



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • JANUARY 26, 2021

City Commission Chamber

Regular City Commission Meeting

6:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation by Mayor Via

Mayor Via led the invocation.

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. PRESENTATIONS

1. -2021-R-9 Resolution

2020 Citizen of the Year - Ariel Kavanagh

(Requested by Valerie Manning, City Clerk)

RESULT: PRESENTATION ONLY

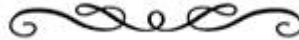


2. Resolution

A Resolution of the City of Holly Hill, Florida, Recognizing Fire Lieutenant Thomas Maccio for His 31 Years of Service to the City of Holly Hill and Its Citizens.

(Requested by Valerie Manning, City Clerk)

RESULT:	PRESENTATION ONLY
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3. PUBLIC COMMENTS

No one spoke.

4. APPROVAL OF MINUTES

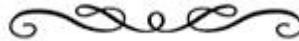
1.

Minutes - January 12, 2021, Workshop and January 12, 2021, Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 26th day of January, 2021, in Holly Hill



5. CONSENT AGENDA - ITEMS (1 - 3)

Mayor Via asked if there was anyone in the audience who wished to speak on any item of the Consent Agenda? Heidi Heller, Holly Hill, came forward and spoke on Consent Agenda Item #3, BD Beneficial Developers Agreement - Amendment to Waive the Right to Termination. There was no one else to speak on any item.

1. -2021-R-10 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Modify the Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Birmingham Avenue Water Main Replacement to a Not to Exceed Amount of \$30,472.00

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION**2021-R-10**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO MODIFY THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE BIRMINGHAM AVENUE WATER MAIN REPLACEMENT TO A NOT TO EXCEED AMOUNT OF \$30,472.00

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO MODIFY THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE BIRMINGHAM AVENUE WATER MAIN REPLACEMENT TO A NOT TO EXCEED AMOUNT OF \$30,472.00; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has issued a purchase order for the Birmingham Avenue water main replacement that excluded construction contract administration and limited construction observation services; and

WHEREAS, this Change Order will authorize Mead and Hunt to complete construction contract administration services and construction observation services and allowing additional time for the punchlist process and close out of the project; and

WHEREAS, these additional services will require a second Change Order to be issued to Mead and Hunt to complete construction contract administration services and construction observation services and allowing additional time for the punchlist process and close out of the project in the amount of \$13,769.00.

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 second Change Order to be issued to Mead and Hunt to complete construction contract administration services and construction observation services and allowing additional time for the punchlist process and close out of the project in the amount of \$13,769.00 for a total purchase order amount not to exceed \$30,472.00.

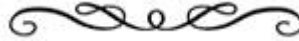
SECTION 2. SEVERABILITY. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect

immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021.

Enacted and approved this 26th day of January, 2021, in Holly Hill



2. -2021-R-11 Resolution

A Resolution of the City of Holly Hill, Florida, Implementing COVID-19 Emergency Leave for All Employees Relating to COVID-19; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

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

RESOLUTION

2021-R-11

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, IMPLEMENTING COVID-19 EMERGENCY LEAVE FOR ALL EMPLOYEES RELATING TO COVID-19; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, IMPLEMENTING COVID-19 EMERGENCY LEAVE FOR ALL EMPLOYEES RELATING TO COVID-19; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, On March 18, 2020, the Families First Coronavirus Response Act, effective April 1, 2020 through December 31, 2020, was signed into law effective April 1, 2020; and

WHEREAS, The legislation included two provisions that provided paid leave to employees impacted by COVID-19; Emergency Paid Sick Leave Act and the Emergency Family and Medical Leave Expansion Act; and

WHEREAS, The Families First Coronavirus Response Act has expired on December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION

OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The amount of paid sick leave time a City employee shall be entitled to will be determined based on the employees current shift schedule.

- a. The one time maximum number of additional sick leave hours shall equal the standard number of hours in the pay period for the shift to which the employee is assigned at the time they become eligible under this policy. (i.e. 80, 84, 112 hours)
- b. Sick leave time granted by this section is reduced by any time used pursuant to the Emergency Paid Sick Leave Act.

SECTION 2. The City of Holly Hill shall provide to each City employee paid sick time for each hour worked up to the maximum hours allowed, as per Section 1, not charged to their leave accruals, to the extent that the employee is unable to work due to the following:

- a. The employee is experiencing symptoms of COVID-19 and seeking medical diagnosis.
- b. The employee is advised in writing by his or her healthcare provider to self-quarantine due to the concerns relating to COVID-19. This time period is currently stated by the CDC Guidelines to be 7 days with a negative test or 10 days without a test.

SECTION 3. The City of Holly Hill shall provide to each City employee paid sick leave at two-thirds pay for each hour worked up to the maximum hours allowed, as per Section 1, not charged to their leave accruals, to the extent that the employee is unable to work due to the following:

- a. The employee is caring for a family member or member of their household who is unable to care for themselves and is subject to self-quarantine as described in Section 1 subparagraph (a). Proof of positive COVID-19 tests results must be provided to the HR Manager.
- b. The employee is unable to work due to a bona fide need to care for a child (under 18 years of age) whose school or daycare provider is closed by order of the Governor.

SECTION 4. For purposes of this Policy, the term ‘paid sick time’ means an increment of compensated leave:

- a. Provided by the City for use during an absence from employment for a reason described in Section 2 and 3.
- b. Is calculated based on the City employee’s hourly rate at the time of paid sick time eligibility.

SECTION 5. Paid sick time provided to a City employee under this policy shall cease beginning with the employees next scheduled work shift immediately following the termination of the need for paid sick time under Sections 2 or 3.

SECTION 6. Paid sick time shall be available regardless of how long the City employee has been employed by the City.

SECTION 7. A City employee may first use paid sick time described in this policy prior to using other paid leaves provided by the City.

SECTION 8. A City employee is not required to provide financial or other reimbursement to the City for paid sick time under this policy in the event of the employee's termination, resignation, retirement, or other separation of employment.

SECTION 9. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 10. This policy shall be effective retroactively as of January 1, 2021.

SECTION 11. This policy shall expire on March 31, 2021 and may be discontinued at any time at the sole discretion of the City or may be continued in three (3) month periods.

APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021.

Enacted and approved this 26th day of January, 2021, in Holly Hill



3.

BD Beneficial Developers Agreement - Amendment to Waive the Right to Termination
(Requested by Joseph Forte, City Manager)

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

Enacted and approved this 26th day of January, 2021, in Holly Hill



6. REGULAR AGENDA

1. -2021-R-12 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing a Piggyback Contract for the Purchase of New ERP System from Tyler Technologies Using the City of Groveland's RFP #19-IT-004; Providing for Implementing Administrative Actions; Providing for Conflicts; Providing for a Savings Provision; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

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, Currie, Danio, Johnson

RESOLUTION

2021-R-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING A PIGGYBACK CONTRACT FOR THE PURCHASE OF NEW ERP SYSTEM FROM TYLER TECHNOLOGIES USING THE CITY OF GROVELAND'S RFP #19-IT-004; 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 ERP SYSTEM USING THE CITY OF GROVELAND'S CONTRACT AWARDED UNDER RFP# 19-IT-004; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill desires to purchase ERP system from Tyler Technologies under the City of Groveland's software services agreement awarded under RFP #19-IT-004; 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 City of Groveland's software services agreement and any other documents awarded under RFP #19-IT-004; and

WHEREAS, the City has determined that in this circumstance, piggybacking onto an agreement entered into by the City of Groveland, 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. AUTHORITY FOR RESOLUTION. This Resolution is adopted 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 Tyler Technologies to purchase ERP system.

(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 contact Tyler Technologies to purchase ERP system.

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 ERP system purchase, in substantially the forms attached hereto. The total one time costs shall be \$158,350 with five years annual maintenance fees of \$66,987 annually. All further costs are contingent upon future budget appropriations.

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 ERP system.

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

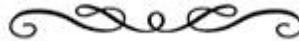
same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

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 JANUARY , 2021.

Enacted and approved this 26th day of January, 2021, in Holly Hill



2. **-2021-R-13 Resolution**

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

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

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

RESOLUTION

2021-R-13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING ONE MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; 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.

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 individual to the Firefighters Pension Fund Board of Trustees:

Damon Sansom

Commission Representative

SECTION 2. That the term for said member is set for two (2) years, expiring December 31, 2023.

SECTION 3. That this Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021.

Enacted and approved this 26th day of January, 2021, in Holly Hill



3.

Request for Lien Reduction 218 2Nd Street

(Requested by Joseph Forte, City Manager)

Mr. Forte briefly discussed the staff report within their agenda packet. There is a purchase and sale agreement on the property with a realtor out of the DeLand area. Himself and staff have met with them and negotiated and talked with them and they have agreed to a lien reduction and release in the amount of \$3,708.88 payable by February 12, 2021. If the sale doesn't go through or he has given the buyer 60-days to bring the property up into compliance, if either of those don't go through, they have agreed to allow the total value of the lien be placed back upon the property. It's minor modifications that he feels they will be able to do it in a timely fashion. Mr. Forte stated in addition to the motion to reduce the lien to administrative fee in the amount of \$3,708.88, payable by 5:00 PM on February 12, 2021, it was brought to his attention today that there is an outstanding water bill in the amount of \$432.91. The owners were told that the lien reduction would be somewhere in the neighborhood of \$5,000, so including this, they are still at about \$4,200; well below what he had told them the anticipated release amount would be. The motion would include the outstanding water bill in the amount of \$432.91. These are two different things so the Commission would have to mention them separately. The lien reduction for \$3,708.88 because the city does a

release on that and the other would be for \$432.91. They can be in one motion. They are closing on the property on February 16, 2021.

Mr. Forte read the motion for the Mayor and Commissioners as follows: The motion is to reduce the lien administrative fee in the amount of \$3,708.88 payable no later than 5:00 PM on February 12, 2021. Failure to pay the lien by this date will cause the entire lien to remain on the property and subject to foreclosure. In addition, the seller is responsible to pay \$432.91 for the outstanding water bill no later than 5:00 PM on February 12, 2021.

*Commissioner Currie made a motion to **reduce the lien administrative fee in the amount of \$3,708.88 payable no later than 5:00 PM on February 12, 2021. Failure to pay the lien by this date will cause the entire lien to remain on the property and subject to foreclosure. In addition, the seller is responsible to pay \$432.91 for the outstanding water bill no later than 5:00 PM on February 12, 2021,** seconded by Commissioner Penny.*

Mayor Via opened public participation.

William Marotte, (buyer), 220 W. Minnesota Avenue, DeLand, asked, he would, if the Commissioners can, because the closing is supposed to be February 16, 2021 and the folks are retired, they don't really have the money to do it, the title company, Westside Title, is going to send the money for the water bill and they have already called the city on that.

Mr. Forte asked if they want to do it at closing?

Mr. Marotte stated yes, on February 16th and if they can get it by the next day, he will run the check by City Hall himself on February 17th.

Mr. Forte stated he doesn't have a problem with that. That way the money transactions are done at the closing and that's fine.

Mayor Via closed public participation.

*Commissioner Currie made an **AMENDMENT to the ORIGINAL MOTION SHOWING THAT BOTH THE WATER BILL AND THE LIEN REDUCTION NEED TO BE PAID NO LATER THAN 5:00 PM ON FEBRUARY 17, 2021,** seconded by Commissioner Penny.*

**There was no discussion on the AMENDMENT by the Mayor or Commissioners.
PASSED, 5-0.**

VOTE ON THE ORIGINAL MOTION AT THIS TIME:

There was no discussion on the ORIGINAL motion by the Mayor or Commissioners.

PASSED, 5-0.

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

Enacted and approved this 26th day of January, 2021, in Holly Hill



7. PUBLIC HEARINGS**1. -2020-O-3030 Ordinance**

SECOND READING - an Ordinance of the City of Holly Hill, Volusia County, Florida, Annexing by Voluntary Petition Approximately 9.4 Acres Identified as Parcel Number 4244-01-04-0080 Contiguous to the City of Holly Hill; Providing for Severability; and Providing for an Effective Date.

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

Mayor Via opened public participation. No one spoke.

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

ORDINANCE**2020-O-3030**

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 9.4 ACRES IDENTIFIED AS PARCEL NUMBER 4244-01-04-0080 CONTIGUOUS TO THE CITY OF HOLLY HILL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 9.4 ACRES IDENTIFIED AS PARCEL NUMBER 4244-01-04-0080 CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY AND THE ADJACENT RIGHTS-OF-WAY OF 10TH STREET AND VINE STREET; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Glenn D. Storch of Storch Law Firm, as the agent for the owner of the real property described herein; and

WHEREAS, the agent has filed, pursuant to Florida Statue 171.044, a petition for voluntary annexation of said property as described in Exhibit "A" into the municipal limits of the

City of Holly Hill; and

WHEREAS, the City Commission of the City of Holly Hill has determined all of the property which is proposed to be annexed into the City of Holly Hill, is within an unincorporated area of Volusia County, is contiguous to the City of Holly Hill, and is reasonably compact; and

WHEREAS, Exhibit “A” is the legal description of the property which is proposed to be annexed into the City of Holly Hill; and

WHEREAS, the map attached hereto as Exhibit “B” shows the property which is proposed to be annexed into the City of Holly Hill.

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

SECTION 1. The City Commission of the City of Holly Hill, based upon the above findings, hereby annexes into the City of Holly Hill by voluntary petition the following described property:

(Portion of Tax Parcel Number 4244-01-04-0080 and the adjacent rights-of-way of 10TH Street and Vine Street)

LEGAL DESCRIPTION: See Attached Exhibit “A”.

SECTION 2. The City of Holly Hill city boundary is hereby amended to incorporate the above described property.

SECTION 3. That within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court, with the Chief Administrative Officer of Volusia County, and with the Department of State.

SECTION 4. That upon approval on first reading, the City Clerk is hereby directed to publish the Notice of Annexation required by Section 171.044(2), Florida Statutes, at

least once each week for two (2) consecutive weeks in a newspaper of general circulation in the City of Holly Hill.

SECTION 5. 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 6. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 7. That this Ordinance shall become effective immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021
for second and final reading.**

EXHIBIT A

LEGAL DESCRIPTION - Being that land described and recorded in Official Records Book 4245, Page 2512, Public Records of Volusia County, Florida.

Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida.

Also being described as:

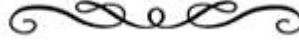
Begin at the Southwesterly corner of Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida, said Point of Beginning also being the intersection of the Northerly Right of Way of Tenth Street with the Easterly Right of Way of Vine Street; thence N 25°41'12" W, along the Westerly line of said Lot 8 and the Easterly Right of Way of Vine Street, a distance of 642.03 feet to the Northwesterly corner of said Lot 8; thence N 64°16'47" E along the Northerly line of said Lot 8, also being the Southerly line of WILKERSON REPLAT, as recorded in Map Book 23, Page 112, of the Public Records of Volusia County, Florida, a distance of 654.08 feet to the Northeasterly corner of said Lot 8; thence S 25°50'23" E along the Easterly line of said Lot 8, a distance of 643.25 feet to the Southeasterly corner of said Lot 8 and a point on the aforesaid Tenth Street Right of Way; thence S 64°23'14" W along the Southerly line of said Lot 8 and the

Northerly Right of Way of Tenth Street, a distance of 655.80 feet to the Point of Beginning.

LESS and EXCEPT the Southerly 125.00 feet of the Easterly 85.00 feet thereof.

Containing 410,263.56 square feet (09.418 ± acres)

Enacted and approved this 26th day of January, 2021, in Holly Hill



2. -2020-O-3032 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Volusia County, Florida, Annexing by Voluntary Petition Approximately 1.34 Acres Identified as Parcel Number 4242-40-40-0160 Contiguous to the City of Holly Hill; Providing for Severability; and Providing for an Effective Date.

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

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE

2020-O-3032

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 1.34 ACRES IDENTIFIED AS PARCEL NUMBER 4242-40-40-0160 CONTIGUOUS TO THE CITY OF HOLLY HILL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, ANNEXING BY VOLUNTARY PETITION APPROXIMATELY 1.34 ACRES IDENTIFIED AS PARCEL NUMBER 4242-40-40-0160 CONTIGUOUS TO THE CITY OF HOLLY HILL; REDEFINING BOUNDARIES OF THE CITY OF HOLLY HILL TO INCLUDE SAID PROPERTY AND THE ADJACENT RIGHTS-OF-WAY OF NOVA ROAD AND MISTLETOE DRIVE; DIRECTING THE CITY CLERK TO FILE THE ORDINANCE WITH THE CLERK OF THE CIRCUIT COURT, WITH THE CHIEF ADMINISTRATIVE OFFICER OF VOLUSIA COUNTY AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE

DATE.

WHEREAS, BB&B Investments Inc., the owner of the real property described herein; and

WHEREAS, the owner has filed, pursuant to Florida Statue 171.044, a petition for voluntary annexation of said property as described in Attachment A into the municipal limits of the City of Holly Hill; and

WHEREAS, the City Commission of the City of Holly Hill has determined all of the property which is proposed to be annexed into the City of Holly Hill, is within an unincorporated area of Volusia County, is contiguous to the City of Holly Hill, and is reasonably compact; and

WHEREAS, Exhibit A is the legal description of the property which is proposed to be annexed into the City of Holly Hill; and

WHEREAS, the map attached hereto as Exhibit B shows the property which is proposed to be annexed into the City of Holly Hill.

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

SECTION 1. The City Commission of the City of Holly Hill, based upon the above findings, hereby annexes into the City of Holly Hill by voluntary petition the following described property:

(Tax Parcel Number 4242-40-40-0160 and the adjacent rights-of-way of Nova Road and Mistletoe Drive)

LEGAL DESCRIPTION: See Attached Exhibit A.

SECTION 2. The City of Holly Hill City boundary is hereby amended to

incorporate the above described property.

SECTION 3. That within seven (7) days of the adoption of this Ordinance, the City Clerk shall file a copy of said Ordinance with the Clerk of the Court, with the Chief Administrative Officer of Volusia County, and with the Department of State.

SECTION 4. That upon approval on first reading, the City Clerk is hereby directed to publish the Notice of Annexation required by Section 171.044(2), Florida Statutes, at least once each week for two (2) consecutive weeks in a newspaper of general circulation in the City of Holly Hill.

SECTION 5. 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 6. That all ordinances made in conflict with this Ordinance are hereby repealed.

SECTION 7. That this Ordinance shall become effective immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021
for second and final reading.**

ATTACHMENT A
LEGAL DESCRIPTION

THE SOUTHERLY 179.42 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF BLOCK 40, HOPKINS MAP OF FITCH GRANT, AS PER MAP RECORDED IN DEED BOOK "C", PAGE 79, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE SOUTH LINE OF SAID BLOCK 40 WITH THE ORIGINAL WESTERLY LINE OF STATE ROAD #415 (A 100 FOOT RIGHT OF WAY AS NOW LAID OUT AND USED); THENCE NORTH 25°43'43" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 280.22 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1859.86 FEET A CENTRAL ANGLE OF 10°22'30" AND A CORD BEARING OF N30°54'58"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 336.78 FEET; THENCE DEPARTING FROM SAID ORIGINAL RIGHT-OF-WAY S63°59'33"W, A DISTANCE OF 12.83' (WESTERLY AND PARALLEL TO 11TH STREET A DISTANCE OF 331.10 FEET TO A POINT IN THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA) TO THE EXISTING RIGHT OF WAY LINE OF SAID STATE ROAD AND THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2232.83 FEET; A CENTRAL ANGLE OF 04°04'08" AND A CHORD BEARING OF S34°56'47"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 158.57 FEET; THENCE S63°59'33"W, A DISTANCE OF 344.80 FEET TO THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA); THENCE N25°43'13"W ALONG SAID MISTLETOE DRIVE, 179.42 FEET; THENCE N63°59'33"E A DISTANCE OF 314.72 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NOVA ROAD (STATE ROAD 5A) TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2232.83 FEET A CENTRAL ANGLE OF 00°35'49" AND A CHORD BEARING OF S37°16'46"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 23.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 59,390 SQ. FT., 1.36 ACRES

Enacted and approved this 26th day of January, 2021, in Holly Hill



3. -2021-O-3033 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1088 10Th Street Having Parcel Number 4244-01-04-0080 by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Umi (Urban Medium Intensity) to Medium Density

Residential; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

Mayor Via opened public participation. No one spoke.

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

ORDINANCE

2021-O-3033

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1088 10TH STREET HAVING PARCEL NUMBER 4244-01-04-0080 BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM UMI (URBAN MEDIUM INTENSITY) TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 3033

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1088 10TH STREET HAVING PARCEL NUMBER 4244-01-04-0080 BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM UMI (URBAN MEDIUM INTENSITY) TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Commission has reviewed the future land use designation for the parcel described in Attachment "A" and determined that it is necessary to amend its

Future Land Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

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

SECTION 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcel identified as 1088 10TH Street having parcel number 4244-01-04-0080 as described in Attachment “A”, as Medium Density Residential.

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

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

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

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

SECTION 6. That this Ordinance shall be posted at City Hall as required by law.

**APPROVED AND AUTHENTICATED on the 26th day of JANUARY, 2021
for second and final reading.**

ATTACHMENT "A"

LEGAL DESCRIPTION - Being that land described and recorded in Official Records Book 4245, Page 2512, Public Records of Volusia County, Florida.

Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida.

Also being described as:

Begin at the Southwesterly corner of Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida, said Point of Beginning also being the intersection of the Northerly Right of Way of Tenth Street with the Easterly Right of Way of Vine Street; thence N 25°41'12" W, along the Westerly line of said Lot 8 and the Easterly Right of Way of Vine Street, a distance of 642.03 feet to the Northwesterly corner of said Lot 8; thence N 64°16'47" E along the Northerly line of said Lot 8, also being the Southerly line of WILKERSON REPLAT, as recorded in Map Book 23, Page 112, of the Public Records of Volusia County, Florida, a distance of 654.08 feet to the Northeasterly corner of said Lot 8; thence S 25°50'23" E along the Easterly line of said Lot 8, a distance of 643.25 feet to the Southeasterly corner of said Lot 8 and a point on the aforesaid Tenth Street Right of Way; thence S 64°23'14" W along the Southerly line of said Lot 8 and the Northerly Right of Way of Tenth Street, a distance of 655.80 feet to the Point of Beginning.

LESS and EXCEPT the Southerly 125.00 feet of the Easterly 85.00 feet thereof.

Containing 410,263.56 square feet (09.418 ± acres)

Enacted and approved this 26th day of January, 2021, in Holly Hill



4. -2021-O-3034 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill Florida, Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from R-5 (Urban Single Family Residential) to R-6 (Low Density Multifamily District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE

2021-O-3034

**SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL
FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY**

AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM R-5 (URBAN SINGLE FAMILY RESIDENTIAL) TO R-6 (LOW DENSITY MULTIFAMILY DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM R-5 (URBAN SINGLE FAMILY RESIDENTIAL) TO R-6 (LOW DENSITY MULTIFAMILY DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in Attachment “A” as R-6 (Low Density

Multifamily Residential District.)

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

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 be posted at City Hall as required by law.

**APPROVED AND AUTHENTICATED on the 26th day of JANUARY, 2021
for second and final reading.**

ATTACHMENT “A”

LEGAL DESCRIPTION - Being that land described and recorded in Official Records Book 4245, Page 2512, Public Records of Volusia County, Florida.

Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida.

Also being described as:

Begin at the Southwesterly corner of Lot 8, Block 4, MASON AND CARSWELLS HOLLY HILL, as per map recorded in Map Book 2, Page 90, of the Public Records of Volusia County, Florida, said Point of Beginning also being the intersection of the Northerly Right of Way of Tenth Street with the Easterly Right of Way of Vine Street; thence N 25°41'12" W, along the Westerly line of said Lot 8 and the Easterly Right of Way of Vine Street, a distance of 642.03 feet to the Northwesterly corner of said Lot 8; thence N 64°16'47" E along the Northerly line of said Lot 8, also being the Southerly line of WILKERSON REPLAT, as recorded in Map Book 23, Page 112, of the Public Records of Volusia County, Florida, a distance of 654.08 feet to the Northeasterly corner of said Lot 8; thence S 25°50'23" E along the Easterly line of said Lot 8, a

distance of 643.25 feet to the Southeasterly corner of said Lot 8 and a point on the aforesaid Tenth Street Right of Way; thence S 64°23'14" W along the Southerly line of said Lot 8 and the Northerly Right of Way of Tenth Street, a distance of 655.80 feet to the Point of Beginning.

LESS and EXCEPT the Southerly 125.00 feet of the Easterly 85.00 feet thereof.

Containing 410,263.56 square feet (09.418 ± acres)

Enacted and approved this 26th day of January, 2021, in Holly Hill



5. -2021-O-3035 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map Designation of Certain Property Identified as 1652 N Nova Road Having Parcel Number 4242-40-40-0160 by Virtue of a Small Scale Future Land Use Map Amendment; Changing the Future Land Use Map Designation from Mxz (Mixed Use Zone) to General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

Mayor Via opened public participation. No one spoke.

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

ORDINANCE

2021-O-3035

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1652 N NOVA ROAD HAVING PARCEL NUMBER 4242-40-40-0160 BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL FLORIDA, AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP DESIGNATION OF CERTAIN PROPERTY IDENTIFIED AS 1652 N NOVA ROAD HAVING PARCEL NUMBER 4242-40-40-0160 BY VIRTUE OF A SMALL SCALE FUTURE LAND USE MAP AMENDMENT; CHANGING THE FUTURE LAND USE MAP DESIGNATION FROM

MXZ (MIXED USE ZONE) TO GENERAL COMMERCIAL; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Commission has reviewed the future land use designation for the parcel described in Attachment “A” and determined that it is necessary to amend its Future Land Use Map as herein provided in order to more effectively implement its adopted comprehensive plan.

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

SECTION 1. The Future Land Use Map for the City of Holly Hill, is hereby amended to designate the parcel identified as 1652 N Nova Road having parcel number 4242-40-40-0160 as described in Attachment A as General Commercial.

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

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

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent

provision, and such holding shall not affect the validity of the remaining portions or application hereof.

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

SECTION 6. That this Ordinance shall be posted at City Hall as required by law.

**APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021
for second and final reading.**

ATTACHMENT "A"

LEGAL DESCRIPTION

THE SOUTHERLY 179.42 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF BLOCK 40, HOPKINS MAP OF FITCH GRANT, AS PER MAP RECORDED IN DEED BOOK "C", PAGE 79, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE SOUTH LINE OF SAID BLOCK 40 WITH THE ORIGINAL WESTERLY LINE OF STATE ROAD #415 (A 100 FOOT RIGHT OF WAY AS NOW LAID OUT AND USED); THENCE NORTH 25°43'43" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 280.22 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1859.86 FEET A CENTRAL ANGLE OF 10°22'30" AND A CORD BEARING OF N30°54'58"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 336.78 FEET; THENCE DEPARTING FROM SAID ORIGINAL RIGHT-OF-WAY S63°59'33"W, A DISTANCE OF 12.83' (WESTERLY AND PARALLEL TO 11TH STREET A DISTANCE OF 331.10 FEET TO A POINT IN THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA) TO THE EXISTING RIGHT OF WAY LINE OF SAID STATE ROAD AND THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2232.83 FEET; A CENTRAL ANGLE OF 04°04'08" AND A CHORD BEARING OF S34°56'47"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 158.57 FEET; THENCE S63°59'33"W, A DISTANCE OF 344.80 FEET TO THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA); THENCE N25°43'13"W ALONG SAID MISTLETOE DRIVE, 179.42 FEET; THENCE N63°59'33"E A DISTANCE OF 314.72 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NOVA ROAD (STATE ROAD 5A) TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY

HAVING A RADIUS OF 2232.83 FEET A CENTRAL ANGLE OF 00°35'49" AND A CHORD BEARING OF S37°16'46"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 23.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 59,390 SQ. FT., 1.36 ACRES

Enacted and approved this 26th day of January, 2021, in Holly Hill



6. -2021-O-3036 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida Amending the Land Development Regulations, by Amending the Official Zoning Map to Designate the Property Described in Exhibit a from I-1 (Light Industrial) to Cc-1 (Commercial Corridor District); Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Scott Gutauckis, Information Technology)

Mayor Via opened public participation. No one spoke.

RESULT:	ADOPTED AT 2ND READING [UNANIMOUS]
MOVER:	Roy Johnson, District 4 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE

2021-O-3036

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

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS, BY AMENDING THE OFFICIAL ZONING MAP TO DESIGNATE THE PROPERTY DESCRIBED IN EXHIBIT A FROM I-1 (LIGHT INDUSTRIAL) TO CC-1 (COMMERCIAL CORRIDOR DISTRICT); PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill, Volusia County,

Florida, has adopted a comprehensive plan pursuant to, and in compliance with 163.3161 et.

Seq., Florida Statutes; and

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

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

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

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

SECTION 1. The Official Zoning Map of the City of Holly Hill is hereby amended to designate the property described in Attachment “A” as CC-1 (Commercial Corridor District.)

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

SECTION 3. 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 be posted at City Hall as required by law.

APPROVED AND AUTHENTICATED on this 26th day of JANUARY, 2021
for second and final reading.

ATTACHMENT "A"

LEGAL DESCRIPTION

THE SOUTHERLY 179.42 FEET OF THE FOLLOWING DESCRIBED PROPERTY:

A PORTION OF BLOCK 40, HOPKINS MAP OF FITCH GRANT, AS PER MAP RECORDED IN DEED BOOK "C", PAGE 79, OF THE PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT AN INTERSECTION OF THE SOUTH LINE OF SAID BLOCK 40 WITH THE ORIGINAL WESTERLY LINE OF STATE ROAD #415 (A 100 FOOT RIGHT OF WAY AS NOW LAID OUT AND USED); THENCE NORTH 25°43'43" WEST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE, 280.22 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1859.86 FEET A CENTRAL ANGLE OF 10°22'30" AND A CORD BEARING OF N30°54'58"W; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 336.78 FEET; THENCE DEPARTING FROM SAID ORIGINAL RIGHT-OF-WAY S63°59'33"W, A DISTANCE OF 12.83' (WESTERLY AND PARALLEL TO 11TH STREET A DISTANCE OF 331.10 FEET TO A POINT IN THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA) TO THE EXISTING RIGHT OF WAY LINE OF SAID STATE ROAD AND THE POINT OF BEGINNING; THENCE ALONG A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2232.83 FEET; A CENTRAL ANGLE OF 04°04'08" AND A CHORD BEARING OF S34°56'47"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 158.57 FEET; THENCE S63°59'33"W, A DISTANCE OF 344.80 FEET TO THE EASTERLY LINE OF MISTLETOE DRIVE (A 50 FOOT STREET AS RECORDED IN OFFICIAL RECORDS BOOK 4, PAGE 260, PUBLIC RECORDS OF VOLUSIA COUNTY, FLORIDA); THENCE N25°43'13"W ALONG SAID MISTLETOE DRIVE, 179.42 FEET; THENCE N63°59'33"E A DISTANCE OF 314.72 FEET TO THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF NOVA ROAD (STATE ROAD 5A) TO THE BEGINNING OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 2232.83 FEET A CENTRAL ANGLE OF 00°35'49" AND A CHORD BEARING OF S37°16'46"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 23.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 59,390 SQ. FT., 1.36 ACRES

Enacted and approved this 26th day of January, 2021, in Holly Hill



8. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte asked the Mayor and Commissioners about this year's Easter event and there was direction to move forward with it, with modifications. Share several workshop topics with the Mayor and Commissioners that need to take place and asked about either individual tours of the city with department heads or as a group like they've done in the past for Commission Day. They were okay with either way.

B. City Attorney Comments

None.

C. City Commission Comments

The Commissioners mentioned the State of the City Address that took place last Thursday morning at the Hilton and how impressed and well it went and that it turned out to be a nice event. The Commissioners all thanked Fire Lt. Thomas Maccio for his 31 years of service to the community and wished him well on his retirement.

Commissioner Penny reminded the Mayor and Commissioners that there is a virtual Volusia League of Cities meeting coming up.

Commissioner Currie mentioned the HHFD uniforms and how nice they are and appreciated the officers who are doing the speed enforcement throughout the city.

Commissioner Danio mentioned it's refreshing to see all the accomplishments the city has been making.

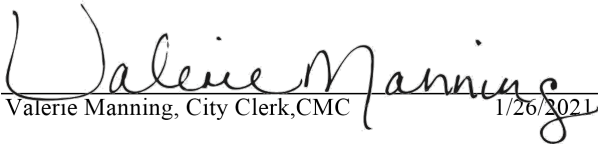
Commissioner Johnson was happy about the annexations coming into the city; enjoyed the State of the City Address; mentioned that the TPO are finally meeting in person tomorrow and he's looking forward to that.

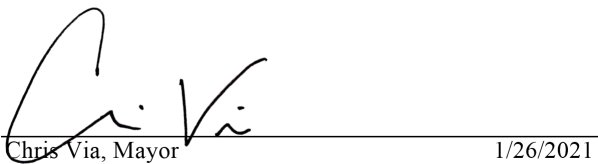
D. Mayor's Comments

Mayor Via mentioned that the State of the City Address went very well. Congratulated Fire Lt. Maccio for his 31 years of service to the community.

9. ADJOURNMENT

The meeting adjourned at approximately 7:15 PM.


Valerie Manning, City Clerk,CMC 1/26/2021


Chris Via, Mayor 1/26/2021