIGGYBACK OF THE CITY OF CLERMONT, FL AGREEMENT NO. 2023-071, FOR SANITARY SEWER MANHOLE, VAULT, AND LIFT STATION REHABILITATION WITH DANUS UTILITIES, INC., FOR $13,686.00 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 THE TASK ORDER FOR EMERGENCY LIFT STATION #18 CLEANING AND BYPASS PUMPING TO FACILITATE

REMEDIAL IMPROVEMENTS UNDER THE PIGGYBACK OF THE CITY OF CLERMONT, FL AGREEMENT NO. 2023-071, FOR SANITARY SEWER MANHOLE, VAULT, AND LIFT STATION REHABILITATION WITH DANUS UTILITIES, INC., FOR $13,686.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, Danus Utilities, Inc., provided an emergency Task Order Quote of $13,686.00 to provide cleaning and bypass pumping for Lift Station #18 remedial repairs; and

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

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

SECTION 1. That the City Commission of the City of Holly Hill approve the task order from Danus Utilities Inc., for Lift Station #18 improvements in the amount of $13,686.00 and authorize the City Manager to execute the same.

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

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

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

2. –2024-R-98 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Accepting a Grant Agreement from Florida Department of Environmental Protection for 50% of the Cost of the Construction for the Tidal Backflow Preventers Project Up to a Maximum Amount of $400,000 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:	Debra Snow, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-98
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING A GRANT AGREEMENT FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR 50% OF THE COST OF THE CONSTRUCTION FOR THE TIDAL BACKFLOW PREVENTERS PROJECT UP TO A MAXIMUM AMOUNT OF $400,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ACCEPTING A GRANT AGREEMENT FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR 50% OF THE COST OF THE CONSTRUCTION FOR THE TIDAL BACKFLOW PREVENTERS PROJECT UP TO A MAXIMUM AMOUNT OF $400,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City received a fully executed agreement with Florida Department of Environmental Protection for a $400,000 grant to complete the Tidal Backflow Preventers Project; and

WHEREAS, the project contract for the construction has been executed with All State Civil Construction; and

WHEREAS, the contract construction total is $615,960; and

WHEREAS, Florida Department of Environmental Protection has approved the City to receive grant assistance for 50% of the cost of the construction for the Tidal Backflow Preventers Project up to a maximum amount of $400,000.

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

SECTION 1. That the City Commission of the City of Holly Hill accept the grant agreement from Florida Department of Environmental Protection for 50% of the cost of the construction for the Tidal Backflow Preventers Project up to a maximum amount of $400,000 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 adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

3. -2024-R-99 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Change Order to the Tom Evans Environmental, Inc., Purchase Order 230516 to Add Three Soft Starts with Their Pump and Motor Installation for the Amount of $17,692.29 and Authorize 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:	Debra Snow, City Commissioner
SECONDER:	Jeffrey DeLanoy, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

RESOLUTION
2024-R-99
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE CHANGE ORDER TO THE TOM EVANS ENVIRONMENTAL, INC., PURCHASE ORDER 230516 TO ADD THREE SOFT STARTS WITH THEIR PUMP AND MOTOR INSTALLATION FOR THE AMOUNT OF $17,692.29 AND AUTHORIZE 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 THE CHANGE ORDER TO THE TOM EVANS ENVIRONMENTAL, INC., PURCHASE ORDER 230516 TO ADD THREE SOFT STARTS WITH THEIR PUMP AND MOTOR INSTALLATION FOR THE AMOUNT OF $17,692.29 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Utility provides permitted water treatment system to help maintain the health and well-being of the community; and

WHEREAS, Tom Evans Environmental, Inc., is the sole source municipal product representative of Peerless Pumps used in the treatment of the water system; and

WHEREAS, The City Commission authorized Resolution 2023-R-81 with Tom Evans Environmental, Inc., for the replacement of the water plant transfer pumps and backwash pump, valving and piping system in the amount of $265,954.04; and

WHEREAS, The City Manager authorized a change order to the original purchase order to add low maintenance mechanical seals to the project in the amount of $14,023.57; and

WHEREAS, Tom Evans Environmental, Inc., provided a quote to add soft starts to the motors with the installation of the motors to extend the life of the pumping system for a cost of $17,692.29.

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

SECTION 1. That the Commission of the City of Holly Hill accept the proposal to add soft start controllers to their existing task of installation of two (2) 20HP transfer pumps and one (1) 75 HP backwash pump to the existing service proposal from Tom Evans Environmental for $279,997.61.

SECTION 2. That the Commission of the City of Holly Hill approve a change order proposal for soft starts from Tom Evans Environmental, Inc., for $17,692.29, and authorize the City Manager to execute the same.

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

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

4. –2024-R-100 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the Creation of the City of Holly Hill Business Association; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Mayor Penny asked Mr. Forte to explain the City of Holly Hill Business Association. *(the attachment is included in the agenda packet for further reference)*
Mayor Penny opened public participation.
Jim Legary, Holly Hill; Gabriel Varga, Daytona Beach; Danielle Latona, Holly Hill; Robin Hanger, Holly Hill.
Mayor Penny closed public participation.

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

RESOLUTION
2024-R-100
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CREATION OF THE CITY OF HOLLY HILL BUSINESS ASSOCIATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE

CREATION OF THE CITY OF HOLLY HILL BUSINESS ASSOCIATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The Holly Hill Chamber of Commerce has closed, leaving a gap in the relationship between the City of Holly Hill and its local business community; and

WHEREAS, The City of Holly Hill recognizes the importance of fostering strong connections between city staff, elected officials, and the business community to promote economic growth and collaboration; and

WHEREAS, The City seeks to establish the City of Holly Hill Business Association, an inclusive organization open to all businesses at no cost, to provide opportunities for engagement, collaboration, and networking; and

WHEREAS, The mission of the City of Holly Hill Business Association is to is to foster a vibrant business environment that encourages entrepreneurship, strengthens community ties, and contributes to the overall economic development of Holly Hill. We strive to be a catalyst for collaboration, innovation, and success among our members, ensuring a prosperous future for our community; and

WHEREAS, Monthly meetings and e-newsletters will offer local businesses valuable resources, updates, and networking opportunities to strengthen the relationship between the City and its business community.

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

SECTION 1. The City Commission hereby approves the creation of the City of Holly Hill Business Association to serve as a platform for engagement, collaboration, and support for the local business community.

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 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

5. –DOC-2024-9

Approving the Purchase of Speed Measurement Devices as Permitted with Funds from FDOT Grant - 2025 Aggressive Driving and Speeding Project - Subgrant for Highway Traffic Safety Funds FDOT Project Number SC-2025-00412. FDOT Contract Number : G3576.

(Requested by Michele Moore, Finance)

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

Enacted and approved this 10th day of December, 2024, in Holly Hill

6. REGULAR AGENDA

1. –2024-R-101 Resolution

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

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

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

RESOLUTION
2024-R-101
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING OPEN PROJECT CARRY OVER FUNDS, APPROPRIATING CARRY OVER FUNDS FOR HURRICANE MILTON EXPENDITURES AND TO CARRY OVER DONATIONS RECEIVED FROM THE FISCAL YEAR 2023-2024 TO THE FISCAL YEAR 2024-2025 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

DATE.

WHEREAS, the City of Holly Hill has certain Projects appropriating funds initiated prior to the fiscal year commencing October 1, 2024, which remain incomplete and will carryover from fiscal year 2023-2024 into the ensuing fiscal year; and

WHEREAS, the City of Holly Hill City received restricted donations during Fiscal Year 2024 for Police Department activities and

WHEREAS, the City of Holly Hill City received damages during Hurricane Milton and

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

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2024-R-66 approving the Annual Operating Budget for Fiscal Year 2024-2025; and Resolution 2024-R-95, Resolution 2024-R-85, Resolution 2024-R-77, Resolution 2024-R-71, and Resolution 2024-R-72 amending the Fiscal Year 2024/2025 budget, 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 carryover funds are hereby appropriated as set forth in Composite Exhibit “A” and Exhibit "B" attached hereto, which reflects revenues and corresponding expenditures for the designated projects and expenditures for the fiscal year 2024-2025 budget.

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

SECTION 3. EFFECTIVE DATE. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2024 through September 30, 2025. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

2. –2024-R-102 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving an Agreement with Tetra-Tech, Inc., to Provide Disaster Public Assistance Consulting Services for Hurricane Milton in an Amount Not to Exceed $200,000, and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

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

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

RESOLUTION
2024-R-102
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN AGREEMENT WITH TETRA-TECH, INC., TO PROVIDE DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES FOR HURRICANE MILTON IN AN AMOUNT NOT TO EXCEED $200,000, 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 AN AGREEMENT WITH TETRA-TECH, INC., TO PROVIDE DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES FOR HURRICANE MILTON IN AN AMOUNT NOT TO EXCEED $200,000, 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 Milton; and

WHEREAS, a Request for Proposals was broadcast with three proposals received; and

WHEREAS, an Evaluation Committee comprised of three City staff reviewed all proposals received and unanimously recommend that Tetra Tech be selected to provide disaster cost recovery and related grant and project management services.

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 an agreement with Tetra-Tech, Inc., to provide disaster public assistance consulting services for Hurricane Milton in an amount not to exceed $200,000, 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 adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

3. 2024-R-106 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Change Order No. 3 with Tetra-Tech, Inc., for Disaster Public Assistance Consulting Services, Extending the Period of Performance through May 31, 2025 and Increasing the Not-To-Exceed Amount of the Agreement to $180,114 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
****This agenda item/Resolution 2024-R-106 was added to the meeting for Change Order No. 3 with Tetra-Tech, Inc.****

Mayor Penny opened public participation. No one spoke.

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

RESOLUTION
2024-R-106
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING CHANGE ORDER NO. 3 WITH TETRA-TECH, INC., FOR DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES, EXTENDING THE PERIOD OF PERFORMANCE THROUGH MAY 31, 2025 AND INCREASING THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT TO $180,114 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 CHANGE ORDER NUMBER THREE (3) WITH TETRA TECH, INC. FOR DISASTER PUBLIC ASSISTANCE CONSULTING SERVICES, EXTENDING THE PERIOD OF

PERFORMANCE THROUGH MAY 31, 2025 AND INCREASING THE NOT-TO-EXCEED AMOUNT OF THE AGREEMENT TO $180,114 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission approved an agreement with Tetra-Tech, Inc., for disaster public assistance consulting in an amount not to exceed $160,000 on November 22, 2022 through Resolution 2022-R-90; and

WHEREAS, “No Cost” Change Order No. 1 was fully executed on September 26, 2023, extending the period of performance through May 23, 2024; and

WHEREAS, Change Order No. 2 extending the period of performance through December 31, 2024 and increasing the contract cost to $169,851.31 was approved on June 11, 2024; and

WHEREAS, Change Order No. 3 has been proposed to extend the period of performance of Hurricane Ian public assistance consulting through May 31, 2025 at a cost of $10,262.69, increasing the contract cost to $180,114.

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 Change Order No. 3 with Tetra Tech, Inc., for disaster public assistance consulting services, extending the period of performance through May 31, 2025 and increasing the not-to-exceed amount to $180,114 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 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

4. 2024-R-103 Resolution

A Resolution of the City of Holly Hill, Florida, Awarding a Task Order to Black Sands Development Group for the Construction of the Phase 1 - 3Rd Street Water Main Improvements at a Cost of $1,061,239.57 and Authorizing the City Manager to Execute the Same; Providing Severability; and Providing an Effective Date.

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

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

RESOLUTION
2024-R-103
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A TASK ORDER TO BLACK SANDS DEVELOPMENT GROUP FOR THE CONSTRUCTION OF THE PHASE 1 - 3RD STREET WATER MAIN IMPROVEMENTS AT A COST OF $1,061,239.57 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING A TASK ORDER TO BLACK SANDS DEVELOPMENT GROUP FOR THE CONSTRUCTION OF THE PHASE 1 - 3RD STREET WATER MAIN IMPROVEMENTS AT A COST OF $1,061,239.57 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Utility assesses user fees for water that includes Capital Funding to maintain and improve utility infrastructure with Capital Improvements; and

WHEREAS, the City contracted with Mead & Hunt, Inc., to design, permit and oversee the 3rd Street Water Main Improvements Project; and

WHEREAS, the City entered into a contract with Black Sands Development Group with Resolution 2024-R-13 for Utility Infrastructure & Restoration Services; and

WHEREAS, the Black Sands Development Group provided a Task Order utilizing unit pricing under their City service contract agreement for $1,061,239.57 pursuant to the permitted water main improvement for phase 1 of the 3rd Street Area; and

WHEREAS, the project engineer of record, Mead & Hunt, Inc., has reviewed Black Sands Development Groups task order and found their design to be consistent with Florida State Permit conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION

OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the City Commission accepts the task order from Black Sands Development Group for $1,061,239.57 for construction of the Phase 1 - 3rd Street Water Main Improvements pursuant to the Utility Infrastructure and Site Restoration Service Contract awarded with Resolution 2024-R-13.

SECTION 2. That the City Commission of the City of Holly Hill does hereby award the task order to Black Sands Development Group and authorize the City Manager to enter into an agreement with Black Sands Development Group to provide for the Construction of the Phase 1 - 3rd Street Water Main Improvements.

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

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

5. 2024-R-104 Resolution

A Resolution of the City of Holly Hill, Florida, Appointing Members to the Police Pension Fund Board of Trustees; Setting Forth the Term and Expiration Date for Said Members; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Commissioner Snow stated that she has spoken to Mr. Terry Wood who is interested in serving on the Police Pension board and that Mr. Wood will be submitting a application to the City Clerk.
The Mayor and City Commission reappointed Kimberly Lawson and appointed Terry Wood, upon the City Clerk receiving his application, to the Police Pension Fund Board of Trustees.
Mayor Penny opened public participation. No one spoke.

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

RESOLUTION
2024-R-104
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE POLICE PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE POLICE PENSION BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATES FOR SAID MEMBERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 42.86, City Code, the City of Holly Hill has a Police Pension Board as defined by Florida Statute Chapter 185; and

WHEREAS, the Board of Trustees shall consists of five members, two of whom, unless otherwise prohibited by law, shall be legal residents of the City of Holly Hill and must be appointed by the City Commission, and two of whom shall be police officers as defined in F.S., Section 185.02, elected by a majority of the active police officers who are members of the plan. The fifth member shall be chosen by a majority of the stated four members, and such person's name shall be submitted to the city commission. Upon receipt of the fifth person's name, the City Commission shall, as a ministerial duty, appoint such person to the board of trustees. The fifth member shall have the same rights as each of the other four members appointed or elected, shall serve as trustee for a period of two years, and may succeed himself or herself in office. Each resident member shall serve as trustee for a period of two years, unless sooner replaced by the legislative body at whose pleasure the member serves, and may succeed himself or herself as a trustee. Each police officer member shall serve as trustee for a period of two years, unless he or she sooner leaves the employment of the municipality as a police officer, whereupon a successor shall be chosen in the same manner as an original appointment. Each police officer may succeed himself or herself in office.

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

SECTION 1. That the City Commission does hereby appoint the following individuals to the Police Pension Board of Trustees.

Kimberly Lawson **Commission Representative**

Terry W. Wood Commissioner Representative (name was presented during the meeting and appointed)

SECTION 2. That the term for said members is set for two (2) years, expiring December 31, 2026.

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

SECTION 4. EFFECTIVE DATE. That this Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

6. –2024-R-105 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Appointing Members to the Firefighters' Pension Fund Board of Trustees; Setting Forth the Term and Expiration Date for Said Members; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
The Mayor and City Commission reappointed Sharon Miller and Michael Moon to the Firefighters' Pension Fund Board of Trustees.
Mayor Penny opened public participation. No one spoke.

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

RESOLUTION
2024-R-105
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE FIREFIGHTERS' PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING

MEMBERS TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with City Code Section 42-63, Board of Trustees, states the following: (a) The Board shall consist of five trustees, two of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission, and two of whom shall be members of the system, who shall be elected by a majority of the firefighters who are members of the system. The fifth trustee shall be chosen by a majority of the previous four trustees as provided herein, and such person's name shall be submitted to the Holly Hill City Commission. Upon receipt of the fifth person's name, the Holly Hill City Commission shall, as a ministerial duty, appoint such person to the board as a fifth trustee; and

WHEREAS, the Board shall consist of five trustees, two of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission; and

WHEREAS, the fifth trustee shall be chosen by a majority of the previous four trustees as provided herein, and such person's name shall be submitted to the Holly Hill City Commission.

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

SECTION 1. That the City Commission does hereby appoint the following individuals to the Firefighters Pension Fund Board of Trustees:

Sharon H. Miller	**Commission Representative**
Michael V. Moon	**Commission Representative**

SECTION 2. That the term for said members is set for two (2) years, expiring December 31, 2026.

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

SECTION 4. EFFECTIVE DATE. That this Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of DECEMBER, 2024.

Enacted and approved this 10th day of December, 2024, in Holly Hill

7. 2024-O-3080 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Creating Section 58-135 (Camping or Sleeping on Public Property Prohibited) to Comply with Florida Statute Section 125.0231 to Prohibit the Camping or Sleeping on Public Property Under Certain Terms and Conditions; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Nicole Kloetz, Police)
Mayor Penny opened public participation. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]** **Next: 1/14/2025 6:00 PM**
MOVER:	Penny Currie, City Commissioner
SECONDER:	Debra Snow, City Commissioner
AYES:	Penny, Snow, Currie, DeLanoy, Johnson

ORDINANCE
2024-O-3080
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, CREATING SECTION 58-135 (CAMPING OR SLEEPING ON PUBLIC PROPERTY PROHIBITED) TO COMPLY WITH FLORIDA STATUTE SECTION 125.0231 TO PROHIBIT THE CAMPING OR SLEEPING ON PUBLIC PROPERTY UNDER CERTAIN TERMS AND CONDITIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, CREATING SECTION 58-135 (CAMPING OR SLEEPING ON PUBLIC PROPERTY PROHIBITED) TO COMPLY WITH FLORIDA STATUTE SECTION 125.0231 TO PROHIBIT THE CAMPING OR SLEEPING ON PUBLIC PROPERTY UNDER CERTAIN TERMS AND CONDITIONS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature adopted Florida Statute Section 125.0231 which provides counties and municipalities "may not authorize or otherwise allow any person to regularly engage in public camping or sleeping on any public property, including, but not limited to, any public building or its grounds and any public right-of-way under the jurisdiction of the county or municipality, as applicable; and

WHEREAS, the City needs to amend its regulations to comply with Florida Statute Section 125.0231; and

WHEREAS, prior to a recent U.S. Supreme Court ruling, the governing law was that it was a violation of the 8^{th} Amendment's Cruel and Unusual Punishment Clause to enforce anti-camping regulations if the number of homeless people in a jurisdiction exceeded the "practically available" shelter beds. However, the U. S. Supreme Court recently ruled in the City of Grant Pass, Oregon v. Johnson, Et. al. that it does not violate the 8^{th} Amendment to have a structured enforcement process against homeless individuals that starts with warnings and providing homeless with information about available homeless services in the area and then progressively increasing the penalties for continued violations to include fines, trespass warnings and ultimately arrest, even though there may not be sufficient shelter beds in the area for the homeless.

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

SECTION 1. LEGISLATIVE FINDINGS. The City Commission of the City of Holly Hill hereby adopts the recitals set forth in the preamble to this Ordinance (WHEREAS clauses) as legislative finding.

SECTION 2. Section 58-135 (Sleeping on Public Property Prohibited) is hereby adopted to read as follows:

Section 58-135 – (Sleeping on Public Property Prohibited.)

Pursuant to Florida Statute Section 125.0231, the City does not authorize or otherwise allow any person to regularly engage in public camping or sleeping on any public property including but not limited to any public buildings, or its grounds, and any public right-of-way under the jurisdiction of the City. The City shall, when prudent in the judgment of the enforcement officer, use progressive law enforcement when enforcing this regulation starting with a warning, citation, trespass order and arrest. The City shall provide homeless people attempting to camp or sleep on any public property with information regarding available homeless services.

SECTION 3. 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 4. That all Ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 5. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of JANUARY, 2025 for second and final reading.

Enacted and approved this 10th day of December, 2024, in Holly Hill

7. PUBLIC HEARING

1.

1533 Ridgewood Avenue - Le Duck Motorcycles - Special Exception

(Requested by Brian Walker, Board of Planning and Appeals)
Mayor Penny opened public participation. No one spoke.

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

Enacted and approved this 10th day of December, 2024, in Holly Hill

8. COMMUNICATIONS

A. Mayor's Comments

Mayor Penny thanked the City Clerk and all the staff that helped make the tree lighting and the Christmas parade another successful events this year. For the prayers at the beginning of the meetings, he suggested that for each month, each Commissioner will have an opportunity to either do the invocation or they may select someone of their choice to do it. Mayor Penny briefly explained what holding a workshop is for those who may not know. Mayor Penny wished everyone a Merry Christmas, Happy Holidays and Happy Hanukkah and Happy New Year.

B. City Manager Comments

Mr. Forte mentioned that he sent an email to the Mayor and Commissioners for a few workshop items for the new year. Here is the list of workshops and times:

January 14, 2025 - 4:00 pm - 6:00 pm
Decorum Policy, Charter Review Committee, YMCA improvements

January 21, 2025 - 4:00 pm - 6:00 pm
Vulnerability Study & Stormwater projects, Fountainhead project - rezoning of Parcel 4, Waste Pro contract renewal

February 11, 2025 4:00 pm - 6:00 pm
Commission Goals Setting Session - (developing a 4-year plan)

There was consensus from the Mayor and City Commissioners to move forward with scheduling these.

Mr. Forte wished everyone a Merry Christmas and Happy New Year.

C. City Attorney Comments

Attorney Simpson wished everyone a Merry Christmas and Happy New Year.

D. City Commission Comments

Commissioners Snow, Currie, DeLanoy and Johnson wished everyone a Merry Christmas, Happy Holidays, Happy Hanukkah and Happy New Year. They enjoyed the Christmas Tree Lighting Ceremony and the parade, thanked the City Clerk and those that helped make the events very successful and fun. They all had a great time. Commissioner Johnson spoke briefly about the Volusia Sports Center and let everyone know that they now have indoor golf that has been added to the Center and that Holly Hill has a lot of great family recreation centers now and that Holly Hill has come a long way and is doing very well.

9. ADJOURNMENT

The meeting adjourned at approximately 7:50 PM.

Valerie Manning, City Clerk,CMC 12/10/2024

John Penny, Mayor 12/10/2024