

# CITY OF HOLLY HILL, FLORIDA

## CITY COMMISSION

AGENDA • FEBRUARY 11, 2025

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City Commission Chamber

Regular City Commission Meeting

6:00 PM

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CITY HALL  
1065 RIDGEWOOD AVENUE  
HOLLY HILL, FL 32117

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



City Commission Chamber  
City Hall  
1065 Ridgewood Avenue  
Holly Hill, FL 32117

### CITY COMMISSION MEMBERS

**Mayor**  
John Penny

**District 1 - Commissioner**  
Debra Snow

**District 3 - Commissioner**  
Jeffrey DeLanoy

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**District 2 - Commissioner**  
Penny Currie

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**District 4 - Commissioner**  
Roy Johnson

**CITY MANAGER**  
Joseph Forte

**CITY CLERK**  
Valerie Manning

**1. CALL TO ORDER**

- a. Roll Call
- b. Invocation by City Commissioner Penny Currie
- c. Pledge of Allegiance

**2. PRESENTATIONS****A. 2024 Employee of the Year - Donna Dungee, Finance Clerk II**

2024 Employee of the Year - Donna Dungee, Finance Clerk II  
(Requested by Valerie Manning, City Clerk)

**B. 2024 Citizen of the Year - Jim Legary**

2024 Citizen of the Year - Jim Legary  
(Requested by Valerie Manning, City Clerk)

**C. 2024 Corporate Citizens of the Year - Mark & Geri Madden of Madden Enterprises**

2024 Corporate Citizens of the Year - Mark and Geri Madden, Owners of Madden Enterprises - Maddens Ace Hardware Holly Hill  
(Requested by Valerie Manning, City Clerk)

**D. Gold Ribbon Award from Florida Health Care Plan to the City of Holly Hill**

Gold Ribbon Award from Florida Health Care Plan  
(Requested by Valerie Manning, City Clerk)

**3. PUBLIC COMMENTS****4. APPROVAL OF MINUTES**

- 1. Minutes - January 21, 2025 Workshop and January 28, 2025 Regular City Commission Meeting  
(Requested by Valerie Manning, City Clerk)

**5. CONSENT AGENDA - ITEMS ( 1 - 4 )**

The action proposed is stated for each item on the Consent Agenda. Unless a City Commissioner removes an item from the Consent Agenda, no discussion on individual items will occur and a single motion will approve all items. Is there anyone in the audience who wishes to speak on any item on the Consent Agenda?

- 1. Resolution -2025-R-8 A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Piggy-Backing of Seminole County Contract IFB-603616-19/BJC Pavement Management Program and Authorizing the City Manager to Award the “FY2024/2025 Roadway Resurfacing Project” to Halifax Paving, Inc.; Providing for Severability; and Providing an Effective Date.

(Requested by Antoine Khoury, Public Works)

2. Resolution -2025-R-9 A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Fiscal Year 2024-2025 Annual Operating Budget, Appropriating the High Visibility Enforcement Program Award to the Fiscal Year 2024-2025 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

(Requested by Nicole Kloetz, Police)

3. Resolution -2025-R-10 A Resolution of the City Commission of the City of Holly Hill, Florida, Urging the Florida State Legislature to Enact Legislation to Provide a Public Records Exemption for Municipal Clerks and Employees who Perform Municipal Elections Work or Have Any Part in Code Enforcement Functions of a City; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

4. Memorandum of Agreement - Ratifying the Memorandum of Agreement Between the City of Holly Hill and the Police Benevolent Association

(Requested by Valerie Manning, City Clerk)

## 6. **REGULAR AGENDA**

1. Resolution -2025-R-11 A Resolution of the City of Holly Hill, Florida, Appointing Members to the Board of Planning and Appeals and Setting Forth the Term and Expiration Date for Said Members; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

2. Ordinance -2025-O-3082 FIRST READING - an Ordinance of the City of Holly Hill, Florida, Repealing Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings); Adopting a New Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings) to Adopting New Rules for Conducting City Meetings; Providing for Severability; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

3. Request for Code Enforcement Lien Reduction - 1885 Nova Road

(Requested by Joseph Forte, City Manager)

## 7. **PUBLIC HEARINGS - NONE**

Please silence any cell phone, pager or noise making device as not to interrupt the meeting. Staff will introduce each item for consideration, with comments and recommendations. The applicant or appellant and supporters will be heard first. Those in opposition to the request will be heard next. Comments should be restricted to pertinent information regarding the agenda item under discussion. Out of courtesy to others, we ask that speakers keep their comments brief and try to limit these comments to information not previously discussed. Speakers should state their name and address clearly for the record. The City Clerk's office is required to retain any documents, photographs, drawings, etc. that are shown to the City Commissioners in support of a position. The City Commission may ask questions of speakers or of staff members. The Mayor will then ask the City Commission to make a recommendation or motion. Once a motion has been made and seconded, discussion will be closed to the floor.

Following City Commission discussion, a vote will be taken. During voting, Commissioners who do not cast objecting votes are considered to have voted in support of the motion.

## 8. COMMUNICATIONS

- A. City Manager Comments
- B. City Attorney Comments
- C. Mayor's Comments
- D. City Commission Comments

## 9. ADJOURNMENT

**Website Address – [www.hollyhillfl.org](http://www.hollyhillfl.org)** (City Clerk)

**NOTICE** – If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and, for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The City does not prepare or provide such a record.



For special accommodations, please notify the City Clerk's Office at least 72 hours in advance. (386) 248-9441



Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office.

In accordance with the Americans with Disabilities Act (ADA), persons needing a special accommodation to participate in the Commission proceedings should contact the City Clerk's Office no later than three (3) days prior to the proceedings.



**City Commission**

1065 Ridgewood Ave  
Holly Hill, FL 32117

**SCHEDULED**

**PRESENTATION (ID # 4768)**

Meeting: 02/11/25 06:00 PM  
Department: City Clerk  
Category: Presentation  
Prepared By: Valerie Manning  
Initiator: Valerie Manning  
Sponsors:  
DOC ID: 4768

## **2024 Employee of the Year - Donna Dungee, Finance Clerk II**

**A RESOLUTION OF THE CITY OF HOLLY HILL,  
RECOGNIZING DONNA DUNGEE, FINANCE CLERK II,  
AS THE 2024 EMPLOYEE OF THE YEAR.**

**WHEREAS**, Donna Dungee, Finance Clerk II began her employment career with the City of Holly Hill in customer service since November 2023; and

**WHEREAS**, Donna is known for her positive attitude, smile, and compassion; and

**WHEREAS**, Donna consistently demonstrates the ability to connect with customers on a personal level and everyone that walks up to Donna's window is treated with respect and kindness, and her ability to actively listen and show empathy builds trust and can diffuse any potential difficult customer service situation; and

**WHEREAS**, in addition to Donna's excellent customer service skills, Donna is a valuable team player, she trains new staff and is always willing to share her knowledge when needed; and

**WHEREAS**, Donna always follows up with customers, vendors, and co-workers to ensure that the customer's concerns have been taken care of in a timely manner and professional manner and consistently inquires with office staff and citizens when she has not seen them for a long period of time to see how they are doing/feeling; and

**WHEREAS**, Donna's commitment to delivering exceptional consistent experiences is an asset to our city and she is a wonderful role model to all other staff.

**NOW, THEREFORE, BE IT RESOLVED, THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, HEREBY RECOGNIZES DONNA DUNGEE, FINANCE CLERK II AS EMPLOYEE OF THE YEAR 2024.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City to be affixed this 11<sup>th</sup> day of February 2025.



**A RESOLUTION OF THE CITY OF HOLLY HILL,  
RECOGNIZING DONNA DUNGEE, FINANCE CLERK II,  
AS THE 2024 EMPLOYEE OF THE YEAR.**

**WHEREAS,** Donna Dungee, Finance Clerk II began her employment career with the City of Holly Hill in customer service since November 2023; and

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**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City to be affixed this 11<sup>th</sup> day of February 2025.

City of Holly Hill, Florida

\_\_\_\_\_  
John Penny, Mayor



**City Commission**

1065 Ridgewood Ave  
Holly Hill, FL 32117

**SCHEDULED**

**PRESENTATION (ID # 4767)**

Meeting: 02/11/25 06:00 PM  
Department: City Clerk  
Category: Presentation  
Prepared By: Valerie Manning  
Initiator: Valerie Manning  
Sponsors:  
DOC ID: 4767

## **2024 Citizen of the Year - Jim Legary**

### **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RECOGNIZING JIM LEGARY AS CITIZEN OF THE YEAR FOR 2024.**

**WHEREAS**, the City of Holly Hill, Florida, takes great pride in recognizing outstanding individuals whose tireless efforts and dedication have enriched the lives of our community members and enhanced the quality of life in our city; and

**WHEREAS**, Jim Legary has been a steadfast champion for the citizens of Holly Hill for over 25 years, demonstrating an unwavering commitment to the well-being and success of our community; and

**WHEREAS**, Jim Legary has shown exceptional dedication by rarely missing a City Commission meeting, offering valuable insight on issues that affect our residents, and consistently participating in community meetings to provide input and guidance; and

**WHEREAS**, Jim Legary has served the City of Holly Hill as a former member of the Board of Planning and Appeals where his expertise and dedication contributed significantly to the thoughtful development and planning of our community; and

**WHEREAS**, in response to the closure of our public library, Jim Legary exemplified his resourcefulness and compassion by creating a community library where residents can take a book, read it, and either return it, share it with another, or keep it, thus fostering a love of reading and learning in our community; and

**WHEREAS**, Jim Legary has raised his family in Holly Hill, instilling in them the values of community and service, and has successfully run a business in our city for decades, contributing to the local economy and serving as a role model for entrepreneurial spirit; and

**WHEREAS**, Jim Legary's unwavering commitment to Holly Hill serves as an inspiration to all, demonstrating the power of civic engagement and the impact one individual can make on the lives of many;

**NOW, THEREFORE**, I, John Penny, Mayor of the City of Holly Hill, Florida, on behalf of the City Commission and the citizens of Holly Hill, do hereby proclaim Jim Legary as the **2024 Citizen of the Year**.

**AND FURTHER**, we express our deepest gratitude for his many contributions, his selfless dedication, and his enduring commitment to the betterment of our community. We encourage all citizens to join us in celebrating and honoring Jim Legary for his outstanding achievements and service.

**NOW, THEREFORE, BE IT RESOLVED, THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, HEREBY RECOGNIZES JIM LEGARY AS CITIZEN OF THE YEAR 2024.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City to be affixed this **11<sup>th</sup> day of February 2025.**



**A RESOLUTION OF THE CITY OF HOLLY HILL,  
FLORIDA, RECOGNIZING JIM LEGARY AS CITIZEN OF  
THE YEAR FOR 2024.**

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City of Holly Hill, Florida

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John Penny, Mayor

Attachment: Jim Legary - Citizen of Year 2024 (4767 : 2024 Citizen of the Year)



**City Commission**

1065 Ridgewood Ave  
Holly Hill, FL 32117

**SCHEDULED**

**PRESENTATION (ID # 4766)**

Meeting: 02/11/25 06:00 PM  
Department: City Clerk  
Category: Presentation  
Prepared By: Valerie Manning  
Initiator: Valerie Manning  
Sponsors:

DOC ID: 4766

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## **2024 Corporate Citizens of the Year - Mark and Geri Madden, Owners of Madden Enterprises - Maddens Ace Hardware Holly Hill**

### **A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, RECOGNIZING MARK AND GERI MADDEN OWNERS OF MADDEN'S ACE HARDWARE AS THE CORPORATE CITIZENS OF THE YEAR FOR 2024.**

**WHEREAS**, Mark and Geri Madden, owners of Madden's Ace Hardware, have demonstrated exceptional dedication to the economic development and betterment of the City of Holly Hill; and

**WHEREAS**, Mark and Geri Madden opened their first Ace Hardware store in 1990, showcasing their entrepreneurial spirit and commitment to serving their community; and

**WHEREAS**, in 2006, Mark and Geri Madden chose Holly Hill as the location for their third Ace Hardware store, replacing a dilapidated and vacant mobile home park with a thriving business, exemplifying their commitment to revitalization and redevelopment; and

**WHEREAS**, Madden's Ace Hardware has grown exponentially, now owning and operating six Ace Hardware stores across Florida and North Carolina, setting a standard for excellence and leadership in business; and

**WHEREAS**, in 2018, Mark and Geri Madden further demonstrated their belief in Holly Hill's potential by purchasing a vacant car lot adjacent to their Holly Hill store and redeveloping it into the corporate headquarters for Madden Enterprises, reinforcing their dedication to local economic growth and community enhancement; and

**WHEREAS**, the Maddens are incredible corporate citizens who are always eager to give back to the community, sponsoring several "Round Up Your Total at the Register" events to raise money for causes like Live Like Cameron and the Children's Miracle Network; and

**WHEREAS**, Mark and Geri Madden both volunteer at the Elks Lodge, where they have been actively volunteering for 47 years, supporting veterans' causes, providing holiday meals for families, and ensuring Christmas gifts for underprivileged children. They also support Toys for Tots and the Kiwanis; and

**WHEREAS**, during disasters, their store is one of the last to close and the first to open to support the community's needs; and

**WHEREAS**, in 2024, Hurricane Helene caused devastating flood damage that completely destroyed one of their North Carolina stores. The loss was uninsured, causing significant

personal financial loss to Mark and Geri Madden. Despite this, the Maddens ensured all employees were transferred to other locations to avoid missing a paycheck; and

**WHEREAS**, they are constantly donating to golf tournaments and other local agencies to help give back, and they even recently built a home in Holly Hill, making them both business owners and residents who have invested deeply in our community; and

**WHEREAS**, the Maddens also own two rental homes in Holly Hill and have recently encouraged their grandson to purchase a home in Holly Hill, further demonstrating their commitment to the community; and

**WHEREAS**, their generosity, commitment, and investments in Holly Hill have greatly enhanced the quality of life and opportunities for residents and businesses alike.

**NOW, THEREFORE, BE IT RESOLVED** that I, John Penny, Mayor of the City of Holly Hill, Florida, along with the City Commissioners, do hereby proclaim Mark and Geri Madden as the **2024 Corporate Citizens of the Year** in recognition of their outstanding contributions to the economic development, redevelopment, and overall enhancement of our community.

**BE IT FURTHER RESOLVED** that the City of Holly Hill extends its heartfelt gratitude to Mark and Geri Madden for their unwavering commitment to the betterment of our city and celebrates their achievements and continued success.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Holly Hill to be affixed this 11<sup>th</sup> day of February, 2025.



**A RESOLUTION OF THE CITY OF HOLLY HILL,  
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City of Holly Hill, Florida

\_\_\_\_\_  
John Penny, Mayor



**City Commission**

1065 Ridgewood Ave  
Holly Hill, FL 32117

**SCHEDULED**

**PRESENTATION (ID # 4765)**

Meeting: 02/11/25 06:00 PM  
Department: City Clerk  
Category: Presentation  
Prepared By: Valerie Manning  
Initiator: Valerie Manning  
Sponsors:  
DOC ID: 4765

## **Gold Ribbon Award from Florida Health Care Plan**

### **DISCUSSION:**

For the second year in a row, the City of Holly Hill has earned the Gold Ribbon Award from Florida Health Care Plan (FHCP) for our Wellness Program, citing the City's outstanding effort to build an inclusive workplace that supports and empowers employees to live happier, healthier lives. The City's Wellness Committee proudly accepted this award at their January 15, 2025 quarterly meeting.

### **FISCAL ANALYSIS:**

There are a number of aspects that impact the City's experience modification factor and ultimately determine whether a City will face an increase in health care costs. However, despite the overall rising costs of this service nationally being about 7%, the premiums for the City of Holly Hill did not increase for the 2025 benefit year.

### **STAFF RECOMMENDATION:**

No action requested.

### **COMMISSION GOAL:**

**Goal #1:** Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, and encourages public/private sector partnerships and intergovernmental partnerships.

### **MOTION:**

No action requested.



# CERTIFICATE of Recognition

This certificate is awarded to

**The City of Holly Hill**

for their outstanding effort to build an inclusive workplace that supports  
and empowers employees to live happier, healthier lives.

Given on the 15 of January, 2025.

Brittany Hawthorne  
Group Wellness Coordinator

Tracy Williams  
Interim President/CEO

**fiFHCP**  
Healthy Starts Here®



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Agenda Item**

4.1

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**MEETING DATE:** February 11, 2025  
**FROM:** Valerie Manning  
**SUBJECT:** Minutes - January 21, 2025 Workshop and January 28, 2025  
Regular City Commission Meeting  
**NUMBER:** (ID # 4763)  
**APPLICANT:**  
**PLANNER:**

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**DISCUSSION:**

Minutes from the January 21, 2025 workshop and the January 28, 2025 regular City Commission meeting.

**MOTION:**

Approve both sets of minutes as submitted by staff.

- Minutes - January 21, 2025 - Workshop (PDF)
- Minutes - January 28, 2025 - Regular City Commission meeting (PDF)



# CITY OF HOLLY HILL, FLORIDA

## CITY COMMISSION

MINUTES • JANUARY 21, 2025

Large Conference Room

Work Session

4:00 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

### 2. 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 |         |

### 3. VULNERABILITY STUDY & STORMWATER PROJECTS

Mr. Forte stated that David King is here from Mead and Hunt, Josef and Antoine from Public Works are here as well for today's discussion on the Vulnerability Assessment and to give the Mayor and Commissioners to explain and the review of the analysis.

David King, Mead and Hunt went through the PowerPoint presentation with the Mayor and Commissioners as it pertains to the Vulnerability Assessment and Area Adaption Action Plan for the city.

#### Project Goals

- **Vulnerability Assessment**
- Identify and inventory GIS datasets to assess the vulnerability of critical and regionally significant assets and infrastructure to tidal flooding, storm surge, sea level rise, compound flooding, and precipitation
- Prepare final report and GIS geodatabase that complies with statutory requirements

#### Parts of a Vulnerability Assessment

- **Exposure Analysis** incorporates mapping and answers the questions of where, when, and how much flooding the community would experience under different sea level rise and flooding scenarios
- **Sensitivity Analysis** defines what is at risk under each scenario and what are the quantifiable impacts
- **Vulnerability Analysis:**
  - Acquire critical asset and climate hazard data
  - Produce geodatabase and refine data
  - Conduct exposure and sensitivity analyses
  - Produce maps and data tables
  - Develop final report and geodatabase

#### Sea Level Rise (SLR)

- 2040 Estimated to be between 7.5 inches – 16.92 inches

Attachment: Minutes - January 21, 2025 - Workshop (4763 : Minutes)

- 2070 Estimated to be between 14.52 inches – 38.68 inches

(graph is visible in PowerPoint presentation)

### **Coastal High Hazard Areas SLR** (graph is visible in PowerPoint presentation)

### **Exposure Analysis** (graphs are visible in PowerPoint presentation)

- City Stormwater Master Plan Modeled Various Storm Events
- Selected event for VA: 13 in/24 hr
- (1% Probability Event)
- Sea Level Rise Added to Base Flood

### **Sensitivity Analysis** (graphs are visible in PowerPoint presentation)

### **Transportation Assets Impacted**

- Colored road segments (except green) are impacted in base flood scenario
- Most all low-lying local roads are impacted
- Variables that affect level of impact
- Depth of flooding over road
- Category of road/amount and type of traffic during flooding
- Construction/material type

### **Critical Infrastructure Assets Impacted** (graph is visible in PowerPoint presentation)

- Various critical infrastructure components are impacted in the base flood scenarios
- Summary of Impacts:
- 35 Lift Stations are impacted in base flood scenario (67%)
- 98% impacted by 2070
- 4 Wells have low impact in base flood scenario (80%)
- Various WWTP Components impacted beginning in 2040

### **Critical Infrastructure Assets Impacted** (graph is visible in PowerPoint presentation)

- Facilities Affected in Base Flood Scenario:
  - Previous Fire Station – 1020 Daytona
  - Sica Hall Community Center
  - City Hall Annex/Police Station
- Level of Impact is worsened with SLR

### **Next Step: Area Adaptation Plan**

Steps to Create Adaptation Plans



- Identify strategies related to:
- Protection

- Accommodation
- Avoidance
- Managed Relocation/Retreat
- Identify funding opportunities for implementation projects
- Suggest priorities for implementation projects
  - Identify partnership opportunities

**Mayor Penny opened public participation.**

Tracy Anderson, Holly Hill; Danielle Latona, Holly Hill; inaudible resident spoke; Chris Via, Holly Hill.

**Mayor Penny closed public participation.**

*(A copy of this workshop in its entirety is available on CD upon request in the City Clerk's Office or online on the city's YouTube Channel).*

**4. FOUNTAINHEAD PROJECT - REZONING PARCEL 4**

Mr. Forte and Mr. Walker discussed the rezoning of Parcel 4, Fountainhead PUD. Mr. Walker discussed the Live Local Act with the Mayor and City Commissioners. He mentioned that the Live Local Act says that if you have a piece of property and it has either a mixed use that allows commercial or you have a commercial piece of property or its an industrial piece of property, that you can put affordable housing on, that property without any approval from the city, it does not need to be zoned for that and they are able to put it on that particular property at densities that may exceed what is going on around it. The city has a piece of property, the Fountainhead Parcel 4. It is a property that has had interest expressed in it with regard to being used as a property for affordable housing and being used under the Live Local Act. The question is, is that something that the city wants to happen. Of course, if it were to happen under the Live Local Act, that would also remove the property from the tax roll. Mr. Walker went over some of the options that the city has while the city owns the land. If the city decides that's not something that we want to do, what you have is the option of doing is rezoning that property and we can rezone that property to a straight zoning district. By straight zoning district, he means it would be a district that would allow just single-family homes or a district that you could, perhaps, rezone it to a Planned Unit Development and only allow single-family uses but you take away the current component of being a mixed use type of property. You wouldn't be able to do commercial, you wouldn't be able to do any type of industrial. It would be just a straight zone single-family residential. The city would probably, just to be safe, the Live Local Act does say zoning, however, to be safe he would recommend that the city also change the land use to one that only allows single-family homes as well. Perhaps a high density residential type of a future land use because the land use that the city has there now is called a Mixed Use 3 and that land use allows a mixture of things like commercial and industrial as well. Mr. Walker stated that is the situation that the Commissioners have before them today. Something to think about in regards to whether or not they want to rezone it. Mr. Forte mentioned that's always been the intention that Parcel 4 would be used for some type of workforce housing.

*(A copy of this workshop in its entirety is available on CD upon request in the City Clerk's Office or online on the city's YouTube Channel).*

**5. WASTE PRO CONTRACT RENEWAL**

Mr. Forte discussed the Waste Pro Renewal Contract with the Mayor and City Commissioners. Last year during a workshop, they discussed the extension with Waste Pro and they hired Bill Redman to work with city staff and discussed the extension and the process. There was discussion about the renewal terms and there was some uncertainty and that there were some other cities that were going out to bid last year. If they recall, the Commission wanted to wait and see what those bids came back at. It's a year later and he is looking for some direction from the Commission to see what process they want him to go through. He did meet with Bill Redman this week just for informal conversation and there's really nothing new to the discussion. Mr. Redman did provide staff some additional information. If the Commission remembers, last year they talked about a \$2.50 increase across the board for our residential collection and we will continue to have that same 30% markup and that would be for a certain number of years. One thing that has come back this year in our conversation was the discussion of recycling. There's a cost to recycling and the recycling costs are much higher than the regular collection cost and there's no money in recycling like it used to be maybe 10 or 15 years ago when China was buying all the recycling from the United States and we were getting rid of it and making money. Now it costs several times what it costs us to process regular trash that's going to the landfill. He would like to reach back out to Waste Pro. There's a person that does the contract negotiations around here who is our district coordinator but he wanted to reach back out to Tim Dolan who is kind of at a much higher level now. Mr. Forte stated he thinks Tim oversees the whole southeast United States but he wanted to reach out to Tim because he has a relationship with him and get that conversation started and request that we have a sit down discussion and talk about the rates moving forward. He wants Tim to explain to him what the market rate has been in this area for our surrounding cities and if we can get a price for what it would be if we extended the contract for the additional two years that we have plus 10 on top of it so it would be a total of a 12 year contract and is there a benefit to that. Will we save a little bit more on the front end that will last a little bit longer than if we were going to go out to bid for the whole thing. Mr. Forte stated if that's the Commission's direction, he will go ahead and reach out to Tim and he will try to get that conversation started. He does want to be able to use Bill Redman a little bit for some of the information that we do need. He does put some things together but for the most part Michele and our Finance Department does create a lot of the data and the spreadsheets and then Bill Redman kind of manipulates it into a couple of different scenarios. If we need to reach back out to Bill Redman, we'll go ahead and do that. If that's the direction he has to go in with him, he might have to do a new contract with Bill Redman for the negotiations portions of this.

*(A copy of this workshop in its entirety is available on CD upon request in the City Clerk's Office or online on the city's YouTube Channel).*

## 6. ADJOURNMENT

This workshop adjourned at approximately 5:45 PM.



# CITY OF HOLLY HILL, FLORIDA

## CITY COMMISSION

MINUTES • JANUARY 28, 2025

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 | Absent  |         |
| Jeffrey DeLanoy | City Commissioner | Present |         |
| Roy Johnson     | City Commissioner | Present |         |

#### b. Invocation by City Commissioner Debra Snow

Commissioner Snow led the invocation.

#### c. Pledge of Allegiance

Mayor Penny led the Pledge of Allegiance to the Flag.

### 2. PUBLIC COMMENTS

**Mayor Penny opened public participation.**

Katie Savage, Holly Hill; Danielle Latona, Holly Hill; Gabriel Varga, Daytona Beach; Ellen Borger, Holly Hill.

**Mayor Penny closed public participation.**

### 3. APPROVAL OF MINUTES

#### 1.

Minutes - January 14, 2025 Workshop and January 14, 2025 Regular City Commission and CRA Meeting

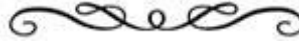
(Requested by Valerie Manning, City Clerk)

**Mayor Penny opened public participation. No one spoke.**

Attachment: Minutes - January 28, 2025 - Regular City Commission meeting (4763 : Minutes)

|                  |                                |
|------------------|--------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>    |
| <b>MOVER:</b>    | Debra Snow, City Commissioner  |
| <b>SECONDER:</b> | Roy Johnson, City Commissioner |
| <b>AYES:</b>     | Penny, Snow, DeLanoy, Johnson  |
| <b>ABSENT:</b>   | Currie                         |

Enacted and approved this 28th day of January, 2025, in Holly Hill



#### 4. CONSENT AGENDA - ITEM ( 1 )

##### 1. -2025-R-7 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding an Agreement with Gregori Construction, Inc., in the Amount of \$700,111.50 for the Replacement of the Riverside Park Bulkhead and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

**Mayor Penny opened public participation.**

Gabriel Varga, Daytona Beach and Danielle Alderette, Holly Hill.

**Mayor Penny closed public participation.**

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Roy Johnson, City Commissioner     |
| <b>SECONDER:</b> | Jeffrey DeLanoy, City Commissioner |
| <b>AYES:</b>     | Penny, Snow, DeLanoy, Johnson      |
| <b>ABSENT:</b>   | Currie                             |

#### RESOLUTION

##### 2025-R-7

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDED AN AGREEMENT WITH GREGORI CONSTRUCTION, INC., IN THE AMOUNT OF \$700,111.50 FOR THE REPLACEMENT OF THE RIVERSIDE PARK BULKHEAD 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, AWARDED AN AGREEMENT WITH GREGORI CONSTRUCTION, INC., IN THE AMOUNT OF \$700,111.50 FOR THE REPLACEMENT OF THE RIVERSIDE PARK BULKHEAD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; AND PROVIDING**

**SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Riverside Park bulkhead is in need of a replacement; and

**WHEREAS**, there is \$736,810 available for the Riverside Park Bulkhead Project under general ledger 301-8110-580-6300, Project 22-BG-10; and

**WHEREAS**, five (5) bids were received for the replacement of the bulkhead, with Gregori Construction, Inc. the presumptive low bidder at \$700,110.50; and

**WHEREAS**, the Project Engineer, Dredging and Marine Consultants (DMC), has reviewed the bid submitted, vetted references and has recommended that the replacement of the Riverside Park bulkhead be awarded to Gregori Construction; and

**WHEREAS**, City staff have reviewed the bid submitted by Gregori Construction and concur with DMC's recommendation of award.

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

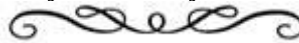
**SECTION 1.** That the City Commission of the City of Holly Hill awards an agreement with Gregori Construction, Inc., in the amount of \$700,111.50 for the replacement of the Riverside Park bulkhead, and authorizes the City Manager to execute the same.

**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 28<sup>th</sup> day of JANUARY, 2025.**

Enacted and approved this 28th day of January, 2025, in Holly Hill



**5. REGULAR AGENDA**

**1. -DOC-2025-1**

Request for Lien Reduction - 1319 Bender Avenue

(Requested by Joseph Forte, City Manager)

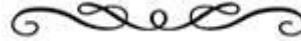
**Mayor Penny opened public participation.**

(Inaudible; Myron Kehoe (?) a gentleman from New York)

**Mayor Penny closed public participation.**

|                  |                                    |
|------------------|------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>         |
| <b>MOVER:</b>    | Roy Johnson, City Commissioner     |
| <b>SECONDER:</b> | Jeffrey DeLanoy, City Commissioner |
| <b>AYES:</b>     | Penny, Snow, DeLanoy, Johnson      |
| <b>ABSENT:</b>   | Currie                             |

Enacted and approved this 28th day of January, 2025, in Holly Hill



## 6. PUBLIC HEARINGS

### 1. -2025-O-3081 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Approving the First Major Amendment to the Fountainhead Mixed Use Planned Unit Development (MPUD) Development Agreement; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

Mark Watts and John Ferguson, from Cobb Cole submitted a letter during tonight's meeting pertaining to the conversations and recommendations during first reading on January 11, 2025 for the First Major Amendment to the MPUD. The letter is a follow up of the conversations taken place with staff, Attorney Simpson, Mr. Watts, Mr. Ferguson and their client, Fountainhead for second reading for consideration of adopting the First Major Amendment.

*(A copy of this letter is available upon request in the City Clerk's Office).*

**Mayor Penny opened public participation. No one spoke.**

*Commissioner Snow made a motion to **ADOPT ORDINANCE 3081, with the following amendment - that the City Commission will approve subject to amending Section 4 to state that "this Ordinance does not become effective until the applicant submits an acceptable waiver of the jobs incentive money for new uses that would come on the property pursuant to the rezoning that is being approved and with the increase square feet from 30,000 to 40,000"**, seconded by Commissioner Johnson.*

|                  |                                           |
|------------------|-------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED AT 2ND READING [UNANIMOUS]</b> |
| <b>MOVER:</b>    | Debra Snow, City Commissioner             |
| <b>SECONDER:</b> | Roy Johnson, City Commissioner            |
| <b>AYES:</b>     | Penny, Snow, DeLanoy, Johnson             |
| <b>ABSENT:</b>   | Currie                                    |

## ORDINANCE 2025-O-3081

**SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING**

**ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE FIRST MAJOR AMENDMENT TO THE FOUNTAINHEAD MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Fountainhead Mixed Use Planned Unit Development, has proposed a Major Amendment to the BPUD on property described in **Exhibit A**, recorded in the public records of Volusia County Florida, in Book: 7894 Page 2486, for the development of certain real property as described in said Agreement, and further amended by a small scale MPUD agreement signed on November 23, 2024; and

**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 City Commission of the City of Holly Hill hereby approves the First Major Amendment to Fountainhead Mixed Use Planned Unit Development, a true and correct copy attached hereto as **Exhibit B**.

**SECTION 2.** 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 3.** That all ordinances made in conflict with this Ordinance are hereby repealed.

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

**APPROVED AND AUTHENTICATED on this 28<sup>th</sup> day of JANUARY, 2025 for second and final reading.**

### **EXHIBIT “A”**

**Legal Description:**

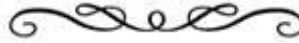
42-14-32 LOT 1 FOUNTAINHEAD MB 58 PG 91 PER OR 8288 PG 1366

42-14-32 LOT 2 FOUNTAINHEAD MB 58 PG 91 PER OR 7443 PG 3395

### **EXHIBIT “B” (SEE ATTACHED)**

**EXHIBIT “C” (AMENDED)**

Enacted and approved this 28th day of January, 2025, in Holly Hill

**7. COMMUNICATIONS****A. City Manager Comments****a.****Reorganization of the Public Works Department**

(Requested by Joseph Forte, City Manager)

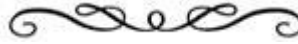
Mr. Forte went over the new Public Works Organizational Chart with the Mayor and City Commissioners. Staff has completed working on the job description and will go ahead and advertise Mr. Khoury's replacement as a Storm Water Manager; someone that has storm water experience that will be able to come in here and oversee the field crews of what the city needs to do, what the city can do to help minimize and mitigate some flooding that the city is responsible for. For example with our roadside ditches, with our catch basins, with swales, all the things that over time, have fallen out of maintenance. He is hoping that staff will be able to hire somebody that will come in and get the city back on a continuing maintenance program. There's really nothing for anyone to vote on or to build consensus. He just wanted to make sure that the Commission were aware of the changes and what they are moving forward with in the Public Works Department. In addition to that, he wanted to make the Commission aware, he sent the Commission an email this afternoon, that the city completed the scope of services for the Stormwater Master Plan, that was sent to Volusia County this afternoon. Once the city gets that approved Volusia County will actually oversee the contract for the new Stormwater Master Plan, which will take into account the 2015 Stormwater Master Plan conclusions, in addition to the recent Vulnerability Assessment, as well as, the recent damages that were incurred from hurricanes Ian and Milton. In addition to that, the city is asking for twelve (12) very specific stormwater projects during that study. That is underway and we're pretty happy with that and then as you already know, we're moving forward with the duckbills and the stormwater pipelining already. Mr. Forte mentioned that he noticed this week that Volusia County has a gradall at Enterprise Court and the LPGA canal. It looks like they're doing some clearing of that northeast canal, as well as, there's a gradall up on Calle Grande, near the Calle Grande arches. He doesn't know how much they're doing because they didn't tell him. They might just do those two little openings and never see them again or they may be trying to work on clearing that entire canal, which Mayor, you and I know, has got some choke points in it.

Mayor Penny stated they were on Commercial Drive today, he saw them.

Mr. Forte stated so, it looks like the city got their attention with our meetings with them and it's all progress going in the right direction.

|         |                  |
|---------|------------------|
| RESULT: | INFORMATION ONLY |
|---------|------------------|

Enacted and approved this 28th day of January, 2025, in Holly Hill



B. City Attorney Comments

None.

C. Mayor's Comments

i. **Corporate Citizen of the Year 2024**

Mayor Penny stated reminded the Commissioners about the Charter Review Committee appointees needed and that they need to start thinking of an appointee that they want to select. He is trying to see if they can get that on first meeting in February 2025 so they can get this process going. He knew this was just a matter of time before the fluoride issue would come up and it's come up tonight during public comments and it's in our city's Charter.

Mr. Forte stated they don't have an application for that appointee so that will just be a nomination from the floor and supported by the City Commission.

Mayor Penny stated, right. Think of someone that you want to bring forward for that Charter Review Committee. He reminded the Commissioners that tomorrow there is a Ribbon Cutting on 1609 N. Nova Road at Alexis Golf Shop at 4:00 PM. This Saturday, February 1, 2025 in Deltona, there's a Newly Elected Officials meeting if you are able to go. On February 8<sup>th</sup> is the Mayor's 2025 Gala at Hilton Daytona Beach Oceanfront Resort hosted by The City of Daytona Beach, which all of us have been invited to attend. He will not be able to attend. It's his mother's 80<sup>th</sup> birthday week and they will be in Orlando celebrating her. So, if anyone wants to bring a guest or know someone else who might want to come, get with Mr. Forte.

Mr. Forte stated he will open it up to other staff people first.

Mayor Penny stated okay, however he wants to do it. At this time Mayor Penny brought up the Corporate Citizen of the Year 2025 nominee. They discussed this at workshop a couple of weeks ago and there was consensus that they move forward with Madden Enterprises.

*Commissioner Snow made a motion to nominate **MARK AND GERI MADDEN, OWNERS OF MADDEN ENTERPRISES – MADDENS ACE HARDWARE HOLLY HILL AS CORPORATE CITIZEN OF THE YEAR 2024**, seconded by Commissioner Johnson.*

**Mayor Penny opened public participation.**

Danielle Latona, Holly Hill.

**Mayor Penny closed public participation.**

**PASSED, 4-0.**

**ii. Citizen of the Year 2024**

At this time Mayor Penny brought up the Citizen of the Year 2025 nominee. They discussed this at workshop a couple of weeks ago and there was consensus that they move forward with Jim Legary.

*Commissioner Johnson made a motion to nominate **JIM LEGARY AS CITIZEN OF THE YEAR 2024**, seconded by Commissioner Snow.*

**Mayor Penny opened public participation. No one spoke.**

**PASSED, 4-0.**

**D. City Commission Comments**

Commissioner Snow stated well, I have to share. I got called a bobblehead again tonight and it's kind of funny because I've been called a bobblehead since I was 30 and got Dystonia. It's kind of my trademark thing, "Debbie the bobblehead", but you can only say that if you mean it as a term of endearment. I don't want it used any other way and I don't appreciate it. Thank you.

Commissioner Johnson mentioned the Ribbon Cutting tomorrow and the Sports Center is still doing good and moving forward.

**8. ADJOURNMENT**

The meeting adjourned at approximately 6:50 PM.



STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA

City Commission  
Resolution

5.1

**MEETING DATE:** February 11, 2025  
**FROM:** Antoine Khoury  
**SUBJECT:** A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Piggy-Backing of Seminole County Contract IFB-603616-19/BJC Pavement Management Program and Authorizing the City Manager to Award the “FY2024/2025 Roadway Resurfacing Project” to Halifax Paving, Inc.; Providing for Severability; and Providing an Effective Date.  
**NUMBER:** 2025-R-8  
**APPLICANT:**  
**PLANNER:**

**DISCUSSION:**

The city has solicited bids from two contractors to “piggyback” on the existing Seminole County and/or Volusia County resurfacing contracts services. Two bids were received from P&S Paving, Inc., and Halifax Paving, Inc., that are local to Volusia County. Halifax Paving, Inc., is the low bidder under the Seminole County Contract.

This Resolution authorizes the City Manager to piggyback the Seminole County Contract and award the “FY 2024/2025 Roadway Resurfacing Project FY 2024/2025” to Halifax Paving, Inc., at a cost not to exceed of \$482,895.00 which include Labor, Materials and Maintenance of Traffic (MOT).

Halifax Paving, Inc., is a competent and qualified contractor to provide pavement management services for this project and submitted the lowest total bid. Halifax Paving, Inc., is found to be a responsive, responsible bidder meeting specifications in accordance with City Purchasing, Regulations.

The City and the City’s engineering firm of Mead & Hunt, Inc., have experience on many past successful projects of a similar nature with Halifax Paving, Inc., Mead & Hunt, Inc., recommends that the City award this project to Halifax Paving, Inc. The Mead & Hunt, Inc., recommendation of award is included as “**Exhibit D**”.

List of Roadways to be resurfaced under this award are:

9th Street: US1 to Riverside Drive 1,095 LF  
Elizabeth Street: Riverside Drive to Moravia Avenue 470 LF  
Beach Street: Elizabeth Street to north end 370 LF  
Granada Street: Areca Way to Riverside Drive 410 LF

Moravia Avenue: Flomich Street to Granada Street 1,300 LF  
 Moravia Avenue: Flomich Street to Walker Street 2,585 LF  
 Browns Court: Ridgewood Avenue to Miriam Avenue 385 LF  
 Tuscaloosa Avenue: Flomich Street to Rome Street 1,310 LF  
 Royal Oak Court: Anniston Avenue to end of street 430 LF  
 Ridge Avenue: Granada Street to Aragon Street 1,030 LF

### **Current City of Holly Hill Purchasing Policies and Procedures**

Policy 2.39 Other Government Entities Contracts States:

“the city may use (piggy-back) any other Government entity’s open contracts that has competitively bid and awarded to the low responsive, responsible bidder meeting specifications, in accordance with City Purchasing, Regulations”.

Chapter 287, Florida Statutes, grants the authority to piggyback the purchase of goods and services as a form of intergovernmental cooperative purchasing in which a public purchaser requests competitive sealed bids, enters into a contract, and arranges, as part of the contract, for other public purchasing units to purchase from the selected vendor under the same terms and conditions as itself in order to take advantage of the better pricing that large purchasers are able to obtain in order to reduce administrative time and costs involved in the procurement process (i.e., cost of preparing bid specifications, advertising, etc.).

The City of Holly Hill has determined that in this circumstance, piggybacking a contract entered into by Seminole County is the most economically advantageous way for the City to procure these services.

### **FISCAL ANALYSIS:**

Funding for this project is available in Project # 25-ST-02 in account 002-4141-541-4601.

### **STAFF RECOMMENDATION:**

That the City Commission approve piggybacking the Seminole County Contract Time Extension for IFB-603616-19/BJC–Pavement Management Program for Seminole County awarding the project “FY 2024/2025 Roadway Resurfacing Program” to Halifax Paving, Inc., in an amount not to exceed \$482,895.00 which includes, Labor Cost, Materials cost and Maintenance of Traffic (MOT).

### **COMMISSION GOAL:**

**Goal #1:** Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, and encourages public/private sector partnerships and intergovernmental partnerships.

**Goal #2:** Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

**MOTION:**

**APPROVE THE PIGGY-BACK OF SEMINOLE COUNTY CONTRACT IFB-603616-19/BJC–PAVEMENT MANAGEMENT PROGRAM AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH HALIFAX PAVING, INC., FOR THE “FY 2024/2025 ROADWAY RESURFACING PROJECT”.**

**ATTACHMENTS:**

- Exhibit A - 24 Road Resurfacing Bid Tabulation DK Seminole County Contract Eval (XLSX)
- Exhibit B - Seminole Co. IFB-603616-19\_Time\_Extension\_Halifax\_Paving,\_Inc. (PDF)
- HH FY24 Rd Resurfacing ROA Complete (PDF)
- HH FY24 revised (1) (PDF)

## Resolution No. 2025-8

### A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGY-BACKING OF SEMINOLE COUNTY CONTRACT IFB-603616-19/BJC PAVEMENT MANAGEMENT PROGRAM AND AUTHORIZING THE CITY MANAGER TO AWARD THE "FY2024/2025 ROADWAY RESURFACING PROJECT" TO HALIFAX PAVING, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGY-BACKING OF SEMINOLE COUNTY CONTRACT IFB-603616-19/BJC PAVEMENT MANAGEMENT PROGRAM AND AUTHORIZING THE CITY MANAGER TO AWARD THE "FY2024/2025 ROADWAY RESURFACING PROJECT" TO HALIFAX PAVING, INC.; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has planned for a city-wide multi-year resurfacing program; and

**WHEREAS**, the City desires to proceed with the work required for the FY 2024/2025 portion of the program; and

**WHEREAS**, the City desires to piggy-back the Seminole County Contract IFB-603616-19/BJC-PAVEMENT MANAGEMENT PROGRAM; and

**WHEREAS**, the City desires Halifax Paving, Inc., be awarded this project under the Seminole County Contract IFB-603616-19/BJC-PAVEMENT MANAGEMENT PROGRAM, as well as, being the low, responsive bidder with a bid of \$482,695.00 for Labor, Materials and Maintenance of Traffic (MOT).

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

**SECTION 1.** That the City Commission of the City of Holly Hill does hereby authorize the City Manager to piggy-back the Seminole County Contract IFB-603616-19/BJC- PAVEMENT MANAGEMENT PROGRAM and award the "FY2024/2025 Roadway Resurfacing Project" to Halifax Paving Inc., in the amount not to exceed \$482,695.00 for Labor, Materials and Maintenance of Traffic (MOT).

**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 11<sup>th</sup> day of FEBRUARY, 2025.**

**CITY OF HOLLY HILL  
FY24 ROADWAY RESURFACING  
BID TABULATION**

**5.1.a**

 = in compliance with contract

| Seminole County<br>Pay Item No. | Volusia County Pay<br>Item No. | Description                                                                         | Unit | Est Qty | HALIFAX PAVING<br>Ormond Beach, FL |               | Notes                                                                            | P&S PAVING<br>Daytona Beach, FL |               |
|---------------------------------|--------------------------------|-------------------------------------------------------------------------------------|------|---------|------------------------------------|---------------|----------------------------------------------------------------------------------|---------------------------------|---------------|
|                                 |                                |                                                                                     |      |         | Bid Unit Cost                      | Extended Cost |                                                                                  | Bid Unit Cost                   | Extended Cost |
| 101-1                           | 101-1                          | Mobilization Charge (not to exceed 5% of contract total)                            | LS   | 1       | \$ 26,000.00                       | \$ 26,000.00  | Contract limits to 5% of total bid                                               | \$ 27,490.00                    | \$ 27,490.00  |
| 102-99                          | 102-99                         | Portable Changeable Message Sign                                                    | DAY  | 75      | \$ 25.00                           | \$ 1,875.00   | Contract price is \$24.00/day                                                    | \$ 40.04                        | \$ 3,003.00   |
| 285-704                         | -                              | Optional Base Group 04                                                              | SY   | 165     | \$ 84.00                           | \$ 13,860.00  | Contract price is \$84.00/SY                                                     | \$ 94.30                        | \$ 15,559.50  |
| 327-70-A                        | 96154                          | Milling Existing Asphalt Pavement (Milled Material shall be property of contractor) | SY   | 32,000  | \$ 3.60                            | \$ 115,200.00 | Contract price is \$3.60/SY for 2001-3000 SY and \$1.80/SY for >3000SY           | \$ 4.17                         | \$ 133,440.00 |
| 337-7-82                        | 74514                          | Asphalt Concrete Friction Course, Traffic Level C, FC-9.5 (PG 76-22) PMA            | TN   | 2,300   | \$ 150.00                          | \$ 345,000.00 | Contract price is \$150.00/TN for 401-2000 TNS and \$138.00/TN for 2001-4000 TNS | \$ 144.05                       | \$ 331,315.00 |
| 425-6                           | 425-6                          | Water Valve or Similar Cover Adjustment                                             | EA   | 20      | \$ 120.00                          | \$ 2,400.00   | Contract price is \$120.00/EA                                                    | \$ 200.20                       | \$ 4,004.00   |
| 425-7                           | 425-7                          | Manhole Ring Adjustment                                                             | EA   | 35      | \$ 240.00                          | \$ 8,400.00   | Contract prices is \$240.00/EA                                                   | \$ 300.30                       | \$ 10,510.50  |
| 425-11                          | 425-11                         | Modify Existing Drainage Structure                                                  | EA   | 18      | \$ 500.00                          | \$ 9,000.00   | Not in contract                                                                  | \$ 1,131.80                     | \$ 20,372.40  |
| 710-11-123                      | 91276                          | Temporary Pavement Marking -Paint - Crosswalk 12" White                             | LF   | 760     | \$ 2.25                            | \$ 1,710.00   | Contract price is \$6.00/LF                                                      | \$ 0.40                         | \$ 304.00     |
| 710-11-125                      | 91276                          | Temporary Pavement Marking -Paint - Stop Bar 24" White                              | LF   | 360     | \$ 4.00                            | \$ 1,440.00   | Contract price is \$7.20/LF                                                      | \$ 4.80                         | \$ 1,728.00   |
| -                               | 711-11-103                     | Thermoplastic, Standard, White, Solid, 12", for Crosswalk                           | LF   | 760     | \$ 6.50                            | \$ 4,940.00   | Not in contract                                                                  | \$ 8.70                         | \$ 6,612.00   |
| -                               | 711-11-125                     | Thermoplastic, Standard, White, Solid, 24", for Stop Sign                           | LF   | 360     | \$ 12.00                           | \$ 4,320.00   | Not in contract                                                                  | \$ 16.00                        | \$ 5,760.00   |
| -                               | 711-11-160                     | Thermoplastic, Standard, White, Message or Symbol                                   | EA   | 6       | \$ 275.00                          | \$ 1,650.00   | Not in contract                                                                  | \$ 366.15                       | \$ 2,196.90   |
| -                               | 711-15-201                     | Thermoplastic, Standard, Yellow, Solid, 6"                                          | LF   | 4,200   | \$ 1.85                            | \$ 7,770.00   | Not in contract                                                                  | \$ 2.50                         | \$ 10,500.00  |
| -                               | 711-16-101                     | Thermoplastic, Standard, White, Solid, 6"                                           | LF   | 1,800   | \$ 1.85                            | \$ 3,330.00   | Not in contract                                                                  | \$ 2.50                         | \$ 4,500.00   |
| <b>Total</b>                    |                                |                                                                                     |      |         | <b>\$ 546,895.00</b>               |               |                                                                                  | <b>\$ 577,295.30</b>            |               |

**Pay Item Notes:**

- Optional Base Group 04 shall include removal of suspected insufficient base/subbase and replacement with new base.
- Water Valve or Similar Cover Adjustment shall include installation of paving ring(s) or adjustment of valve box height up or down to be flush with new pavement.
- Manhole Ring Adjustment shall include installation of paving ring(s) or adjustment of manhole ring up or down to be flush with new pavement.
- Modify Existing Drainage Structure shall include the removal/milling of addition asphalt or base to provide smooth transitions at/around inlets.

Attachment: Exhibit A - 24 Road Resurfacing Bid Tabulation DK Seminole County Contract Eval (2025-R-

CITY OF HOLLY HILL  
FY24 ROADWAY RESURFACING  
BID TABULATION

5.1.a

Submitted by: \_\_\_\_\_

Contractor: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

State of Florida Certified Contractor Licensee: \_\_\_\_\_

License No.: \_\_\_\_\_

RESOURCE MANAGEMENT DEPARTMENT  
PURCHASING AND CONTRACTS DIVISION



December 11, 2024

Halifax Paving, Inc  
814 Hull Road  
Ormond Beach, FL 32174

**Re: Time Extension for IFB-603616-19/BJC– Pavement Management Program for Seminole County**

To Whom It May Concern:

Pursuant to Seminole County Purchasing Code Section 3.554(4), this notice shall serve as authorization to extend the above agreement from **December 25, 2024 through March 25, 2025** as approved by the Seminole County Board of County Commissioners. Current pricing, terms and conditions shall remain the same.

Please remember to keep this office up to date with a current certificate of insurance *with the above contract number referenced on the certificate* as required in the original, contract agreement.

Appropriate County departments and divisions will be notified of this Contract extension action.

Thank you for your interest in doing business with Seminole County. If you have any questions or need further assistance, please contact our office.

Sincerely,

*Rachel Horne*

Rachel Horne  
Procurement Analyst I

cc: Public Works-Roads & Stormwater  
County Comptroller's Office  
County Attorney's Office  
Commission Records  
File



January 30, 2025

Antoine Khoury, PE  
City Engineer/Public Works Director  
City of Holly Hill  
453 LPGA Boulevard  
Holly Hill, FL 32117

Email: [akhoury@hollyhillfl.org](mailto:akhoury@hollyhillfl.org)

**RE: FY24(25) ROAD RESURFACING**

Dear Antoine,

On behalf of the City, our firm received two (2) responses to the Request for Proposals under the existing Volusia County or Seminole County road resurfacing continuing contracts for the above referenced City project on December 11. Halifax Paving, Inc., of Ormond Beach (Halifax) submitted the lowest bid totaling \$546,895.00. See the attached bid tabulation.

We reviewed Halifax's proposal for accuracy and conformance with the existing county contract. Halifax's bid was based on the Seminole County contract that was recently extended to March 25, 2025. Halifax's submitted pricing was found to be in compliance with the County contract except for a couple variations. Halifax's unit pricing for Milling Existing Asphalt Surface Pavement and Asphalt Friction Course were based on the higher contract pricing for less quantities of work. We inquired about such with Halifax and they stated that they applied the lower-quantity higher unit pricing due to the fact that the City's project is essentially three separate smaller jobs. After discussing Halifax's approach with Seminole County, Halifax agreed to utilize the higher-quantity lower unit pricing per the contract. On January 30, Halifax provided a revised proposal of \$482,695.00 which was found compliant with the County contract.

The City and our firm have worked with Halifax on many past successful projects of a similar nature in the past. Therefore, we recommend that the City award this project to Halifax Paving, Inc. in the amount of \$482,695.00 utilizing the piggy-backing of the current Seminole County continuing contract.

Do not hesitate to contact the office if you have questions.

Sincerely,

David A. King, PE  
Project Manager

DAK:bf

Attachment: Bid Tabulation

CITY OF HOLLY HILL  
FY24 ROADWAY RESURFACING  
BID TABULATION

|                                 |                                |                                                                                     |      |         | HALIFAX PAVING<br>Ormond Beach, FL |               | P&S PAVING<br>Daytona Beach, FL |               |
|---------------------------------|--------------------------------|-------------------------------------------------------------------------------------|------|---------|------------------------------------|---------------|---------------------------------|---------------|
| Seminole County<br>Pay Item No. | Volusia County Pay<br>Item No. | Description                                                                         | Unit | Est Qty | Bid Unit Cost                      | Extended Cost | Bid Unit Cost                   | Extended Cost |
| 101-1                           | 101-1                          | Mobilization Charge (not to exceed 5% of contract total)                            | LS   | 1       | \$ 26,000.00                       | \$ 26,000.00  | \$ 27,490.00                    | \$ 27,490.00  |
| 102-99                          | 102-99                         | Portable Changeable Message Sign                                                    | DAY  | 75      | \$ 25.00                           | \$ 1,875.00   | \$ 40.04                        | \$ 3,003.00   |
| 285-704                         | -                              | Optional Base Group 04                                                              | SY   | 165     | \$ 84.00                           | \$ 13,860.00  | \$ 94.30                        | \$ 15,559.50  |
| 327-70-A                        | 96154                          | Milling Existing Asphalt Pavement (Milled Material shall be property of contractor) | SY   | 32,000  | \$ 3.60                            | \$ 115,200.00 | \$ 4.17                         | \$ 133,440.00 |
| 337-7-82                        | 74514                          | Asphalt Concrete Friction Course, Traffic Level C, FC-9.5 (PG 76-22) PMA            | TN   | 2,300   | \$ 150.00                          | \$ 345,000.00 | \$ 144.05                       | \$ 331,315.00 |
| 425-6                           | 425-6                          | Water Valve or Similar Cover Adjustment                                             | EA   | 20      | \$ 120.00                          | \$ 2,400.00   | \$ 200.20                       | \$ 4,004.00   |
| 425-7                           | 425-7                          | Manhole Ring Adjustment                                                             | EA   | 35      | \$ 240.00                          | \$ 8,400.00   | \$ 300.30                       | \$ 10,510.50  |
| 425-11                          | 425-11                         | Modify Existing Drainage Structure                                                  | EA   | 18      | \$ 500.00                          | \$ 9,000.00   | \$ 1,131.80                     | \$ 20,372.40  |
| 710-11-123                      | 91276                          | Temporary Pavement Marking -Paint - Crosswalk 12" White                             | LF   | 760     | \$ 2.25                            | \$ 1,710.00   | \$ 0.40                         | \$ 304.00     |
| 710-11-125                      | 91276                          | Temporary Pavement Marking -Paint - Stop Bar 24" White                              | LF   | 360     | \$ 4.00                            | \$ 1,440.00   | \$ 4.80                         | \$ 1,728.00   |
| -                               | 711-11-103                     | Thermoplastic, Standard, White, Solid, 12", for Crosswalk                           | LF   | 760     | \$ 6.50                            | \$ 4,940.00   | \$ 8.70                         | \$ 6,612.00   |
| -                               | 711-11-125                     | Thermoplastic, Standard, White, Solid, 24", for Stop Sign                           | LF   | 360     | \$ 12.00                           | \$ 4,320.00   | \$ 16.00                        | \$ 5,760.00   |
| -                               | 711-11-160                     | Thermoplastic, Standard, White, Message or Symbol                                   | EA   | 6       | \$ 275.00                          | \$ 1,650.00   | \$ 366.15                       | \$ 2,196.90   |
| -                               | 711-15-201                     | Thermoplastic, Standard, Yellow, Solid, 6"                                          | LF   | 4,200   | \$ 1.85                            | \$ 7,770.00   | \$ 2.50                         | \$ 10,500.00  |
| -                               | 711-16-101                     | Thermoplastic, Standard, White, Solid, 6"                                           | LF   | 1,800   | \$ 1.85                            | \$ 3,330.00   | \$ 2.50                         | \$ 4,500.00   |
| Total                           |                                |                                                                                     |      |         | \$ 546,895.00                      |               | \$ 577,295.30                   |               |

Attachment: HH FY24 Rd Resurfacing ROA Complete (2025-R-8 : FY 2024-2025 Roadway Resurfacing Award of Contract - Piggyback Approval)

**CITY OF HOLLY HILL**  
**FY24 ROADWAY RESURFACING**  
**SCHEDULE OF UNIT PRICES - BID FORM**

**Special Conditions for Project:** Access to residents/businesses to be maintained throughout construction. Roads can be closed to through traffic. Contractor to provide MOT/detour. Milled roads cannot be left more than two days before paving. Contractor shall provide temporary stop bar striping. Asphalt required for leveling will be paid under Asphalt Concrete Friction Course line item.

| Seminole County<br>Pay Item No. | Volusia County Pay<br>Item No. | Description                                                                         | Unit | Est Qty | Bid Unit Cost | Extended Cost     |
|---------------------------------|--------------------------------|-------------------------------------------------------------------------------------|------|---------|---------------|-------------------|
| 101-1                           | 101-1                          | Mobilization Charge (not to exceed 5% of contract total)                            | LS   | 1       | \$ 26,000.00  | \$ 26,000.00      |
| 102-99                          | 102-99                         | Portable Changeable Message Sign                                                    | DAY  | 75      | \$ 25.00      | \$ 1,875.00       |
| 285-704                         | -                              | Optional Base Group 04                                                              | SY   | 165     | \$ 84.00      | \$ 13,860.00      |
| 327-70-A                        | 96154                          | Milling Existing Asphalt Pavement (Milled Material shall be property of contractor) | SY   | 32,000  | \$ 1.80       | \$ 57,600.00      |
| 337-7-82                        | 74514                          | Asphalt Concrete Friction Course, Traffic Level C, FC-9.5 (PG 76-22) PMA            | TN   | 2,300   | \$ 138.00     | \$ 317,400.00     |
| 425-6                           | 425-6                          | Water Valve or Similar Cover Adjustment                                             | EA   | 20      | \$ 120.00     | \$ 2,400.00       |
| 425-7                           | 425-7                          | Manhole Ring Adjustment                                                             | EA   | 35      | \$ 240.00     | \$ 8,400.00       |
| 425-11                          | 425-11                         | Modify Existing Drainage Structure                                                  | EA   | 18      | \$ 500.00     | \$ 9,000.00       |
| 710-11-123                      | 91276                          | Temporary Pavement Marking -Paint - Crosswalk 12" White                             | LF   | 760     | \$ 2.25       | \$ 1,710.00       |
| 710-11-125                      | 91276                          | Temporary Pavement Marking -Paint - Stop Bar 24" White                              | LF   | 360     | \$ 4.00       | \$ 1,440.00       |
| -                               | 711-11-103                     | Thermoplastic, Standard, White, Solid, 12", for Crosswalk                           | LF   | 760     | \$ 6.50       | \$ 4,940.00       |
| -                               | 711-11-125                     | Thermoplastic, Standard, White, Solid, 24", for Stop Sign                           | LF   | 360     | \$ 12.00      | \$ 4,320.00       |
| -                               | 711-11-160                     | Thermoplastic, Standard, White, Message or Symbol                                   | EA   | 6       | \$ 275.00     | \$ 1,650.00       |
| -                               | 711-15-201                     | Thermoplastic, Standard, Yellow, Solid, 6"                                          | LF   | 4,200   | \$ 1.85       | \$ 7,770.00       |
| -                               | 711-16-101                     | Thermoplastic, Standard, White, Solid, 6"                                           | LF   | 1,800   | \$ 1.85       | \$ 3,330.00       |
| <b>Total</b>                    |                                |                                                                                     |      |         | <b>\$</b>     | <b>461,695.00</b> |

**Pay Item Notes:**

- Optional Base Group 04 shall include removal of suspected insufficient base/subbase and replacement with new base.
- Water Valve or Similar Cover Adjustment shall include installation of paving ring(s) or adjustment of valve box height up or down to be flush with new pavement.
- Manhole Ring Adjustment shall include installation of paving ring(s) or adjustment of manhole ring up or down to be flush with new pavement.
- Modify Existing Drainage Structure shall include the removal/milling of addition asphalt or base to provide smooth transitions at/around inlets.
- The above bid quantities include contingency quantities above the quantities shown on the plans.

CITY OF HOLLY HILL  
FY24 ROADWAY RESURFACING  
SCHEDULE OF UNIT PRICES - BID FORM

Submitted by: \_\_\_\_ Thomas A. Durrance, President

Contractor: \_\_\_\_ Halifax Paving, Inc. \_\_\_\_\_

Address: \_\_\_\_ 870 Hull Road Ormond Beach, FL 32174

Telephone: \_\_\_\_ 386-676-0200 \_\_\_\_\_ Email: \_\_\_\_ tad@halifaxpaving.net \_\_\_\_\_

State of Florida Certified Contractor Licensee: \_\_\_\_ Thomas A. Durrance \_\_\_\_\_  


License No.: \_\_\_\_ CGC1510308 \_\_\_\_\_



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Resolution**

5.2

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**MEETING DATE:** February 11, 2025  
**FROM:** Nicole Kloetz  
**SUBJECT:** A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Fiscal Year 2024-2025 Annual Operating Budget, Appropriating the High Visibility Enforcement Program Award to the Fiscal Year 2024-2025 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.  
**NUMBER:** 2025-R-9  
**APPLICANT:**  
**PLANNER:**

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**DISCUSSION:**

The Holly Hill Police Department applied for the Pedestrian and Bicycle Safety High Visibility Enforcement and Support Program (HVE) through the Institute of Police Technology and Management (IPTM) which is a subgrant through Florida Department of Transportation through the University of North Florida. Holly Hill Police Department was awarded \$5,000.00 which must be used for overtime payments to officers assigned to the HVE grant in the specified targeted enforcement areas which includes North Nova Rd from Walker Street to 15<sup>th</sup> Street, to be conducted on Tuesdays and Fridays between 2:00 pm through 10:00 pm. This contract is valid through May 9, 2025. It will utilize law enforcement support to reinforce safe pedestrian, bicyclist, and driver behaviors. The goal of this effort is to reduce traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists using high visibility education and enforcement details.

**FISCAL ANALYSIS:**

This is a non-matching grant that will reimburse the city for qualified overtime, general ledger account number 001-2110-521-1400, up to \$5,000.00.

**STAFF RECOMMENDATION:**

Approve the acceptance of the HVE Grant (Project Number: 433144-1-8404) Pedestrian and

Bicycle Safety High Visibility Enforcement and Support Program award. The acceptance of this grant will allow for enhanced high visibility enforcement operations within the specified target areas.

**COMMISSION GOAL:**

**Goal #1:** Develop and maintain a sound and sustainable financial plan for the city that establishes sufficient reserves for all funds, ensures (whenever possible) that user fees pay for services rendered, provides a realistic capital improvement program, and encourages public/private sector partnerships and intergovernmental partnerships.

**Goal #4:** Provide proficient public health and safety services in terms of police and fire protection, water, storm water, waste water and solid waste management and disaster preparedness with a focus on intergovernmental collaboration, private sector partnerships, and utilization of technologies and proven innovations.

**MOTION:**

**APPROVE AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING THE HIGH VISIBILITY ENFORCEMENT PROGRAM AWARD TO THE FISCAL YEAR 2024-2025 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES.**

**ATTACHMENTS:**

- Signed Contract2025 (PDF)
- BAR 25HVE High Visibility Enforcement Subgrant (PDF)

**Resolution No. 2025-9****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING THE HIGH VISIBILITY ENFORCEMENT PROGRAM AWARD TO THE FISCAL YEAR 2024-2025 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2024-2025 ANNUAL OPERATING BUDGET, APPROPRIATING THE HIGH VISIBILITY ENFORCEMENT PROGRAM AWARD 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 Police Department applied for and received a \$5,000 High Visibility Enforcement grant (HVE) from the Institute of Police Technology and Management (IPTM); 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, by subsequent Resolutions 2024-R-95, R-85, R-77, R-71 and R-72 amending the operating budget for Fiscal Year 2024-2025; and

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

**WHEREAS**, the City of Holly Hill City Commission desires to set forth and appropriate certain revenues and expenses.

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

**SECTION 1 BUDGET AMENDMENT.** The grant award funds are hereby appropriated as set forth in Composite Exhibit ‘A’ attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 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 apart 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 11<sup>th</sup> day of FEBRUARY, 2025.**

Docusign Envelope ID: 9AD4B4ED-3F8A-4E30-89EA-38610328971C



## Institute of Police Technology and Management

University of North Florida  
12000 Alumni Drive | Jacksonville, Florida 32224  
Phone: (904) 620-4786 | Fax: (904) 620-2453  
[www.lptm.org](http://www.lptm.org)

November 4, 2024

Mr. Chris Craig  
Traffic Safety Administrator  
Florida Department of Transportation  
605 Suwannee Street, MS 53  
Tallahassee, Florida 32399

RE: Pedestrian and Bicycle Safety High Visibility Enforcement and Support Program  
Project Number: 433144-1-8404  
Contract Number: G2X22

Dear Mr. Craig,

We are requesting subcontract approval under the aforementioned subgrant agreement. The request is for approval of a contractual services agreement between IPTM and City of Holly Hill in the amount of \$5,000.00. Under the contract, Holly Hill Police Department will conduct overtime high visibility education and enforcement operations through May 9, 2025.

I appreciate your consideration of this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angel Williams", is written over a light blue horizontal line.

Angel Williams  
Coordinator

Attachment

Docusign Envelope ID: 9AD4B4ED-3F8A-4E30-89EA-38610328971C

### Letter of Agreement and Contract

In this contract between the City of Holly Hill ("Vendor") and University of North Florida Training and Services Institute, Inc., d/b/a Institute of Police Technology and Management ("IPTM"), a direct support organization of the University of North Florida ("University"), the Vendor shall perform the services as outlined in the scope of services (Exhibits A & B). The contract period will begin upon execution and will end on May 9, 2025.

**Total contract amount will not exceed \$5,000.00**

The parties to this contract shall be bound by all applicable state and federal requirements as outlined in Florida Department of Transportation (FDOT) Project # 433144-1-8404, FDOT Contract G2X22. All services must be completed by May 9, 2025. The final invoice must be received by June 6, 2025 or payment will be forfeited.

It is expressly understood that the Vendor is an independent contractor, and not an agent of the FDOT or the University of North Florida. The FDOT and the University's ("State Agencies" or individually "State Agency") respective total liability in negligence or indemnity for acts of its employees or officers shall not exceed the limits of their waiver of sovereign immunity provided under Section 768.28, Florida Statutes. The FDOT, the University, and the Vendor shall each be responsible for its own attorney fees in the event of a dispute.

To the fullest extent permitted by law, the vendor shall indemnify and hold harmless IPTM and the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of the contractor/consultant and persons employed or utilized by the contractor/consultant in the performance of this Agreement.

This Indemnification shall survive the termination of this Agreement. Nothing contained in this paragraph is intended to nor shall it constitute a waiver of the State of Florida and IPTM's sovereign immunity.

Vendor is a subdivision, as defined in Section 768.28, Florida Statutes, and Vendor agrees to be fully responsible only to the extent provided by Section 768.28, Florida Statutes, for the negligent or wrongful acts or omission of any employee of the Vendor while the employee is acting within the course and scope of the employee's employment, and for any damages proximately caused by said acts or omissions or torts.

Nothing herein shall be construed as consent by a State Agency or political subdivision of the State of Florida to be sued by third parties in any matter arising out of this contract. No State Agency or subdivision indemnifies any other party or person beyond the extent permitted under the law, no matter what the circumstances. Nothing herein shall be construed as a waiver by the FDOT, the University, and the Vendor of any rights or limits to liability existing under Section 768.28, Florida Statutes.

In accordance with the contract, the Vendor is authorized to perform the tasks detailed in the scope of services (Exhibits A & B) and is fully responsible for satisfactory completion of all services. Services performed prior to receiving an executed contract from the University will not be eligible for reimbursement. This contract does not involve the purchase of Tangible Personal Property, as defined in Chapter 273, Florida Statutes.

This is a cost reimbursable contract. To be eligible for reimbursement, all costs must be allowable pursuant to state and federal expenditure laws, rules and regulations and must be essential to the successful completion of the tasks identified in this contract for services.

If a cost benefits more than one project, a determination must be made and documentation provided to support that the cost is distributed in a reasonable and consistent manner across all benefiting projects.

**CANCELLATION:** This contract may be unilaterally cancelled by FDOT or the University for refusal by the Vendor to allow public access to all documents, papers, letters, or other material made or received by the Vendor in conjunction with this contract, unless Florida law provides that the records are confidential and/or exempt from the disclosure requirements of section 24(1) of Article 1 of the state constitution and section 119.07(1), Florida Statutes.

Docusign Envelope ID: 9AD4B4ED-3F8A-4E30-89EA-38610328971C

**EXHIBIT "A"**  
**SCOPE OF SERVICES**  
**PEDESTRIAN AND BICYCLE SAFETY**  
**HIGH VISIBILITY EDUCATION AND ENFORCEMENT CAMPAIGN**

**I. OBJECTIVE:**

The Florida Department of Transportation ("FDOT"), through a subgrant with University of North Florida ("University"), will utilize law enforcement support to reinforce safe pedestrian, bicyclist, and driver behaviors in priority counties in Florida. The goal of this effort is to reduce traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists using high visibility education and enforcement details.

**II. PURPOSE:**

In 2022, 3,553 people lost their lives in traffic crashes on Florida's roadways. More than 22% of them were pedestrians (786) and more than 6% were bicyclists (220).

The Purpose of this funding opportunity is to develop and implement effective community level High Visibility education and enforcement details in areas with the highest representation of traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists.

The project Goal is to mitigate crashes by increasing awareness of and compliance with traffic laws that protect the safety of pedestrians and bicyclists on Florida's roads.

Pedestrians and bicyclists are more vulnerable than all other road users. Traffic crashes involving pedestrians and bicyclists are more likely to result in fatal or serious injuries than any other types of traffic crashes.

Speed, impairment, and distractions contribute to unsafe conditions for pedestrians and bicyclists and may be included in enforcement operations where there is data to support the need for these interventions to improve the safety of pedestrians and bicyclists.

Pedestrian decoys may only be included in enforcement operations to improve driver yield rates at mid-block crossing locations to improve the safety of pedestrians and bicyclists.

This campaign is a component of Florida's Bicycle/Pedestrian Focused Initiative and is implemented by the Institute of Police Technology and Management (IPTM) under the direction of the Florida Department of Transportation (FDOT). This campaign supports the goals established in Florida's Pedestrian and Bicycle Strategic Safety Plan. High Visibility Enforcement activities are being implemented to mitigate crashes by educating pedestrians, bicyclists, and motorists on traffic laws pertaining to pedestrian and bicycle safety and increasing compliance with those laws.

**III. IPTM RESPONSIBILITIES:**

IPTM will provide the required training/training materials, a copy of Florida's Pedestrian and Bicycle Strategic Safety Plan, and educational materials to the Vendor for distribution during enforcement operations upon contract execution. Additional educational materials, bicycle lights, and electronic media may be requested by the Vendor but are subject to availability. IPTM reserves the right to review and audit the Vendor's compliance with the terms of this Letter of Agreement and Contract. IPTM also reserves the right to reduce the amount of funding allocated under this Letter of Agreement and Contract when it is determined that the Vendor will be unable to properly utilize the full funding amount as outlined herein.

**IV. VENDOR SERVICES AND RESPONSIBILITIES:**

Vendor will provide high visibility education and enforcement of all road users, including pedestrians, bicyclists, and motorists, to change behaviors and improve the safety of pedestrians and bicyclists. Vendor will conduct on-street education and enforcement details at pre-approved locations within pre-approved times and distribute educational materials with each contact. Education is the preferred method of behavior correction. Warnings and/or citations to pedestrians, bicyclists, and motorists will be guided by

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the Vendor's policies and procedures and must comply with Florida law. These operations are designed to reach more than just the individuals who are stopped or contacted, they should also be highly visible to anyone driving, walking, or biking in the area in a way that associates the enforcement activity with the safety awareness campaign. The Vendor shall record all detail activity that documents the education and enforcement outputs for each detail conducted during the contract period using the provided online platform.

To be reimbursable, activities conducted by the Vendor must meet the requirements listed in this Letter of Agreement and Contract to include the following:

- Operations must begin within 30 days of the contract execution date. Exceptions require the approval of IPTM.
- Only overtime hours for sworn law enforcement officers are eligible for reimbursement (non-sworn civilian personnel are not eligible).
- Operations must be highly visible to anyone driving, walking, or biking in the area. It is strongly suggested that operations include a combination of high visibility elements with a coordinated media awareness campaign similar to those used in sobriety checkpoints or other enforcement mobilizations.
- Funds may not be used to supplant the Vendor's enforcement and educational efforts funded by other local, state, or federal sources. Duplicated efforts are not eligible for reimbursement.
- Vendor will not be reimbursed for education and enforcement details that take place at locations outside of those pre-approved by the FDOT and outlined in Exhibit C of this agreement.
- Vendor will not be reimbursed for education and enforcement details that take place outside of the day(s) and times of day pre-approved by the FDOT and outlined in Exhibit C of this agreement (each detail location may have different pre-approved days and times of day).

#### Minimum Level of Service

Vendor shall conduct highly visible education and enforcement operations at each of the identified locations outlined in Exhibit C of this agreement, prioritizing efforts towards higher ranked (Tier 1) locations.

☐ Only Tier 1 locations shall be worked from contract execution through May 9, 2025

☒ Only Tier 2 locations shall be worked from contract execution through May 9, 2025

☐ Both Tier 1 and Tier 2 locations: Tier 1 locations shall be worked from contract execution through May 9, 2025. Tier 2 locations can be worked in addition to Tier 1 locations from February 1, 2025 through May 9, 2025

A minimum of two (2) media engagements should be conducted in conjunction with these high visibility enforcement operations during the contract period.

Vendor performance will be evaluated based on their prioritization of enforcement details to areas with the highest representation of traffic crashes resulting in serious and fatal injuries to pedestrians and bicyclists and on the visibility of the mobilization.

- Vendor will not be reimbursed for administrative time, travel time, meal breaks or other hours that are not for participation in the education and enforcement overtime details aimed at reducing traffic crashes resulting in serious or fatal injuries to pedestrians or bicyclists, or attendance at required training outside of the training requirement listed within this contractual service agreement.

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- Each officer is limited to a maximum of eight (8) hours of reimbursable overtime in any single day (defined as 12:00 a.m. to 11:59 p.m.), unless there are extenuating circumstances at the end of a shift that causes the hours to exceed this limit. Extenuating circumstances must be documented in the activity report. There is no pay period limit.
- Officer training is mandatory. For their overtime hours to be reimbursable, officers working the education and enforcement details must first complete the required four-hour training course titled "Pedestrian and Bicycle Law Enforcement: Laws, Procedures and Best Practices." To remain eligible, officer "refresher training" is required for any officer who completed the four-hour training course titled "Pedestrian and Bicycle Law Enforcement: Laws, Procedures and Best Practices" prior to June 30, 2023. The refresher training class titled "Pedestrian & Bicycle Safety: A Law Enforcement Review" is not a substitute for the 4-hour classroom course for initial eligibility into this program.
- Vendor may be reimbursed for a limited number of sworn law enforcement officers to attend the required four-hour training course titled "Pedestrian and Bicycle Law Enforcement: Laws, Procedures and Best Practices" or the two (2) hour online refresher training course titled "Pedestrian & Bicycle Safety: A Law Enforcement Review". For their overtime hours to be reimbursable, attendance at the training must be within the contract period and must be on overtime status. Although every sworn law enforcement officer may attend the training, overtime reimbursement is limited to those officers who will actually take part in education and enforcement details.
- Public awareness is a key element of the high visibility enforcement model. The Vendor is strongly encouraged to distribute a minimum of two (2) media releases during the contract period. The first media release announcing that operations are beginning should be distributed a minimum of seven (7) days in advance of the first education/enforcement detail. The second media release should include a reminder that details are ongoing. This second media release should be distributed approximately halfway through the contract period. Additional media engagement is also encouraged throughout the contract period. Media releases may include social or digital media but must also be distributed through local media outlets. Proof of media engagement should be provided within 30 days of the press release or news report.
- The Vendor shall distribute the provided safety educational materials during all education and enforcement details. Materials will be provided to Vendor free of charge for this purpose.
- Vendor may elect to participate in bicycle light distribution to improve nighttime visibility and compliance with F.S. 316.2065(7). A Bicycle Light Distribution Assurance Form provided by IPTM is required for each bicycle light set that is distributed. The required documentation must be signed by the officer and submitted to IPTM or through the provided online platform along with the detail report for the period in which the lights were distributed.
- Invoice submissions must document that each officer was on overtime status while working the education and enforcement details in order to be eligible for reimbursement.

#### HIGH VISIBILITY ENFORCEMENT (HVE)

All law enforcement agencies shall conduct High Visibility Enforcement while conducting enforcement under this contractual service agreement.

High Visibility Enforcement is defined as:

- |                  |                                                                      |
|------------------|----------------------------------------------------------------------|
| <b>Intense:</b>  | Enforcement activities are over and above what normally takes place. |
| <b>Frequent:</b> | Enforcement occurs often enough to create general deterrence.        |
| <b>Visible:</b>  | A majority of the public sees or hears about the enforcement.        |

**Strategic:** Enforcement targets high-risk locations during high-risk times.

#### APPROVED PERSONNEL LIST

Prior to commencing the services outlined under this contract, Vendor must submit a list of personnel authorized to participate in overtime details under this agreement through the provided online platform. The name and fully loaded hourly overtime rates to be used for each officer must be submitted. The overtime rates may include the costs of hourly overtime plus associated fringe benefits paid upon the overtime. Only hours from officers listed shown on the authorized personnel list are eligible for reimbursement under this agreement. The authorized personnel list shall be updated as needed to add officers and update overtime pay rates.

#### METHOD OF COMPENSATION/PAYMENT SCHEDULE

Invoices must be submitted at least monthly (every 30 days), beginning within 60 days of the contract execution date. Invoices must contain the following:

- Invoice to include summary of hours charged and total due.
- **Payroll documentation:** Vendor must submit payroll documentation to accompany each invoice. This payroll documentation should clearly indicate that the detail hours worked under this contract were on overtime status along with the overtime rates that were paid. As this is a cost-reimbursable contract, IPTM can only reimburse the Vendor for an amount up to the total costs incurred for the overtime worked; therefore, Vendor must include either a pay stub or payroll ledger documenting payment to each officer for which reimbursement is requested. It is the responsibility of the Vendor to redact any personally identifiable information such as Social Security numbers prior to submission.

The overtime pay rate for personnel shall be based on the actual cost per employee in accordance with the agency's payroll policy. Each agency shall comply with Fair Labor Standards Act (FLSA) requirements and thresholds for overtime accrual and payment and its own policies and procedures, insofar as those policies apply uniformly to both federally financed and other activities of the agency, as required by 2 CFR 200.403(c). Additional hours may be called overtime, call-out, off duty, extra, additional, etc.

As part of the "fully burdened" overtime costs, the agency can be reimbursed for the additional benefit costs paid on the overtime worked. These benefit costs must be additional costs incurred specifically as a result of the overtime being reimbursed. These benefits may include associated portions of FICA (Social Security and Medicare), Worker's Compensation, Retirement benefits, and fixed shift differential costs. Prorated portions of leave accrual, health/life insurance, uniform allowance, vehicle usage, salary incentive, and other standard benefits cannot be reimbursed as they are not additional costs incurred specifically as a result of the overtime worked.

- **Detail Activity:** Vendor shall record detail activity that documents the education and enforcement outputs for each detail conducted through the provided online platform. The activity will document that each detail conducted meets the minimum level of service as outlined in this agreement and show the officers assigned, date, days and/or times, location, contacts made, number of materials distributed, and the numbers of educational contacts, warnings and citations issued to motorists, pedestrians, and bicyclists for each statute. Detail Activity submissions shall be consistent with the corresponding invoices and payroll documentation.

All invoices must be submitted through the provided online platform. In case the provided online platform is unavailable, invoice documentation can be sent electronically to [ped.bike.safety@iptm.org](mailto:ped.bike.safety@iptm.org).

All requests for reimbursement shall be signed by an Authorized Representative of the Vendor, or their delegate.

The University has 40-days to review and process Invoices for services. This process begins on the date the Vendor Invoice is received, inspected, and approved. Invoices may be returned if not completed properly. If a payment is not available within 40 days from the University approval, a separate Interest penalty at a rate as established pursuant to Section 55.03(1), F.S., will be due and payable, in addition to the Invoice amount, to the Vendor. Interest penalties of less than one (1) dollar will not be enforced unless the Vendor requests payment. Invoices that have to be returned to a Vendor because of Vendor preparation errors will result in a delay in the payment and is not subject to the Interest penalty. The Vendor payment requirements do not start until a properly completed financial reimbursement request is provided to the University.

#### FINANCIAL CONSEQUENCES

Payment shall be made only after receipt and approval of services provided. If the University determines that the performance of the Vendor does not comply with the contract requirements, the University shall notify the Vendor of the deficiency to be corrected, and the correction shall be made within a timeframe to be specified by the University. If the deficiency is subsequently resolved, the University agrees to pay the Invoice(s) for the unpaid amount(s) during the next billing period. If the Vendor is unable to resolve the deficiency, the funds shall be forfeited at the end of this contractual service agreement.

#### PRE-APPROVED HVE LOCATIONS

Education and enforcement overtime details are only authorized at locations (specific intersections, corridors, and/or regions) that have been pre-approved by the FDOT. Vendor may not be reimbursed for efforts conducted at locations that have not been pre-approved, that take place prior to the date of the approval of this agreement, or that do not comply with the minimum level of service as outlined in this agreement.

Each pre-approved location will have clearly defined boundaries; day(s) and times of day in which the overtime details can be worked and will be outlined in Exhibit C.

#### REQUESTS FOR ADDITIONAL FUNDING

The Vendor may request an increase to the total funding amount of this contract during the contract period. If the funding is available, the increased funding request may be considered if the Vendor has:

- satisfied all of the provision listed within this contract
- submitted timely invoices and record of detail activity submissions
- conducted HVE overtime detail efforts in a manner that supports the stated goal
- expended 80% or more of the current contract funding amount
- pedestrian and bicyclist crash circumstances within the Vendor's jurisdiction support the increased funding amount

Increased funding will be based upon availability and must be approved by the FDOT.

Increased funding will be accomplished through an amendment to this contract which must be signed by the FDOT, Vendor, and IPTM.

Requests for increased funding must be submitted to IPTM and received on or before February 28, 2025.

#### NON-DISCRIMINATION AND ETHICAL STANDARDS

No person shall, on the ground of race, color, religion, sex, handicap, or national origin, be subjected to discrimination under any program or activity supported by this contract. The agency agrees to comply with the Florida Civil Rights Act (F.S. 760)

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0760/0760.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0760/0760.html)

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All officers participating in High Visibility Enforcement activities are required to comply with the Law Enforcement Officer Ethical Standards of Conduct as established by the Florida Department of Law Enforcement. <https://www.fdle.state.fl.us/Content/CJST/Menu/Officer-Requirements-Main-Page/LE-Ethical-Standards-of-Conduct.aspx>

**CORE ACTIVITY PERFORMANCE MEASURES / MINIMUM LEVEL OF SERVICE TO BE PERFORMED AND CRITERIA FOR EVALUATING SUCCESSFUL COMPLETION.**

Each law enforcement agency is encouraged to complete all of the tasks as outlined within this contract. All agencies are required to complete a minimum of (80%) eighty percent of contracted efforts within the contract period to be eligible for "agency of the year award" consideration. Each successive fiscal year, agencies will be prioritized for funding based on percentage of performance expectations that were met.

**CONSEQUENCES FOR NON-PERFORMANCE**

If the Vendor is unable to properly utilize the full funding amount as outlined herein, the amount of funding for subsequent periods may be reduced. In the event that the required services are in dispute, the invoice may be pro-rated, reduced, or payment withheld until adequate documentation is provided to support the completion of such services and the dispute is resolved. If requirements are not met, the invoice will be pro-rated and payment will only be made for services that were completed as outlined in this agreement. Failure to submit invoices, detail activity reports, or other deliverables as outlined in this contract may result in termination of the agreement.

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**EXHIBIT "B"**  
**EFFORT SUMMARY**

**FLORIDA'S PEDESTRIAN AND BICYCLE FOCUSED INITIATIVE  
HIGH VISIBILITY ENFORCEMENT CAMPAIGN**

**QUANTIFIABLE, MEASURABLE, AND VERIFIABLE DELIVERABLES**

- A minimum of two (2) media engagements should be conducted in conjunction with these high visibility enforcement operations during the contract period.
- Detail Activity Reports shall be submitted for each education and enforcement detail worked.
- Bicycle Light Distribution Assurance Forms shall be submitted for each bicycle light kit distributed.
- Invoices shall be submitted for each month or payroll period in which overtime details were performed beginning the month following contract execution.

**PERFORMANCE MEASURES**

Proof of performance documentation shall be submitted. This includes, but is not limited to, the following:

- Detail Activity Submissions
- Proof of media engagements
- Proof of overtime hours worked

**BUDGET/COST ANALYSIS**

- The name and fully loaded hourly overtime rates to be used for each officer must be submitted.
- The overtime rates may include the costs of hourly overtime plus associated fringe benefits paid upon the overtime.
- Only hours from officers listed and shown on the authorized personnel list are eligible for reimbursement under this agreement.
- Only overtime hours for sworn law enforcement officers are eligible for reimbursement (non-sworn civilian personnel are not eligible).
- Each officer is limited to a maximum of eight (8) hours of reimbursable overtime in any single day (defined as 12:00 a.m. to 11:59 p.m.).
- Payroll documentation should clearly indicate that the detail hours worked under this contract were on overtime status along with the overtime rates that were paid.
- ☐ Only Tier 1 locations shall be worked from contract execution through May 9, 2025.  
☒ Only Tier 2 locations shall be worked from contract execution through May 9, 2025.  
☐ Both Tier 1 and Tier 2 locations; Tier 1 locations shall be worked from contract execution through May 9, 2025. Tier 2 locations can be worked in addition to Tier 1 locations from February 1, 2025 through May 9, 2025.
- Payment shall be made only after receipt and approval of services provided.

**Total contract amount not to exceed: \$5,000.00**

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**EXHIBIT "C"**

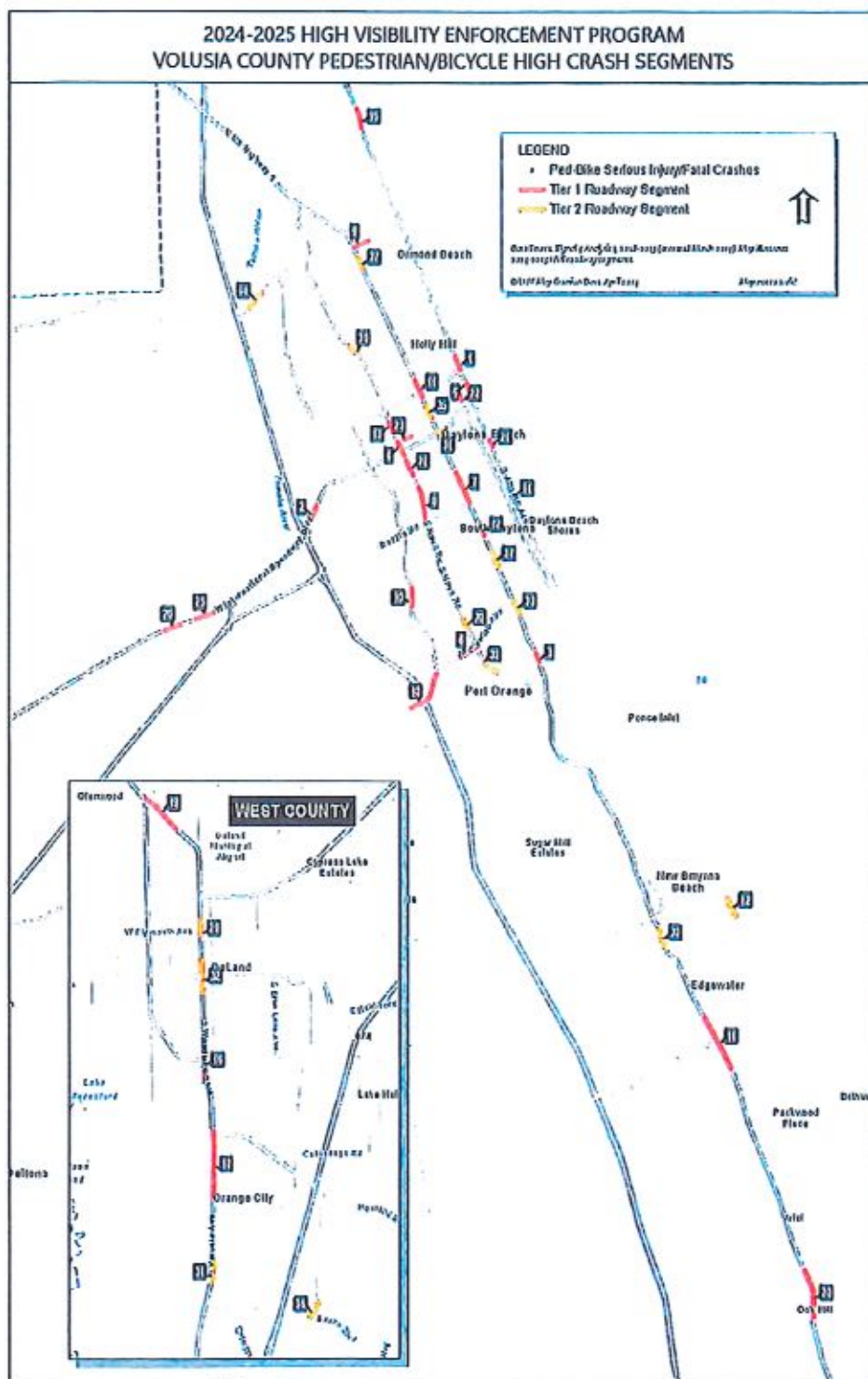
**Locations for Holly Hill Police Department  
Florida's Pedestrian and Bicycle Focused Initiative  
High Visibility Enforcement Campaign**

| Rank | Roadway Name | From          | To          | Tier | Time Range |      | Day of the Week |
|------|--------------|---------------|-------------|------|------------|------|-----------------|
|      |              |               |             |      | From       | To   |                 |
| 30   | N Nova Road  | Walker Street | 15th Street | 2    | 1400       | 2200 | Tuesday, Friday |

Data Source: Crash Analysis Reporting System 7/1/2018-6/30/2023 (downloaded March 2024). Table lists roadway segments with high representation of traffic crashes resulting in serious injuries and fatalities to pedestrians and bicyclists.

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EXHIBIT "C"



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### Letter of Agreement and Contract

**Execution of Agreement.** This Agreement may be simultaneously executed in a minimum of two counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one in the same instrument.

University of North Florida Training and Services Institute, Inc.  
d/b/a Institute of Police Technology and Management

DocuSigned by:

*Vince Smyth*

11/26/2024

SCH Vince Smyth, Associate Vice President

Date

DocuSigned by:

*Cameron Pucci*

11/25/2024

7003E67023AD4ED...  
Cameron Pucci, Director

Date

**VENDOR ACKNOWLEDGEMENT:** By signing below, I certify that I have read the entire document, agree to abide by the pricing and all terms and conditions of this Letter of Agreement and Contract, and that I am authorized to sign for the Vendor.

Vendor Name: City of Holly Hill

Address: 1065 Ridgewood Avenue, Holly Hill, FL 32117

  
Vendor's Authorized Agent Signature

11.19.2024  
Date

Joseph FORTE  
Printed Name

City Manager  
Title

DocuSigned by:

*Chris Craig*

11/06/2024 | 2:53 PM EST

FDOT APPROVAL

**Exhibit "D"**  
**FY2024 - Subcontract Agreement Required Federal Clauses, Per Part V**

- I. The parties to this subcontract shall be bound by all applicable sections of Part V: Acceptance and Agreement of Project # 433144-1-8404, FDOT Contract # G2X22. A final invoice must be received by June 6, 2025 or payment will be forfeited.
- II. **Buy American Act.** The Buy America Act prohibits the use of Federal highway safety grant funds to purchase any manufactured product or software/information technology systems whose unit purchase price is \$5,000 or more, including motor vehicles, that is not produced in the United States. NHTSA may waive those requirements if (1) their application would be inconsistent with the public interest; (2) such materials and products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or (3) the inclusion of domestic material will increase the cost of the overall project contract by more than 25 percent.
- III. **Certification Regarding Federal Lobbying.** The subcontractor certifies, to the best of his or her knowledge and belief, that:
  1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
  2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
  3. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 31 U.S.C 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
- IV. **Cooperation with the Inspector General.** It is the duty of every subcontractor to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to this subgrant agreement. Chapter 20.055(5), F.S.
- V. **DBE Assurance.** The consultant or contractor and subconsultant or subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The consultant or contractor shall carry out applicable requirements of 49 CFR, Part 26 in the award and administration of USDOT-assisted contracts. Failure by the consultant or contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy, as the Subrecipient or the Department deems appropriate.
- VI. **E-Verify.** Any subcontractors performing work or providing services pursuant to the subgrant agreement are required to utilize the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by the subcontractor during the contract term.

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- vii. **Nondiscrimination.** During the performance of this subcontract, the Subcontractor agrees:
1. To comply with all Federal nondiscrimination laws and regulations, as may be amended from time to time
  2. Not to participate directly or indirectly in the discrimination prohibited by any Federal non-discrimination law or regulation, as set forth in Appendix B of 49 CFR part 21 and herein
  3. To permit access to its books, records, accounts, other sources of information, and its facilities as required by the FDOT State Safety Office, USDOT, or NHTSA
  4. That, in the event a Subcontractor fails to comply with any nondiscrimination provisions in this subgrant, the Subrecipient will have the right to impose such subgrant sanctions as it or NHTSA determines are appropriate, including but not limited to withholding payments to the Subcontractor under the contract/agreement until the Subcontractor complies; and/or canceling, terminating, or suspending a contract or funding agreement, in whole or in part.
- viii. **Clean Air Act and Federal Water Pollution Control Act.** Subcontracts for amounts in excess of \$150,000 must comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- ix. **Integrity Certification.** The Subcontractor certifies that neither it nor its contractors are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this Agreement by any federal department or agency. This certification is a material representation of fact upon which the Department is relying in entering this Agreement. If it is later determined that the Subcontractor knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. The Subcontractor shall provide to the Department immediate written notice if at any time the Subcontractor learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- x. **Contract Work Hours and Safety Standards Act.** All subcontracts in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- xi. **Indemnification and Insurance.** To the fullest extent permitted by law, the Subcontractor shall indemnify and hold harmless the Subrecipient and the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness or intentional wrongful misconduct of the contractor/consultant and persons employed or utilized by the contractor/consultant in the performance of this Agreement.

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This indemnification shall survive the termination of this Agreement. Nothing contained in this paragraph is intended to nor shall it constitute a waiver of the State of Florida and the Subrecipient's sovereign immunity.

- xii. **Policy on Banning Text Messaging While Driving Act.** In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, subcontractors are encouraged to:

Adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official business or when performing any work on behalf of the subrecipient agency and/or the Government.

Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting and driving.

Insert the substance of this section, including this sentence, in all sub-agreement/subcontracts funded with the subaward provided under this Agreement that are \$15,000 or more.

- xiii. **Human Trafficking.** The Subcontractor agrees that it and its employees that perform any work on the subcontract shall not, during the term of this Agreement, engage in trafficking in persons, procure a commercial sex act, or use forced labor in the performance of work on the subcontract.
- xiv. **Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.** The Subcontractor agrees to take the following affirmative steps to assure that minority businesses, women's business enterprise, and labor surplus are used when possible:
1. Place qualified small and minority businesses and women's business enterprises on solicitation lists;
  2. Assure that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
  3. Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
  4. Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
  5. Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
  6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (b)(1) through (5) of this section.
- xv. **Termination for Convenience.** In accordance with Appendix II to 2 CFR Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards, either Party may terminate this Agreement for convenience upon thirty (30) days advance written notice to the other Party. Termination of this Agreement, as such, will not affect payment for services satisfactorily furnished prior to the termination.

**CITY OF HOLLY HILL**  
**Budget Amendment Request**  
**Fiscal Year 2024-2025**

Requesting Department

Police Department

Date

2/11/20

| ADD FUNDS TO ACCOUNT NUMBER: | PROJECT NUMBER: | ACCOUNT DESCRIPTION: | AMOUNT:  |
|------------------------------|-----------------|----------------------|----------|
| 001-0000-334-4950            |                 | FDOT HVE GRANT       | 5,000.00 |
|                              |                 |                      |          |
|                              |                 |                      |          |
| Total                        |                 |                      | 5,000.00 |

| ADD FUNDS TO ACCOUNT NUMBER: | PROJECT NUMBER: | ACCOUNT DESCRIPTION: | AMOUNT:  |
|------------------------------|-----------------|----------------------|----------|
| 001-2110-521-1400            | 25HVE           | Overtime             | 5,000.00 |
|                              |                 |                      |          |
|                              |                 |                      |          |
| Total                        |                 |                      | 5,000.00 |

**Purpose of Transfer:** (include as much detail as possible)

To record receipt of the Pedestrian and Bicycle Safety High Visibility Enforcement and Support Program subgrant from the Florida Department of Transportation through the University of North Florida for overtime up to \$5,000.00

**Note:** Funds can only be transferred within the same fund and same department without requiring further commission action. In addition funds can only be expended after amendment is completed.

----- Management Approvals -----

Department Head Signature

Date

City Manager Signature

Date

----- For Finance Use Only -----

Finance Review

Finance Director Signature

Date

Resolution #

Attachment: BAR 25HVE High Visibility Enforcement Subgrant (2025-R-9 : 2025 Pedestrian and Bicycle Safety High Visibility Enforcement &amp;



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Resolution**

---

**MEETING DATE:** February 11, 2025  
**FROM:** Valerie Manning  
**SUBJECT:** A Resolution of the City Commission of the City of Holly Hill, Florida, Urging the Florida State Legislature to Enact Legislation to Provide a Public Records Exemption for Municipal Clerks and Employees who Perform Municipal Elections Work or Have Any Part in Code Enforcement Functions of a City; and Providing for an Effective Date.  
**NUMBER:** 2025-R-10  
**APPLICANT:**  
**PLANNER:**

---

**BACKGROUND:**

Many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings related to neglect or abuse, or other activities that could lead to a criminal prosecution are exposed to threats and other acts of violence.

Municipal Clerks often administer elections. Some election workers have been targeted for threats and violence due to the nature of materials they are responsible for. Further, Clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances. Occasionally, these proceedings have led to retaliation and threats by defendants.

Please note, there are currently 27 public record exemptions for specific roles, one of which applies to Code Enforcement Officers. Code Officers are covered by the exemption, but not Municipal Clerks. There is language referencing Code Enforcement work in the Resolution for the purpose of including Municipal Clerks and employees who perform work related to Code Enforcement proceedings to be included as part of the public record exemption.

**STAFF RECOMMENDATION:**

Approve the Resolution as submitted by staff in support of the Public Records Exemption urging the Florida State Legislature to enact legislation to provide public records exemption for Municipal Clerks and employees who perform municipal elections work or have any part in Code Enforcement functions of a city.

**MOTION:**

**APPROVE RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT**

**LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY.**

**ATTACHMENTS:**

- FACC Clerks Exemption Resolution (PDF)

**Resolution No. 2025-10****A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings that could lead to a criminal prosecution or code enforcement actions are exposed to threats and other acts of violence; and

**WHEREAS**, municipal clerks often administer elections and some election workers have been targeted for threats and violence due to the nature of materials they are responsible for; and

**WHEREAS**, municipal clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances and, occasionally, these proceedings have led to retaliation and threats by defendants; and

**WHEREAS**, currently public records exemptions in Florida include those for local personnel who either investigate, enforce or otherwise provide a service that can result in contentious interactions when action is taken and municipal clerks and their staffs fall within the need for a window for greater protection; and

**WHEREAS**, the Florida Association of City Clerks is very concerned for the safety and well-being of the municipal clerks and their staffs who serve the public on a daily basis and are, oftentimes, the first contact of citizens with cities; and

**WHEREAS**, the City of Holly Hill has complied with all requirements and procedures of Florida law in processing and adopting this Resolution.

**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 hereby adopts the recitals set forth in this Resolution (whereas clauses) as the legislative findings of the City Commission.

**SECTION 2.** The Mayor and City Commission of the City of Holly Hill, Florida, hereby urges and encourages the Florida Legislature to enact legislation to provide a public records exemption for municipal clerks and employees who perform municipal elections work or have any part in Code Enforcement functions of a municipality.

**SECTION 3.** The Mayor and City Commission of the City of Holly Hill, Florida, express a profound appreciation for the actions in support of the City in past years and look forward to a continuing and productive relationship with regard to the needs of the citizens of the City of Holly Hill, as well as, those who conduct business or own property within the City.

**SECTION 4.** The City Clerk is hereby directed and authorized to send a certified copy of this Resolution to Governor Ron Desantis and each State Representative and State Senator serving in the Volusia County Legislative Delegation.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 11<sup>th</sup> day of FEBRUARY,  
2025.**



# Florida Association of City Clerks

## RESOLUTION 2025-78

**A RESOLUTION OF THE FLORIDA ASSOCIATION OF CITY CLERKS URGING THE FLORIDA STATE LEGISLATURE TO ENACT LEGISLATION TO PROVIDE A PUBLIC RECORDS EXEMPTION FOR MUNICIPAL CLERKS AND EMPLOYEES WHO PERFORM MUNICIPAL ELECTIONS WORK OR HAVE ANY PART IN CODE ENFORCEMENT FUNCTIONS OF A CITY AND PROVIDING FOR AN EFFECTIVE DATE.**

**Whereas**, many municipal staff who perform duties that include, or result in, investigations into complaints regarding election fraud, legal enforcement of hearings that could lead to a criminal prosecution or code enforcement actions are exposed to threats and other acts of violence; and

**Whereas**, municipal clerks often administer elections and some election workers have been targeted for threats and violence due to the nature of materials they are responsible for; and

**Whereas**, municipal clerks are often involved in legal enforcement proceedings in actions related to violations of codes and ordinances and, occasionally, these proceedings have led to retaliation and threats by defendants; and

**Whereas**, currently public records exemptions in Florida include those for local personnel who either investigate, enforce or otherwise provide a service that can result in contentious interactions when action is taken and municipal clerks and their staff fall within the need for a window for greater protection; and

**Whereas**, the Florida Association of City Clerks is very concerned for the safety and well-being of the municipal clerks and their staff who serve the public on a daily basis and are, oftentimes, the first contact of citizens with cities; and

**NOW, THEREFORE, BE IT RESOLVED BY THE FLORIDA ASSOCIATION OF CITY CLERKS THAT:**

**SECTION 1:** The Florida Association of City Clerks hereby urges and encourages the Florida State Legislature to enact legislation to provide a public records exemption for municipal clerks and employees who perform municipal elections work or have any part in code enforcement functions of a municipality.

**SECTION 2:** A certified copy of this Resolution be sent to Governor Ron DeSantis, members of the Florida Senate, the Florida House of Representatives and the Florida League of Cities.

Presented this 27th day of January 2025.

**Patricia J. Burke, MPA, MMC, RLO**  
President, Florida Association of City Clerks  
Town Clerk-Manager, Town of Palm Shores, Florida

*Celebrating Over 50 Years of Professional Education*



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Agenda Item**

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**MEETING DATE:** February 11, 2025  
**FROM:** Valerie Manning  
**SUBJECT:** Memorandum of Agreement - Ratifying the Memorandum of Agreement Between the City of Holly Hill and the Police Benevolent Association  
**NUMBER:** (ID # 4771)  
**APPLICANT:**  
**PLANNER:**

---

**DISCUSSION:**

Police Chief Williams has reviewed the command structure within the Holly Hill Police Department and determined that for our agency, it would be helpful to have police corporal as an entry-level law enforcement officer (LEO) management position. Holly Hill was one of many agencies to eliminate the police corporal position about ten or so years ago. For larger agencies, it was determined that the position of sergeant can serve as the entry level LEO management position because there are many levels above that before you reach the top of their LEO command structure. For smaller agencies, however, there aren't more than one or two levels above that of a sergeant, so it is helpful for the sergeant to have some entry-level experience in LEO management in advance of that promotion.

The former police corporal job description has been updated to ensure the police officer functions continue to be met as the primary responsibility but that LEO management development becomes a focus as well. The pay grade for this position fits perfectly between the police officer and police sergeant grades, which are 20% apart. This will align with the firefighter, driver, lieutenant positions in the fire department, with 10% separation between each grade.

This proposal is supported by the Police Benevolent Association, with representatives having signed the attached MOA, which serves as an addendum to the current collective bargaining agreement, effective October 1, 2024 – September 30, 2027.

**FISCAL ANALYSIS:**

In accordance with the City of Holly Hill Personnel Rules and Regulations, employees promoted from police officer (P-1) to corporal (P-2) would receive an increase to the minimum of the P-2 pay band or 5%, whichever is greater.

**STAFF RECOMMENDATION:**

Approve ratifying the Memorandum of Agreement between the City of Holly Hill and the Police Benevolent Association as submitted by staff.

**COMMISSION GOAL:**

N/A

**MOTION:**

**APPROVE RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF HOLLY HILL AND THE POLICE BENEVOLENT ASSOCIATION TO RE-ESTABLISH THE POSITION OF POLICE CORPORAL WITHIN THE HOLLY HILL POLICE DEPARTMENT; AND AUTHORIZE THE MAYOR, CITY MANAGER, AND HUMAN RESOURCES MANAGER TO EXECUTE THE AGREEMENT.**

- Memorandum of Agreement - COHH & Coastal Police Benevolent Association (PDF)
- Job Description - Police Corporal (PDF)

# MEMORANDUM OF AGREEMENT

BY AND BETWEEN THE

CITY OF HOLLY HILL AND

THE COASTAL POLICE BENEVOLENT ASSOCIATION

This Memorandum of Agreement is entered into between the City of Holly Hill and the P.B.A. and, upon approval of the Commission of the City of Holly Hill, the position of Police Corporal will be re-established for each patrol shift.

The parties further agree as follows:

- The position of Police Corporal is hereby re-established as described in the attached job description.
- The position of Police Corporal will be designated in the City Pay Plan as "P-2" with a starting minimum salary of \$55,316.70 and a maximum of \$81,573.97. The position of Police Sergeant will therefore be changed in Pay Grade number only, to "P-3".
- The selection process will be initiated in accordance with the promotional process for sergeants outlined in the current union contract, except that no written exam will be required. The 25 points that could have been earned for the written exam will be redistributed as follows:
  - Proficiency & Experience – 25 points
  - Education – 25 points
  - Oral Board – 35 points
  - Chief's Interview – 15 points
- This memorandum shall be considered to be incorporated into the existing three year contract, October 1, 2024 – September 30, 2027.

This Memorandum of Agreement will be effective upon the latter date of signatures below, following approval of the Holly Hill City Commission.

City of Holly Hill

Coastal Police Benevolent Association

\_\_\_\_\_  
John Penny, Mayor

\_\_\_\_\_  
Mike Scudiero, P.B.A. Business Representative

\_\_\_\_\_  
Joseph Forte, City Manager

\_\_\_\_\_  
Jason Weiss, P.B.A. Representative

\_\_\_\_\_  
Jeaneen Witt, Human Resources Manager

Date: \_\_\_\_\_

Date: 01-27-2025

Attachment: Memorandum of Agreement - COHH & Coastal Police Benevolent Association (4771 : Memorandum of Agreement - COHH and



## JOB DESCRIPTION

**TITLE:** POLICE CORPORAL

**DEPARTMENT:** POLICE

**PAY GRADE:** P-2

**DIVISION :** PATROL

**FLSA:** NON-EXEMPT

### GENERAL DESCRIPTION:

The Police Corporal serves as the shift supervisory officer in the absence of a sergeant. The Corporal acts as the shift supervisory officer in the absence of a sergeant, assuming full responsibility for the management of personnel, resources, and incidents during their shift.

### ESSENTIAL JOB FUNCTIONS:

1. Performs work found in the Police Officer Job Description.
2. Assists and instructs officers in investigations and other unusual situations.
3. Explains and interprets the general and special orders.
4. Functions as Field Training Officer when so assigned.
5. Completes, receives, reviews and approves field reports.
6. Assists in the development of strategies in combating crime. Insures officers are familiar with crime problems in their assigned zones.
7. Maintains discipline of subordinates by inspection, evaluation, counseling and enforcement of departmental orders and directives.
8. Supervises and participates in general police duties, responds to calls for service of all types.

(These essential job functions are not to be construed as a complete statement of all duties performed. Employees will be required to perform other job related marginal duties as required)

### **MINIMUM QUALIFICATIONS:**

This position is subject to the City of Holly Hill's Drug and Alcohol Testing Policy which includes: pre-employment testing, post-accident testing, random testing (certain assignments), reasonable suspicion testing, return to duty testing, and follow-up testing.

Considerable knowledge of modern law enforcement principles, procedures, techniques, and equipment; considerable knowledge of applicable laws, ordinances, and department policies, rules, regulations, and general orders; knowledge of City's geography, demographics, and administration.

Ability to train, supervise, and direct subordinate personnel; ability to perform work requiring good physical conditioning; ability to communicate effectively both orally and in writing; ability to establish and maintain effective working relationships with subordinates, peers, supervisors and the general public; ability to exercise sound judgment in evaluating and responding to situations and making decisions; ability to follow and give verbal and written instructions.

Must possess a valid Florida Driver's License without record of suspension or revocation.

Ability to meet department physical standards.

The employee is required to perform rotating and static shift work including days, evenings, and nights, including weekends and holidays, including call-backs and emergency mobilizations.

Must possess the ability to operate an emergency vehicle, police radio, handgun/shotgun/rifle and other weapons as required; baton, handcuffs, chemical agents, and other modern law enforcement equipment. Extensive use of computers for dispatching, reporting and communicating is required.

Officers who have come from another agency and meet the 2-year service requirement will still have to meet the following conditions.

Officers hired after October 1, 2018, must have nothing less than "Meets Standards" in all areas on their performance evaluations for the last 2 years.

Current employees, who have at least two years of service, must receive nothing less than "Meets Standards" in all areas on their last performance evaluation.

Must complete their probationary period of 1 year with the Holly Hill Police Department.

No pending Internal Affairs Investigations at the time of application.

### **KNOWLEDGE, SKILLS AND ABILITIES:**

Knowledge of police supervisory concepts and practices, modern police methods and procedures.

- Knowledge of rules and regulations of the department.

(These essential job functions are not to be construed as a complete statement of all duties performed. Employees will be required to perform other job related marginal duties as required)

### **MINIMUM QUALIFICATIONS:**

This position is subject to the City of Holly Hill's Drug and Alcohol Testing Policy which includes: pre-employment testing, post-accident testing, random testing (certain assignments), reasonable suspicion testing, return to duty testing, and follow-up testing.

Considerable knowledge of modern law enforcement principles, procedures, techniques, and equipment; considerable knowledge of applicable laws, ordinances, and department policies, rules, regulations, and general orders; knowledge of City's geography, demographics, and administration.

Ability to train, supervise, and direct subordinate personnel; ability to perform work requiring good physical conditioning; ability to communicate effectively both orally and in writing; ability to establish and maintain effective working relationships with subordinates, peers, supervisors and the general public; ability to exercise sound judgment in evaluating and responding to situations and making decisions; ability to follow and give verbal and written instructions.

Must possess a valid Florida Driver's License without record of suspension or revocation.

Ability to meet department physical standards.

The employee is required to perform rotating and static shift work including days, evenings, and nights, including weekends and holidays, including call-backs and emergency mobilizations.

Must possess the ability to operate an emergency vehicle, police radio, handgun/shotgun/rifle and other weapons as required; baton, handcuffs, chemical agents, and other modern law enforcement equipment. Extensive use of computers for dispatching, reporting and communicating is required.

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Officers hired after October 1, 2018, must have nothing less than "Meets Standards" in all areas on their performance evaluations for the last 2 years.

Current employees, who have at least two years of service, must receive nothing less than "Meets Standards" in all areas on their last performance evaluation.

Must complete their probationary period of 1 year with the Holly Hill Police Department.

No pending Internal Affairs Investigations at the time of application.

### **KNOWLEDGE, SKILLS AND ABILITIES:**

Knowledge of police supervisory concepts and practices, modern police methods and procedures.

- Knowledge of rules and regulations of the department.



- Knowledge of Federal, State and municipal and controlling court decisions.
- Knowledge of physical and social characteristics of the City.
- Ability to plan, assign, instruct, supervise and evaluate the work of subordinates.
- Ability to analyze situations quickly and objectively to determine proper actions to be taken.
- Ability to deal courteously and fairly with the public.
- Ability to write, read and speak effectively.
- Skill in the care and use of fire arms.

### **EDUCATION AND EXPERIENCE:**

High school diploma or equivalent; and completion of the Florida CJSTC Basic Law Enforcement Training with a valid certificate; and must be a non-probationary police officer with a minimum of two (2) years of work experience as a full-time law enforcement officer. Successfully pass a promotional evaluation and selection examination.

Must successfully complete Field Training Officer Program, Interviews and Interrogations course and Crisis Intervention training prior to promotion to the rank of Corporal.

Successful completion of a Florida CJSTC approved line supervision, police management, or other department approved leadership and management training program, course, or seminar within six months of promotion.

(A comparable amount of training, education or experience can be substituted for the minimum qualifications.)

### **ESSENTIAL PHYSICAL SKILLS:**

- Endure sustained acts of physical exertion and endure periods of duty under unfavorable and life threatening situations.
- Walking, standing, running, climbing, jumping, bending, stooping
- Driving
- Acceptable hearing (without hearing aid)
- Acceptable vision (with or without correction)

### **ENVIRONMENTAL CONDITIONS:**

- Works inside
- Works outside in various weather conditions
- Hazardous and stressful conditions





**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Resolution**

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**MEETING DATE:** February 11, 2025  
**FROM:** Valerie Manning  
**SUBJECT:** A Resolution of the City of Holly Hill, Florida, Appointing Members to the Board of Planning and Appeals and Setting Forth the Term and Expiration Date for Said Members; and Providing for an Effective Date.  
**NUMBER:** 2025-R-11  
**APPLICANT:**  
**PLANNER:**

---

**DISCUSSION:**

The City of Holly Hill created a Board of Planning and Appeals for the purpose of hearing and deciding appeals in reference to Development Code Administration and to make recommendations to the City Commission in regards to ordinances, variance requests, zoning issues, the land development regulations, and to perform other related duties as defined by City Code in accordance with the Comprehensive Plan.

The Planning Board conducts public hearings as necessary for the drafting, establishment, and maintenance of the Comprehensive Plan and Land Development Code.

A board member must either be a resident of the city, either permanent or seasonal, or own a business located within the city limits, which means owning a majority (i.e. more than 50 percent) of the ownership interest of the business.

The current board members terms will expire at the end of February 2025. The following individuals have resubmitted their applications to be considered to serve on the board: Michael M. Myer, Dennis Smith, Tony Cassata and Kymberlee Nguyen.

Terms of appointed board members will serve two years. Terms will expire at the end of February 2027.

**STAFF RECOMMENDATION:**

Approve and insert the appointed names into the Resolution.

**MOTION:**

**APPROVE THE RESOLUTION APPOINTING MEMBERS TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS.**

**ATTACHMENTS:**

- Tony Cassata - BOPA Application (PDF)
- Michael Myer - BOPA Application (PDF)
- Dennis Smith - BOPA Application (PDF)
- Kymberlee Nguyen - BOPA Application (PDF)

**Resolution No. 2025-11****A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING MEMBERS TO THE BOARD OF PLANNING AND APPEALS AND SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBERS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Holly Hill created a Board of Planning and Appeals for the purpose of hearing and deciding appeals in reference to Development Code Administration, and to make recommendations to the Commission in regards to variance requests, zoning issues, the land development regulations, and to perform other related duties as defined by City Code; and

**WHEREAS**, members of said board shall not be an elected City official or City employee; and

**WHEREAS**, members of said board shall either be a resident of the City or own a business within the City; and

**WHEREAS**, the terms of office for regular members of said board shall be two (2) years.

**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 Board of Planning and Appeals:

|                                |                       |                                   |
|--------------------------------|-----------------------|-----------------------------------|
| <b><u>Dennis Smith</u></b>     | <b>Regular Member</b> | <b>Term Expires February 2027</b> |
| <b><u>Michael Myer</u></b>     | <b>Regular Member</b> | <b>Term Expires February 2027</b> |
| <b><u>Tony Cassata</u></b>     | <b>Regular Member</b> | <b>Term Expires February 2027</b> |
| <b><u>Kymberlee Nguyen</u></b> | <b>Regular Member</b> | <b>Term Expires February 2027</b> |

**SECTION 2.** That this Resolution shall take effect immediately upon its adoption.

Resolution 2025-11

Meeting of February 11, 2025

**APPROVED AND AUTHENTICATED on this 11<sup>th</sup> day of FEBRUARY,  
2025.**



### ADVISORY BOARD APPOINTMENT APPLICATION FORM

PLEASE CHECK THE APPROPRIATE BOX(ES) OF INTEREST:

☒ Board of Planning & Appeals

☐ Firefighters Pension Fund Board of Trustees

☐ Police Pension Fund Board of Trustees

Name of Applicant: Tony Cassata

Home Address: 7 Echwood Way

Phone: 386 405-6602

E-Mail Address: TonyC@BSRgames.com

Are you a registered voter within the City of Holly Hill? ☒ Yes ☐ No

Is your primary residence in the City of Holly Hill? ☐ Yes ☒ No If so, how long? \_\_\_\_\_

Do you own and/or manage a business or property in the City of Holly Hill? ☒ Yes ☐ No If so, how long? 40 yrs

Are you employed in the City of Holly Hill?

YRS  
Business/Employer Name and Address: Bob's Space Racers

Business Phone: 386 677 0761

Job Position / Occupation: \_\_\_\_\_

### EDUCATION / EXPERIENCE

List all professional degrees, licenses and certificates: \_\_\_\_\_

\_\_\_\_\_

Select ALL areas of special knowledge or expertise applicable to the board opening you are applying for from the following list:

- ☐ Banking / Finance
- ☒ Business Development
- ☒ Building / Construction
- ☒ Promotion Marketing
- ☐ Real Estate / Development
- ☒ Manufacturing / Industrial
- ☐ Industrial Training
- ☐ Landscaping
- ☐ Law / Contract Administration
- ☐ Operations of City Government
- ☐ Engineering
- ☐ Other

HOLLY HILL RECEIVED

DEC 18 2024

CITY CLERK DEPT.

*Valerie Manning*

Attachment: Tony Cassata - BOPA Application (2025-R-11 : Board of Planning and Appeals Appointments)

How does your knowledge, skills ability or expertise pertain to the board position you are applying for?

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Additional information Civic Activities, memberships, etc. \_\_\_\_\_

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Why are you interested in serving on a City board? \_\_\_\_\_

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Have you attended one or more meetings of the board you are applying for? ☒ Yes ☐ No

Do you currently serve or have you ever served on a board in Holly Hill or any other government or private board?

☒ Yes ☐ No If so, which board?

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How many years have you served on that board? \_\_\_\_\_

If this is a request for reappointment, how long have you served on this board? \_\_\_\_\_

Other information you would like to provide:

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#### PROFESSIONAL DRESS CODE POLICY

The City of Holly Hill expects board members to dress appropriately in business casual attire during all board meetings. Customers/Applicants make decisions about the quality of doing business with the City of Holly Hill and the services they receive based on their interaction with you as a board member.

*Jeans, t-shirts, shirts without collars and footwear such as flip flops, sneakers, and sandals are NOT appropriate for business casual attire*

I hereby acknowledge, in conjunction with the Board membership, that I understand the responsibilities and dress code policy associated with being a Board member and that I have adequate time to serve the City as a Board member. I will become familiar with and abide by the Florida Sunshine Law and I understand that all my comments as a Board member are a matter of public record. If applying for membership to a Pension Board or the Board of Planning and Appeals, I understand that I must file a *FORM 1 Statement of Financial Interest* disclosure each year and that filing late may result in a fine. My board application will be kept on file with the City Clerk for a period of two years from the date of submission.

Date: 12/18/24

Signature: \_\_\_\_\_



REVISED – October 2020



## ADVISORY BOARD APPOINTMENT APPLICATION FORM

PLEASE CHECK THE APPROPRIATE BOX(ES) OF INTEREST:

☒ Board of Planning & Appeals

☐ Firefighters Pension Fund Board of Trustees

☐ Police Pension Fund Board of Trustees

Name of Applicant: Michael M. Myer  
 Home Address: 1702 Buena Vista Ave. MH 32117  
 Phone: 386 405-6358  
 E-Mail Address: mmyer4006@gmail.com

Are you a registered voter within the City of Holly Hill? ☒ Yes ☐ No

Is your primary residence in the City of Holly Hill? ☒ Yes ☐ No If so, how long? \_\_\_\_\_

Do you own and/or manage a business or property in the City of Holly Hill? ☒ Yes ☐ No If so, how long? 49 years

Are you employed in the City of Holly Hill? Yes

Business/Employer Name and Address: Myer Land Surveying, Inc.

Business Phone: 316 Ridgewood Ave. MH 32117 386 405-6358

Job Position / Occupation: Professional Land Surveyor

### EDUCATION / EXPERIENCE

List all professional degrees, licenses and certificates: Bachelor of Land  
Surveying UoF - FL Professional  
Surveyor & Mapper

Select ALL areas of special knowledge or expertise applicable to the board opening you are applying for from the following list:

- ☐ Banking / Finance
- ☒ Business Development
- ☒ Building / Construction
- ☐ Promotion Marketing
- ☒ Real Estate / Development
- ☐ Manufacturing / Industrial
- ☐ Industrial Training
- ☐ Landscaping
- ☐ Law / Contract Administration
- ☐ Operations of City Government
- ☒ Engineering
- ☒ Other

HOLLY HILL RECEIVED

DEC 16 2024

CITY CLERK DEPT.

*Valerie Manning*

How does your knowledge, skills ability or expertise pertain to the board position you are applying for?

An expert in permitting, variances  
Future Land Use, Comprehensive plan  
Flood Zones & FEMA related data

Additional information Civic Activities, memberships, etc.

YMCA employee  
as a Martial Arts Instructor for  
31 years

Why are you interested in serving on a City board?

I have served on  
this board for approximately 20 years.

Have you attended one or more meetings of the board you are applying for? ☒ Yes ☐ No

Do you currently serve or have you ever served on a board in Holly Hill or any other government or private board?

☒ Yes ☐ No. If so, which board?

BOPA

How many years have you served on that board? 20 yrs

If this is a request for reappointment, how long have you served on this board? 20 yrs

Other information you would like to provide:

#### PROFESSIONAL DRESS CODE POLICY

The City of Holly Hill expects board members to dress appropriately in business casual attire during all board meetings. Customers/Applicants make decisions about the quality of doing business with the City of Holly Hill and the services they receive based on their interaction with you as a board member.

*Jeans, t-shirts, shirts without collars and footwear such as flip flops, sneakers, and sandals are NOT appropriate for business casual attire*

I hereby acknowledge, in conjunction with the Board membership, that I understand the responsibilities and dress code policy associated with being a Board member and that I have adequate time to serve the City as a Board member. I will become familiar with and abide by the Florida Sunshine Law and I understand that all my comments as a Board member are a matter of public record. If applying for membership to a Pension Board or the Board of Planning and Appeals, I understand that I must file a *FORM 1 Statement of Financial Interest* disclosure each year and that filing late may result in a fine. My board application will be kept on file with the City Clerk for a period of two years from the date of submission.

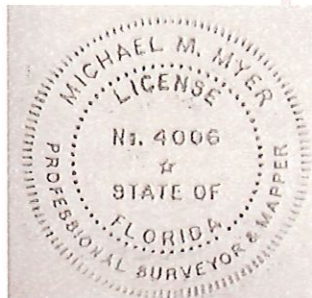
Date:

12/16/24

Signature:

Michael M. Myer

REVISED -- October 2020



Digitally signed  
by Michael M.  
Myer

Date:

2024.12.16

16:05:46 -05'00'



### ADVISORY BOARD APPOINTMENT APPLICATION FORM

PLEASE CHECK THE APPROPRIATE BOX(ES) OF INTEREST:

- ☒ Board of Planning & Appeals ☐ Firefighters Pension Fund Board of Trustees  
☐ Police Pension Fund Board of Trustees

Name of Applicant: Dennis Smith  
 Home Address: 107 7th Street Holly Hill  
 Phone: 845.499.4075  
 E-Mail Address: dsfdny@hotmail.com

Are you a registered voter within the City of Holly Hill? ☒ Yes ☐ No

Is your primary residence in the City of Holly Hill? ☒ Yes ☐ No If so, how long? \_\_\_\_\_

Do you own and/or manage a business or property in the City of Holly Hill? ☒ Yes ☐ No If so, how long? 8 YRS

Are you employed in the City of Holly Hill? NO

Business/Employer Name and Address: mighty mite construction of nj inc  
107 7th st  
 Business Phone: 732.540.2815  
 Job Position / Occupation: owner

#### EDUCATION / EXPERIENCE

List all professional degrees, licenses and certificates: state certified Residential & Building Contractor

Select ALL areas of special knowledge or expertise applicable to the board opening you are applying for from the following list:

- ☐ Banking / Finance  
☐ Business Development  
☒ Building / Construction  
☐ Promotion Marketing  
☐ Real Estate / Development  
☐ Manufacturing / Industrial  
☐ Industrial Training  
☐ Landscaping  
☐ Law / Contract Administration  
☐ Operations of City Government  
☐ Engineering  
☐ Other

HOLLY HILL RECEIVED

DEC 17 2024

CITY CLERK DEPT.

*Valerie Manning*

Attachment: Dennis Smith - BOPA Application (2025-R-11 : Board of Planning and Appeals Appointments)

How does your knowledge, skills, ability or expertise pertain to the board position you are applying for?

Over 37 years of experience in  
construction & contracting

Additional information Civic Activities, memberships, etc.

Retired Firefighter

Why are you interested in serving on a City board?

for extending my  
time on the board

Have you attended one or more meetings of the board you are applying for? ☒ Yes ☐ No

Do you currently serve or have you ever served on a board in Holly Hill or any other government or private board?

☒ Yes ☐ No If so, which board?

BOPA

How many years have you served on that board?

4

If this is a request for reappointment, how long have you served on this board?

4

Other information you would like to provide:

#### PROFESSIONAL DRESS CODE POLICY

The City of Holly Hill expects board members to dress appropriately in business casual attire during all board meetings. Customers/Applicants make decisions about the quality of doing business with the City of Holly Hill and the services they receive based on their interaction with you as a board member.

*Jeans, t-shirts, shirts without collars and footwear such as flip flops, sneakers, and sandals are NOT appropriate for business casual attire*

I hereby acknowledge, in conjunction with the Board membership, that I understand the responsibilities and dress code policy associated with being a Board member and that I have adequate time to serve the City as a Board member. I will become familiar with and abide by the Florida Sunshine Law and I understand that all my comments as a Board member are a matter of public record. If applying for membership to a Pension Board or the Board of Planning and Appeals, I understand that I must file a *FORM 1 Statement of Financial Interest* disclosure each year and that filing late may result in a fine. My board application will be kept on file with the City Clerk for a period of two years from the date of submission.

Date:

12/17/24

Signature:



REVISED – October 2020



## **ADVISORY BOARD APPOINTMENT APPLICATION FORM**

PLEASE CHECK THE APPROPRIATE BOX(ES) OF INTEREST:

- |                                                                 |                                                                                                                                        |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Board of Planning & Appeals | <input type="checkbox"/> Firefighters Pension Fund Board of Trustees<br><input type="checkbox"/> Police Pension Fund Board of Trustees |
|-----------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|

Kymberlee Nguyen

Name of Applicant: 142 2nd St Holly Hill FL 32117

Home Address: 3862810352

Phone: kymberleesells@gmail.com

E-Mail Address: \_\_\_\_\_

Are you a registered voter within the City of Holly Hill? ☒ Yes ☐ No

Is your primary residence in the City of Holly Hill? ☒ Yes ☐ No If so, how long? \_\_\_\_\_

Do you own and/or manage a business or property in the City of Holly Hill? ☒ Yes ☐ No If so, how long? \_\_\_\_\_

Are you employed in the City of Holly Hill? NO

Business/Employer Name and Address: Salty Dog Vacations - 1426 S Atlantic Av  
Daytona Beach FL 32117  
3862810352

Business Phone: \_\_\_\_\_  
Finance

Job Position / Occupation: \_\_\_\_\_

### **EDUCATION / EXPERIENCE**

List all professional degrees, licenses and certificates: \_\_\_\_\_  
Real  
Estate  
License

Select **ALL** areas of special knowledge or expertise applicable to the board opening you are applying for from the following list:

- ☒ Banking / Finance
- ☒ Business Development
- ☐ Building / Construction
- ☒ Promotion Marketing
- ☐ Real Estate / Development
- ☐ Manufacturing / Industrial
- ☐ Industrial Training
- ☐ Landscaping
- ☐ Law / Contract Administration
- ☐ Operations of City Government
- ☐ Engineering
- ☐ Other

How does your knowledge, skills ability or expertise pertain to the board position you are applying for?

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Additional information Civic Activities, memberships, etc. Daytona Beach and Port Orange Chamber of Commerce

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Why are you interested in serving on a City board? Help to find ways to improve our city.

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Have you attended one or more meetings of the board you are applying for? ☐ Yes ☒ No

Do you currently serve or have you ever served on a board in Holly Hill or any other government or private board?

☐ Yes ☒ No If so, which board?

---

How many years have you served on that board? \_\_\_\_\_

If this is a request for reappointment, how long have you served on this board? \_\_\_\_\_

Other information you would like to provide:

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#### **PROFESSIONAL DRESS CODE POLICY**

The City of Holly Hill expects board members to dress appropriately in business casual attire during all board meetings. Customers/Applicants make decisions about the quality of doing business with the City of Holly Hill and the services they receive based on their interaction with you as a board member.

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*Kymberlee Nguyen*

1/27/2025

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**REVISED – October 2020**



STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA

City Commission  
Ordinance

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**MEETING DATE:** February 11, 2025  
**FROM:** Joseph Forte  
**SUBJECT:** FIRST READING - an Ordinance of the City of Holly Hill, Florida, Repealing Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings); Adopting a New Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings) to Adopting New Rules for Conducting City Meetings; Providing for Severability; and Providing an Effective Date.  
**NUMBER:** 2025-O-3082  
**APPLICANT:**  
**PLANNER:**

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**DISCUSSION:**

The City Commission held a work shop on January 14, 2025 to discuss enacting an Ordinance to establish a decorum policy. At the conclusion of the workshop, the City Commission, by consensus, determined it is in the best interest of the City to update the current rules for conducting public meetings, including new decorum standards for the City Commission and public participation.

Details of the Ordinance are contained in the attachment.

**FISCAL**

**ANALYSIS:**

N/A

**STAFF**

**RECOMMENDATION:**

Approve the Ordinance as submitted by staff.

**MOTION:**

**APPROVE THE ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS); ADOPTING A NEW CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS) TO ADOPTING NEW**

**RULES FOR CONDUCTING CITY MEETINGS.**

**Ordinance No. 2025-3082**

**FIRST READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS); ADOPTING A NEW CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS) TO ADOPTING NEW RULES FOR CONDUCTING CITY MEETINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REPEALING CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS); ADOPTING A NEW CHAPTER 2 (ADMINISTRATION), ARTICLE II (CITY COMMISSION), DIVISION 2 (MEETINGS) TO ADOPTING NEW RULES FOR CONDUCTING CITY MEETINGS; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission has determined it is in the best interest of the City to update the current rules for conducting public meetings, including new decorum standards for public participation.

**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 hereby repeals Chapter 2 (Administration), Article II (City Commission), Division 2 (Meetings) and adopts a new Chapter 2 (Administration, Article II (City Commission), Division 2 (Meetings) to read as follows:

**DIVISION 2. - MEETINGS**

**Sec. 2-46. - Regular meetings.**

The city commission shall regularly meet on the second and fourth Tuesday of each month, except that the mayor or acting mayor may determine to cancel or amend the date of not more than one meeting per month. Notice of the cancelled or amended meeting shall be provided to each commissioner and shall be published in the same manner that the notice of the commission meeting is published.

**Sec. 2-47. - Holding meetings, etc., other than in city hall.**

Upon motion approved by a majority of the city commission at a regularly scheduled meeting, the affairs of the city government may be conducted at a location other than city hall. Such location, together with the time of the meeting shall be contained in the motion.

**Sec. 2-48. - Agenda.**

The tentative agenda shall be prepared with explanatory information where necessary and forwarded to the commissioner by the preceding Friday. No agenda shall be necessary for special meetings.

**Sec. 2-49. - Order of business.**

The conduct of business shall be based upon the agenda created and scheduled for the regular commission meeting being held.

**Sec. 2-50. - General rules of procedure.**

- (a) Except as otherwise provided in this division, Robert's Rules of Order, Newly Revised, shall govern all meetings.
- (b) A decision of the commission shall be made by a majority vote or as otherwise specified in the Charter or state law.
- (c) After voting has begun, a commissioner does not have the right to the floor.
- (d) Resolutions may be adopted when first presented by a majority vote. However, upon motion made to postpone consideration of the resolution, the chair shall call

for an immediate vote as to such postponement and, if carried by a majority of those present, vote on the resolution shall then be delayed until the next regularly scheduled meeting. Upon such motion to postpone, debate shall be limited only to the propriety of such postponement.

- (e) The meeting is adjourned only after declared by the mayor who acts as chairman or whoever acts in his absence as provided by the Charter.

**Sec. 2-51. - Authority of mayor or person acting as mayor.**

The mayor, or the person acting in his/her absence as provided by the Charter at commission meetings (presiding officer) shall:

- ( ) Preside at all meetings of the City Commission. In the absence of the Mayor, the Vice Mayor shall preside. The Mayor may call the Vice Mayor member to temporarily chair the meeting to make a motion, or to cover a temporary absence, such substitution is not to continue beyond adjournment.
- ( ) Call the meetings of the City Commission to order, recessed and adjourned.
- ( ) Preserve order and enforce the rules of decorum and conduct set forth herein.
- ( ) Determine all points of order, subject to the right of any Commission member to appeal to the City Commission. If any appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority of the Commission sitting and eligible to vote is required to reverse the ruling of the presiding officer.
- (e) Call a member to order if his/her remarks are not relevant to the subject under discussion, or for lack of decorum.
- (f) Not abstain from voting, unless required by law.

- (g) Have the right to discuss a motion as any other commissioner without relinquishing the chair.
- (h) Have the right to make a motion or second a motion after relinquishing the chair.
- (i) Have the right to call for a reading of the motion after discussion but before voting.
- (j) Upon a tie vote, rule the motion is lost.
- (k) Recognize commissioners in the order of their request to speak except the maker of the motion may be the first speaker.
- (l) Have the right to call a recess for a definite period if no objection is raised. If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is not debatable but is amendable as to time.
- (m) Have the right to refer the subject to the next regular meeting if no objection is raised. If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is debatable and amendable.
- (n) If no motion is pending, may ask, "Is there any further business?" Hearing no response, the chair may then state, "Since there is no further business, the meeting is adjourned." If there is objection, he is obliged to call for a motion which must be seconded to determine the result by a majority vote. This is not debatable nor amendable.
- (o) Have the right, if no motion is pending upon an uncompleted agenda, to call an "adjourned meeting", call for a specific time and date before or on the next regular meeting. This is not debatable but is amendable as to time.

- (p) In matters concerning the city's operation, shall deal only through the city manager or in his absence, the assistant city manager.
- (q) Have the right to continue a regular or special called commission meeting for good reason to a specific time and date.

**Sec. 2-52. - Conduct of commissioners.**

The following provisions shall govern the conduct of a commissioner:

- (a) Shall not abstain from voting, unless required by law.
- (b) He/she may, only after recognition by the chair, introduce motions, discuss subjects and vote.
- (c) He/she may request to consider a subject informally if no objection. If there is objection, he/she is obliged to put a motion which must be seconded to determine the result by a majority vote. This is debatable but not amendable.
- (d) Each commissioner is limited to five minutes' discussion on each subject. This time limitation may be automatically extended if no objection. If objection is made, motion to extend time must be seconded and approved by a majority vote. This is amendable but not debatable.
- (e) He/she may appeal from a decision of the chair without a second. This is debatable if the question was debatable, is not amendable and is decided by a majority vote.
- (f) He/she may move to recess, stating a definite time. This takes a second and is decided by a majority vote. It is not debatable but the time is amendable.
- (g) He/she may move to refer the subject to the next regular meeting. This is seconded, decided by a majority vote, is debatable and amendable.

- (h) If no motion is pending, he/she may move to adjourn. Upon the incompleteness of the agenda, an adjourned meeting may be "moved" by specifying time and date before or on the date of the next regular meeting. These motions are seconded and decided by a majority vote. They are not debatable but are amendable as to time.
- (i) In matters concerning the city's operation, he/she shall deal only through city manager or in his absence, the assistant city manager.

**Sec. 2-53. - Penalty for absence from meetings.**

Absence from three consecutive regular meetings of the city commission shall operate to vacate the seat of a commissioner, unless a leave of absence is first granted by the city commission or such absence is excused by the city commission after the fact.

**Secs. 2-54.- Local Rules.**

The following Local Rules of Procedure ("Local Rules") shall be applicable to the City Commission and the conduct of City business, as well as preparation and publication of agendas of the City Commission of the City of Holly Hill, Florida. To the extent these Local Rules shall modify or conflict with the standard "Robert's Rules of Order" as adopted above, these Local Rules shall prevail to the extent of their conflict or inconsistency with "Robert's Rules of Order".

- (a) Regular meetings of the City Commission shall typically be held on the second and fourth Tuesdays of each month, with exceptions due to conflicts such as holidays and School Board meeting night when the millage is discussed. These meeting dates and times are subject to change as determined necessary by the City Commission or to comply with the City's Charter. There shall be no regular City Commission meeting on the date of a Holly Hill municipal election. A meeting that would otherwise have been scheduled for such date shall be held on the Wednesday immediately following the election at 6:00 p.m.

- (b) Workshops of the City Commission shall be held as needed at such time and place as set by the Mayor or the City Manager. Every effort shall be made to avoid the scheduling of workshops in the months of November and December. Workshops may also be scheduled at other times as determined necessary by the City Commission, Mayor or the City Manager.
- (c) All regular City Commission meetings shall be held in the City Commission Chambers at City Hall unless otherwise designated by the City Commission. All City Commission workshops shall typically be held in the Second Floor Conference Room or the Commission Chambers at City Hall, as determined by the City Manager.
- (d) There may also be special meetings or workshops at such other times designated in advance by the Mayor for the purposes of holding joint meetings with City boards, commissions, etc., to include receiving annual reports and presentations from the City's boards, committees, agencies and authorities, or for such other purposes as may be deemed necessary or desirable by the Mayor.
- (e) Special meetings shall be called at the request of the Mayor.
- (f) Ex-Parte Communication and Quasi-Judicial Proceedings shall be governed by applicable federal and state law.
- (g) To the extent compatible with the conduct of business, all workshops shall be held on an informal basis. The applicability of the City's general rules shall not be strictly applied. Presentations made at workshop meetings shall be limited to twenty (20) minutes, unless the Commission, by consensus, agrees to extend the time.

- (h) The City Manager shall be responsible for the organization and placement of items on the City Commission Agenda; however, the Agenda and Agenda packets shall be prepared by the City Clerk.
- (i) With regard to the agenda for regular City Commission meetings, the following shall apply:
- (1) To the extent possible, the City Administration shall group all matters by subject area and shall place as many items as possible on the consent portion of the agenda. Those items of a controversial nature or those that need an explanation shall not be placed on the Consent Agenda.
- (2) The Consent Agenda shall be considered by the Commission only after the public has had an opportunity to comment on the items included. Should a Commission member need further discussion to occur on a Consent Agenda Item, he/she may request for the item to be pulled and discussed separately. Those items pulled shall be discussed immediately following the Consent Agenda approval with an opportunity for the public to comment before the City Commission takes action.
- (j) Any items received during the public participation (non-agenda) portion of the agenda may, at the discretion of the Commission, be discussed and/or voted on by the City Commission at the time of such presentation, may be directed to the City Manager for action or resolution by the Commission or may be added to a subsequent meeting or workshop agenda if a member of the City Commission so specifically requests.
- (k) Any member of the commission may request a Roll Call for any item. The commission must vote on the request for a Roll Call vote and if approved, the Roll Call votes shall be called in the order of the commissioner making the motion followed by the

commissioner making the second followed by the commissioners remaining in District order, followed by the Mayor voting last.

(l) Once a motion has been made, seconded, and voted upon, it is final, except that the Commission may reconsider that matter at the same meeting at which the motion was voted upon or the immediate subsequent meeting, the Commission member requesting reconsideration shall notify the City Clerk in advance of the meeting at which the reconsideration shall take place and provide the reasons for requesting reconsideration to allow the City Clerk to include the request as part of the meeting agenda and properly notice the item to be reconsidered. The City Clerk shall consult with the City Attorney's Office to determine the sufficiency of notice to interested parties. To reconsider a final vote of the City Commission, a motion to reconsider shall be made by a member of the Commission that voted on the prevailing side. The City Commission shall establish for the public record the reasons that a reconsideration of the final vote was warranted.

(m) A motion made by a Commission member to approve an item on the agenda or the consent agenda by reference to the agenda item number and/or the title of the agenda item shall automatically incorporate staff's recommended motion (as set forth in the agenda packet) unless a clear indication to the contrary is made on the record.

(n) The City Commission of the City of Holly Hill is committed to maintaining civility in public and political discourse and encourages the public to do the same. All comments by members of the City Commission, advisory board members, City staff/consultants and/or the public shall avoid the use of language that is obscene or is likely to produce imminent lawless action.

(o) Cell phone ringers shall be disabled while a meeting or workshop is in progress.

**Sec. 2-55. – Public Participation.**

The City of Holly Hill recognizes the statutorily created right of the public to be heard on propositions in front of City Commission as set forth in Section 286.0114, Florida Statutes, and is committed to democratic, participatory local government. The following rules, guidelines, and procedures are intended to promote orderly conduct and defined methods for participation. The presiding officer shall have the authority to enforce these rules and may request the removal of any individual who has been warned of and persists with prohibited conduct.

(a) General Rule

(1) Members of the public shall be given a reasonable opportunity to be heard on a proposition before City Commission, subject to the rules, guidelines, and procedures set forth herein. The opportunity to be heard need not occur at the same meeting at which City Commission takes official action on the proposition if the opportunity occurs at a meeting that is during the decision-making process and is within reasonable proximity in time before the meeting at which City Commission takes the official action.

(2) All public comments, whether regarding an agenda item or a non-agenda item, shall be pertinent to the City or City business.

(3) Public participation is not required under the following circumstances:

(i) An official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, and public participation would cause an unreasonable delay in the ability of the City Commission to act;

(ii) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;

(iii) A meeting that is exempt from s. 286.011, Florida Statutes; or

(iv) A meeting during which the board or commission is acting in a quasi-judicial capacity, unless otherwise provided by law.

(b) Meeting Decorum and Conduct:

(1) Individuals may only make comments from the podium, or such other reasonable accommodation, after being recognized by the presiding officer.

(2) Prior to commenting, individuals are asked to clearly state their name and city of residence for the record in order to preserve an accurate public record reflected in the meeting minutes for future reference.

(3) All comments shall be directed to the presiding officer.

(4) Repetitive, redundant, or immaterial presentations or requests by the same presenter, may be limited, and shall not resume unless authorized by a majority vote of the City Commission.

(5) Comments shall be limited to the allotted times set forth herein, but additional comments may be submitted in writing to supplement and fully address any issue. The presiding officer shall have the discretion to provide additional time for a representative who can produce supporting documentation or evidence that he or she is authorized to speak on behalf of a group or faction comprised of five or more members of the public.

(6) Individuals attending a City Commission meeting may choose to either hold a sign or place a sign along the rear wall of Commission Chambers. Signs shall not be placed or held in any manner which obstructs the view of other audience members or obstructs access to or from Commission Chambers. Signs shall not be waived or lighted in any manner that causes distraction to the Commission members or members of the audience during a City Commission meeting or workshop. Signs shall not be affixed to the walls or other surfaces within the meeting room.

(7) It is unlawful for any individual to willfully and maliciously interrupt or disturb a meeting of the City Commission. An interruption or disturbance includes but is not

limited to speaking when not recognized by the presiding officer, making comments that are not relevant to or related to the issue being discussed. Anyone who causes such a disturbance or interruption, after two (2) warnings have been given by the presiding officer, shall be ordered to leave the meeting and the building. If the individual refuses to leave, the presiding officer shall recess the meeting and direct the City Manager to request the individual be escorted out by a law enforcement officer and in either situation may not return during the same meeting.

(c) Procedures and Guidelines for Public Participation:

(1) Public Participation - Non-Agenda

(i) Each individual shall be afforded no more than

three (3)

(ii) If an item brought forward under Public Participation - Non Agenda requires a longer presentation by the presenter or shall require staff research of materials, the item may be scheduled for a future City Commission meeting under Public Participation - Agenda if a member of City Commission so specifically requests.

(2) Public Participation – Agenda

(i) The City Commission shall reserve a section of the agenda dedicated to hearing Public Participation items requiring more than three (3) minutes to fully address.

- A. Presentation by requestor
- B. Questions of the requestor by City Commission
- C. Presentation by City staff, if necessary
- D. Questions of City staff by City Commission
- E. Public comments, if any action is to be taken by City Commission
- F. Take action or provide direction, if necessary

(iii) The requester and City staff shall each be given 10 minutes to address the agenda item, unless extended by the majority vote of Commission. Presentations shall be clear, concise, and to the point. Presentation materials shall be provided to the City Clerk at least 48 hours prior to the meeting date. The City Clerk shall upload the presentation materials to the computer in Commission Chambers. If action is to be taken by City Commission, the public shall be afforded no more than three (3) minutes each to speak.

(d) Public Hearings, Regular Agenda, and Consent Agenda Items

(i) Members of the public shall be given an opportunity to be heard on public hearing items and regular agenda items once the applicant has completed his or her presentation, the City Staff has completed its presentation on the issue, and interested parties, if any, have completed their presentation; and before a decision has been made by City Commission.

(ii) Applicant(s) and City Staff shall have as much time as necessary to make their presentation before the City Commission. Each member of the public shall have no more than three (3) minutes to be heard once recognized by the presiding officer.

(e) Submission of Petitions

(i) Petitions may be presented to the Commission during public participation at a meeting or by mailing or hand-delivering to the City Clerk.

(ii) If the petition is presented at a meeting, the presenter shall present the petition to the presiding officer through the City Clerk along with a brief overview of the reason for the petition. Such presentation shall be limited to three (3) minutes.

(iii) If the petition is sent by mail or hand-delivered to the City Clerk, the petition shall provide the reason for the petition. Upon receipt of the petition, the City Clerk shall

place the item on the agenda with a copy of the petition for the next available meeting for discussion.

**Sec. 2-56 – OPENING INVOCATION.**

It shall be the policy of the City Commission that the procedures stated in this rule concerning opening invocation shall govern all official meetings of the City Commission and that the members of the City Commission and City staff shall adhere to these rules. These policies and procedures are not intended, shall not be implemented, and shall not be construed in any way to affiliate the City Commission or the City with, nor express a preference for or against any faith, belief, opinion, religion, or denomination. Rather, these policies and procedures are intended to acknowledge and express the City Commission respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the City.

(a) After the Call to Order of all official meetings of the City Commission an Opening Invocation as described herein shall occur. The opening invocation shall occur and be completed during the opening, ceremonial portion of the City Commission meeting and shall in no event occur, or be construed to occur, during the policymaking or legislative portions of the City Commission meeting. If the city commissioner or selected speaker is absent or unable to provide the invocation, the invocation shall consist of a brief moment of silence.

(b) A member of the public wishing to offer an innovation at an official meeting may contact the City Clerk two weeks in advance. The City Clerk shall notify the assigned commission and request the commissioner yield their invocation to the guest.

(c) No member of the City Commission, City employee or staff shall engage in any prior inquiry, review, or involvement in, the content of any invocation to be offered by an invocation speaker.

(d) No member of the City Commission, City employee or staff, or any other person in

attendance at the meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the City Commission Chambers and return upon completion of the opening invocation is afforded to those who do not wish to participate or witness the

opening invocation. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances.

(e) The following statement shall be placed at the bottom of City Commission meeting agendas:

*Any invocation that is offered before the official start of the City Commission meeting shall be the voluntary offering of a member of the City Commission or a private person, to and for the benefit of the City Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Commission or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Commission meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Commission Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.*

**Sec. 2-57. - CITY BOARD, COMMITTEE, COMMISSION AND AGENDA APPOINTMENTS.**

All appointments to city boards, commissions, and committees whose members are not

subject to appointment by other entities, and in accordance with any applicable restrictions by State Statute, shall be made in accordance with the following procedures:

(a) All vacancies subject to appointment to such city boards, commissions, and committees shall be made on a nomination basis by a member of the City Commission. This nomination shall be construed to be a Motion to Appoint. When more than one nominee has been identified for a single vacancy, voting may be conducted by written ballot which shall include the name of the Commission member and the name of the nominee. Written ballots shall be read aloud into the record.

(b) Volunteer applications for City boards, commissions, and committees shall be established and maintained by the City Clerk's office.

(c) Appointments for vacancies occurring on a board wherein the particular member has, for whatever reason, not fulfilled their entire term of membership on that particular board, commission, or committee, shall be to complete the unexpired term only, unless the unexpired term is for a period of time less than six (6) months. In that event, the appointed member shall then be allowed to serve the following full regular term without reappointment.

#### **Sec. 2-58 - CEREMONIAL GUIDELINES**

(a) *Certificates of Achievement* are ceremonial documents that recognize an individual's service or extraordinary achievement. They do not have any legislative value.

(b) Prepared on appropriate paper that includes a watermark of the City Seal in the background, along with the *who* and *what* (the achievement) as supplied by the requestor and shall be signed by the Mayor.

(c) *Proclamations* are official City related announcements and/or public declarations issued by the Mayor. They are ceremonial in nature and do not have any legislative value. The Mayor is authorized to sign a request for a Proclamation at the Mayor discretion. A member of

the public or City Commission may make a request for a Proclamation during a City Commission meeting.

(d) Proclamations will be prepared on 8 ½ x 11 paper, be enclosed in a certificate holder, and include the following:

(i) *Whereas* clauses providing information that basically describe the five W's (who, what, when, where, and why)

(ii) *A Now, Therefore Be It Resolved* clause  
proclaiming a specific event

(iii) An execution date representing the date the  
Mayor signed the document or the date of the event

(iv) Signature of the Mayor

(v) City Seal

(e) These ceremonial declarations are issued for the following reasons:

(i) Recognition of action or service above and beyond the call of duty,

(ii) Recognition of extraordinary achievement,

(iii) Supporting actions that improve the quality of life of the Holly Hill community, or

(iv) To raise public awareness of issues that directly affect the Holly Hill community.

(f) Request Process

(i) A request for a Proclamation or Certificate of Achievement should be submitted to the City Clerk's Office at least ten (10) business days prior to the event, along with a

sample proclamation. Individuals/organizations are encouraged to submit their request as early as possible. Applications received after the deadline will be prepared based upon staff availability. Requesters shall be advised when issuance cannot occur by the event date.

(g) The City Clerk, or his/her designee, shall initially review all requests for Proclamations and forward to the City Manager for final approval. The City Manager can seek concurrence from the Mayor if there are concerns.

(h) Receipt of Final Document

(i) Individuals/organizations have several options for receiving the finalized document with the approval of the Mayor.

A. Proclamation/Certificate can be picked up from the City Clerk's Office/City Hall.

B. Presentation can occur prior to the start of any City Commission meeting/workshop.

C. Presentation can occur at a regularly scheduled Commission meeting, which may require additional information for agenda purposes.

D. Presentation can occur at an event sponsored by the individual/organization subject to the availability of the Mayor or a City Commission member.

(ii) Coordination shall be handled by the City Clerk's Office.

**SECTION 2.** 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 3.** That all ordinances made in conflict with this Ordinance are hereby repealed.

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

**APPROVED AND AUTHENTICATED on this 11<sup>th</sup> day of FEBRUARY, 2025 for first reading.**



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Agenda Item**

6.3

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**MEETING DATE:** February 11, 2025  
**FROM:** Joseph Forte  
**SUBJECT:** Request for Code Enforcement Lien Reduction - 1885 Nova Road  
**NUMBER:** (ID # 4775)  
**APPLICANT:**  
**PLANNER:**

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**DISCUSSION:**

The City has received a request for a Reduction of a Code Enforcement Lien that has been placed on the property located at 1885 N. Nova Road. The property is currently owned by Daytona Beach EXP CW LLC ( SATYEM PATEL)

This is the property that used to have a Snow Cone business. Over the years the property had fallen into disrepair. In 2022, Elevate Acquisitions, LLC purchased this property along with the property located at 1117 Flomich Ave. adjacent to 1885 N. Nova Road, with an assignment agreement to transfer the property to BDG, LLC who sold the property with the intent of constructing a modern car wash. During the acquisition period, a lien reduction was granted for the property at 1117 Flomich Avenue while taking into consideration the overall development of both parcels.

The developer made a decision not to build the car wash and over time the property at 1885 N. Nova in addition to the property at 1117 N. Nova fell further into disrepair. On December 8, 2023, the Special Master reached a Finding of Fact and Conclusion of Law identifying several code violations on the Nova Road property. The property remained in this condition under the owners brought the property into compliance in May 2024.

The property is currently in a due diligence period with a prospective buyer and the seller, Daytona Beach EXP CW LLC is requesting consideration for a lien reduction on the property at 1885 N. Nova Road. The property is in compliance but has accumulated \$137,000.00 in fines. In lieu of the typical reduction to 10% of the original lien plus admin fees, the City Manager has negotiated a lien reduction to \$20,000.00, which is nearly 15% of the original lien without additional admin fees.

Mr. Patel is in agreement with this recommendation and supports the City Commission approving this lien reduction.

The entire code case is attached for reference.

**FISCAL ANALYSIS:**

City negotiated with the owners an all-inclusive reduction in the lien to **\$20,000.00.**

**STAFF RECOMMENDATION:**

Reduce the lien from \$137,000.00 to \$20,000.00.

**COMMISSION GOAL:**

**Goal #2:** Enhance City aesthetics through beautification and maintenance of city property and public rights of way, consistent enforcement of zoning and property maintenance codes, and development of reasonable design standards and a corresponding process which is applicable to all new developments and business improvements in the city.

**MOTION:**

To reduce the lien to an administrative fee in the amount of \$20,000.00 payable no later than March 11, 2025. Failure to pay the reduced lien amount by March 11, 2025 will result in the city filing for collection of the full lien amount of \$137,000.00.

- 1885 N. Nova (PDF)

Return To:

Name: Brian M. Walker, Community Development Director

Address: 1065 Ridgewood Ave

Holly Hill, FL 32117-2807

This instrument Prepared by:

Name: Kyle Mahanes

Address: 1065 Ridgewood Ave

Holly Hill, FL 32117-2807

Property Appraisers Parcel ID Number(s): 424231010010

## Claim of Lien

### State of Florida, County of Volusia

Before me, the undersigned Notary Public, personally appeared Brian M. Walker, Community Development Director  
Who was duly sworn and says he/she is the lienor herein.

### City of Holly Hill

whose address is 1065 Ridgewood Ave, Holly Hill, Florida 32117

Respondent ordered to pay fines, fees and cost as follows:

Special Magistrate Administrative Hearing Fine of \$250.00 ordered on December 8<sup>th</sup>, 2023, which remains unpaid as of February 28, 2024  
Case #23-4635 / CEC2023-000089

Fines of \$1000.00 per day (\$100 per day, per violation, 10 violations) commencing on December 29<sup>th</sup>, 2023.

on the following described real property in Volusia County, Florida:

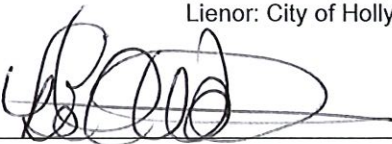
LOT 1 & W 10 FT OF LOT 2 & LOT 32 BLK 1 LARSEN SUB MB 11 PG  
252 EXC PART IN NOVA RD & IN FLOMICH AVE PER OR 2998 PG 230  
& 231 & EXC CORN WIDNG EXTENDED ONTO NOVA RD & FLOMICH AVE P

1885 N. Nova Rd Holly Hill, FL 32117.

Owned by DAYTONA BEACH EXP CW LLC.

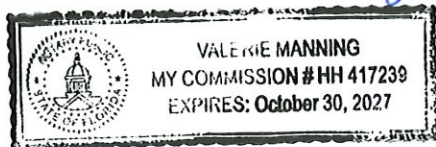
Failure to timely pay the fine and costs; will result in a certified copy of the Order, being recorded in the Public Records of Volusia County Florida, which if so recorded shall constitute a lien against the subject property; and upon any other real or personal property owned by Respondent. Respondent shall be responsible for all charges incurred to record any lien, or satisfaction of lien, with the Clerk of Court.

Lienor: City of Holly Hill

By  (Agent)

Print Name: Brian M. Walker, Community Development Director

Sworn to and subscribed before me this 28<sup>th</sup> day of February, 2024.



  
Notary Public

**CITY OF HOLLY HILL CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING  
HOLLY HILL, FLORIDA**

**City of Holly Hill, a Political  
Sub-division of the State of Florida**

**Parcel No. 424231010010  
Case No. 23-4635**

Petitioner,

-VS-

**Daytona Beach EXP CW LLC, Owner  
Respondent(s).**

**ORDER OF NON-COMPLIANCE**

The City of Holly Hill Code Enforcement Special Magistrate has heard testimony under oath at a hearing on the above styled case on the 8th of December 2023, The owner of the property Daytona Beach EXP CW LLC, was not present. Based on the evidence received, the Special Magistrate, thereupon issues its FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER as follows:

**FINDINGS OF FACT**

That Daytona Beach EXP CCW LLC owner and Respondents of the property located at 1885 N. Nova Road, Holly Hill, Florida 32117 were issued a Notice to Appear and property was posted on 11/20/2023 for the following violations:

26-61 (1) Sanitary Grass. Mow and maintain property.

26-61 (2) Sanitary Trash. Clean your property.

26-61 (3) Sanitary Vermin. Maintain your property.

26-61 (4) Sanitary (dilapidated). Demolish the dilapidated deteriorating structure on this property.

IPMC 111.1.5 Dangerous structure. This building has sustained damage and is falling apart. It is a danger to the public health and safety.

IPMC 113.1 Demolition. Remedy this property.

IPMC 304.1 Exterior Maintenance. Demolish or repair the damaged structure on this property.

IPMC 302.3 Sidewalks and driveways. Repair the damaged and cracked pavement.

IPMC 304.13 Windows. Repair the damaged windows on this property.

IPMC 604.3 Electrical hazards. Repair the damaged electrical units on this property

At the hearing, the Code Enforcement Officer Kyle Mahanes testified and provided evidence of the above. No one appeared on behalf of the Owner at this hearing.

**CONCLUSIONS OF LAW**

That the Owners and Respondents of the property located at 1885 N Nova Road, Holly Hill, 32117 are in violation of Holly Hill Zoning and Ordinances: 26-61 (1) Sanitary Grass. Mow and maintain property, 26-61 (2) Sanitary Trash. Clean your property, 26-61 (3) Sanitary Vermin.

Maintain your property. 26-61 (4) Sanitary (dilapidated). Demolish the dilapidated deteriorating structure on this property. PMC 111.1.5 Dangerous structure. This building has sustained damage and is falling apart. It is a danger to the public health and safety. IPMC 113.1 Demolition. Remedy this property. IPMC 304.1 Exterior Maintenance. Demolish or repair the damaged structure on this property. IPMC 302.3 Sidewalks and driveways. Repair the damaged and cracked pavement. IPMC 304.13 Windows. Repair the damaged windows on this property. IPMC 604.3 Electrical hazards. Repair the damaged electrical units on this property. – Property was posted and a Notice to Appear was issued in this matter on 11/20 2023.

### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, and the authority of Chapter 162, Florida Statutes and the Holly Hill Code Enforcement Ordinance, Chapter 2 Section 2-118, it is duly ORDERED by this Special Magistrate that the Respondents shall pay an administrative fine of two hundred fifty dollars (\$250.00) due within ten (10) days of this order. If the Respondents fail to pay the administrative fine within ten (10) days, a certified copy of this order shall be recorded in the public records and such recordation shall constitute a lien against the Respondents' real (except homestead) and personal property in Volusia County, Florida, said property to include, but not necessarily limited to that described above.

The Respondents must bring the violation of 26-61 (1) Sanitary Grass, 26-61 (2) Sanitary Trash, 26-61 (3) Sanitary Vermin, 26-61 (4) Sanitary (dilapidated), PMC 111.1.5 Dangerous Structure, IPMC 113.1 Demolition, IPMC 304.1 Exterior maintenance, IPMC 302.3 Sidewalks and driveways, IPMC 304 13 Windows and IPMC 604.3 Electrical hazards into compliance within ten (10) days of this Order. Failure to comply with this deadline shall result in a daily fine, per violation. The Respondents shall be required to pay a fine of one hundred dollars (\$100.00) per day, PER VIOLATION until the property comes into compliance. Any unpaid daily accruing fines shall also be recorded as a lien on the property. Demolition of the building by the city at the owner's expense pending a ruling on same from the City Commission. Failure to pay the associated costs shall be placed as a lien upon the property. Permission for the City to enter and mow the property. Failure to pay the associated costs shall be placed as a lien upon the property.

Any repeat violations within five (5) years of this order shall result in enhanced fines and fees. The City of Holly Hill will have permission to enter the property; and have it mowed if there are repeat violations of 26-61 (1) grass.

DONE AND ORDERED this 12th day of December 2023 in Holly Hill, County of Volusia, Florida.

CITY OF HOLLY HILL  
CODE ENFORCEMENT

By,

  
John A. Pascucci, Special Magistrate

Attest: [Signature]  
Code Enforcement Official

This instrument prepared by John A Pascucci, Special Magistrate for the Code Enforcement, 1065 Ridgewood Avenue, Holly Hill, Florida 32117, Telephone number: (386) 248-9441.

STATE OF FLORIDA, VOLUSIA COUNTY

I HEREBY CERTIFY the foregoing is a true copy of the original filed in this office. This 19<sup>th</sup>, day of December, 2023.



[Signature]  
City Clerk, City of Holly Hill

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on 19<sup>th</sup> day of December, 2023 a true and accurate copy of the foregoing has been furnished by U.S. Mail to:

Daytona Beach EXP CW LLC  
1885 Nova Road  
Holly Hill, FL 32117

[Signature]  
Code Enforcement Official

### IMPORTANT NOTICE

**The Respondent must notify the Code Enforcement Officer, when this order is complied with. Until the Code Enforcement Officer verifies the property is in compliance the fine will continue to accrue. This order will be recorded in the Official Records of the Office of the Clerk of the Court in Volusia County, Florida, and such recordation shall constitute a lien against the Respondent's real and personal property in Volusia County, Florida, said property to include, but not necessarily limited to that described above (EXCEPT HOMESTEAD)**

Attachment: 1885 N. Nova (4775 : Request for Code Enforcement Lien Reduction - 1885 N Nova Road)

**The Respondent has the right to appeal whether the property is in compliance. The Respondent must file their appeal for a hearing within 20 days from the date the fine goes into effect. If the property is found to be still in non-compliance the fine will begin on the original date the fine was to go into effect. This hearing will only cover whether the property is now in compliance. It will not be a rehearing of the whole case which was previously ruled on.**

**MOTION:**

**TO REDUCE THE LIEN TO AN ADMINISTRATIVE FEE IN THE AMOUNT OF \$12,797.28 PAYABLE NO LATER THAN 5:00 PM ON FEBRUARY 28, 2022. FAILURE TO PAY THE LIEN BY THIS DATE AND TIME WILL CAUSE THE ENTIRE LIEN TO REMAIN UPON THE PROPERTY AND BE SUBJECT TO FORECLOSURE.**

- 1117 Flomich Ave. Lien Reduction Agreement (PDF)

|                  |                                                   |
|------------------|---------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                       |
| <b>MOVER:</b>    | Roy Johnson, District 4 - Commissioner            |
| <b>SECONDER:</b> | John C. Danio, District 3 - Commissioner          |
| <b>AYES:</b>     | Chris Via, John Penny, John C. Danio, Roy Johnson |
| <b>ABSENT:</b>   | Penny Currie                                      |



**STAFF REPORT  
CITY OF HOLLY HILL, FLORIDA**

**City Commission  
Agenda Item**

**MEETING DATE:** December 13, 2022  
**FROM:** Joseph Forte  
**SUBJECT:** Request for Lien Reduction - 1117 Flomich Avenue  
**NUMBER:** (ID # 3974)  
**APPLICANT:**  
**PLANNER:**

**DISCUSSION:**

The entire code enforcement file can be found in the Code Enforcement office upon request.

The property located at 1117 Flomich Avenue, Holly Hill, FL 32117, Parcel ID# 424231010020 (Property) has been in a state of disrepair and neglect despite repeated requests for improvements and code enforcement action by the City of Holly Hill (City). Elevate Acquisitions, LLC is under contract for the purchase of the property with the contract being legally assigned to BDG, LLC a Florida Limited Liability Company. (Attached)

A Purchase Agreement with a First Amendment intending the closing date now scheduled for Tuesday, December 20, 2022. (Attached)

An Order of Non-Compliance was issued on August 25, 2021 to the property owner Eddie Kent Gayhart, for violation of several International Property Maintenance Codes, IMPC. (Attached) The property is currently in compliance however, the current owner is moving forward with a request to reduce the lien therefore, the buyer(s) are making the request pending the sale of the property.

The City is willing to reduce the lien to Buyer to an amount not to exceed **\$15,000.00** and file a release of lien after payment is made to the City of Holly Hill. The City will receive payment following the closing through the title company, in the amount of **\$12,797.28** as payment for the recorded lien for the violation. Case # 21-6279.

The City hereby agrees to release all liens under the new ownership of Buyer to an amount not to exceed **\$12,797.28** and file a release of lien after payment is made but no later than February 28, 2022.

3) Buyer hereby agrees to:

- a) Acquire the Property within 30 days of the date of the last party to sign this Agreement.



### AGREEMENT

Request to Reduce Lien.  
1117 Flomich Ave.  
Holly Hill, FL 3217

**WHEREAS**, the property located at 1117 Flomich Ave. Holly Hill, FL 32117, Parcel ID# 424231010020 (Property) has been in a state of disrepair and neglect despite repeated requests for improvements and code enforcement action by the City of Holly Hill (City).

**WHEREAS**, Elevate Acquisitions, LLC is under contract for the purchase of the property with the contract being legally assigned to BDG, LLC a Florida Limited Liability Company. (Attached)

**WHEREAS**, A Purchase Agreement with a First Amendment intending the closing date now scheduled for Tuesday, December 20, 2022. (Attached)

**WHEREAS**, A Order of Non-Compliance was issued on August 25, 2021 to the property owner Eddie Kent Gayhart, for violation of several International Property Maintenance Codes, IMPC. (Attached)

**WHEREAS**, The property is currently in compliance however, the current owner is to moving forward with a request to reduce the lien therefore, the buyer(s) are making the request pending the sale of the property.

**WHEREAS**, the City is willing to reduce the lien to Buyer to an amount not to exceed \$15,000.00 and file a release of lien after payment is made to the City of Holly Hill.

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

The City will receive payment following the closing through the title company, in the amount of \$12,797.28 as payment for the recorded lien for the violation. Case # 21-6279.

The City hereby agrees to release all liens under the new ownership of Buyer to an amount not to exceed \$12,797.28 and file a release of lien after payment is made but no later than February 28, 2022.

3) Buyer hereby agrees to:

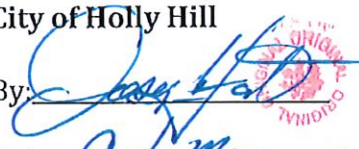
a) Acquire the Property within 30 days of the date of the last party to sign this Agreement.





- b) No later the February 28, 2023, the Buyer shall remedy any existing code violations and take other action necessary to correct the existing code violations bringing the property into full compliance.
- 4) If the Buyer fails to comply with the above requirements, the Buyer acknowledges that the City has the right to collect the remaining balance of the lien in the amount of \$122,150.00 plus Administrative costs or pursue foreclosure.
- 5) Venue for any litigation arising out of or related to this Agreement shall be in State Court, Volusia County, Florida and the parties specifically waive any Federal Court jurisdiction and agree that the State court shall have jurisdiction for all claims.

City of Holly Hill

By: 

Title: City Manager

Date: 12-14-2022

Buyer

Date

  
Christian Yepes  
BDG, LLC

12-5-22

