CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA ● FEBRUARY 14, 2017

City Commission Chamber	Regular City Commission Meeting	7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

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

CITY COMMISSION MEMBERS

Mayor
John Penny

District 1 - Commissioner
Arthur J. Byrnes

District 3 - Commissioner
John C. Danio

District 2 - Commissioner
Penny Currie

District 4 - Commissioner
Chris Via

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

A. Roll Call
B. Invocation
C. Pledge of Allegiance to the Flag

2. PRESENTATION

1. Proclamation - Life Saving Efforts

   (Requested by Valerie Manning, City Clerk)

3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA

1. Resolution 2017-R-12 A Resolution of the Community Redevelopment Agency (CRA) of the City of Holly Hill, Florida, Amending the Purchase and Sale Agreement and the Incentive Agreement with Fountainhead, LLC; Extending the Deadline for Final Approval of the MPUD Rezoning by the City Commission to March 15, 2017; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Valerie Manning, City Clerk)

2. Resolution 2017-R-13 A Resolution of the Community Redevelopment Agency of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Quentin L. Hampton and Associates, Inc., to Provide Professional Services for the Electrical Design and Bidding Services for the Bold Landscaping Improvements to the Medians Along US1; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Mark Juliano, Public Works)

5. ADJOURN AS THE CRA & RECONVENE AS THE CC MTG

6. PUBLIC COMMENTS

7. APPROVAL OF MINUTES

1. Minutes - January 10, 2017 - Regular City Commission & CRA Meeting January 12, 2017 - Commission Day January 24, 2017 - Regular City Commission & CRA Meeting

   (Requested by Valerie Manning, City Clerk)

8. 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 Resolution 2017-R-14 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Approve a Budget Reappropriation Creating a Budgetary Line Item of $40,000 in Account 140-4172-572-6300; Authorizing the City Manager to Fund This Line Item with Revenues from Account 140-0000-331-5010; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Mark Juliano, Public Works)

2. Resolution Resolution 2017-R-15 A Resolution of the City Commission of the City of Holly Hill, Florida, Appointing a Member to the Firefighters Pension Fund Board of Trustees; Setting Forth the Term and Expiration Date for Said Member; and Providing an Effective Date.

   (Requested by Valerie Manning, City Clerk)

3. Volusia County Law Enforcement - Mutual Aid Agreement

   (Requested by Steve Aldrich, Police)

4. Police Department - Thomson Reuters (CLEAR for Law Enforcement Plus) Contract

   (Requested by Steve Aldrich, Police)

9. REGULAR AGENDA

1. Resolution Resolution 2017-R-16 A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Purchase and Sale Agreement and the Incentive Agreement with Fountainhead, LLC; Extending the Deadline for Final Approval of the MPUD Rezoning by the City Commission to March 15, 2017; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Valerie Manning, City Clerk)

2. Resolution Resolution 2017-R-17 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Quentin L. Hampton and Associates, Inc., to Provide Professional Services for the Electrical Design and Bidding Services for the Bold Landscaping Improvements to the Medians Along US1; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Mark Juliano, Public Works)

3. Resolution RESOLUTION 2017-R-18 A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Fiscal Year 2016-2017 Solid Waste Budget; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Kurt Swartzlander, Finance)

4. Marina Grande MPUD 6Th Amendment SIXTH AMENDMENT TO MARINA GRANDE RESIDENTIAL BASED MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT

   (Requested by Thomas Harowski, Board of Planning and Appeals)

10. 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.

11. COMMUNICATIONS

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

12. ADJOURNMENT

Website Address – 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

Meeting: 02/14/17 07:00 PM
Department: City Clerk
Category: Presentation
Prepared By: Valerie Manning

REVIEWED

Initiator: Valerie Manning
Sponsors:

PRESENTATION (ID # 1587)

DOC ID: 1587

Proclamation - Life Saving Efforts

Honoring Mark Juliano, Beth Wrenn & Steve Juengst from the Public Works Department for their lifesaving efforts on Walt Smyser on January 30, 2017.

PROCLAMATION
HONORING
MARK JULIANO, BETH WRENN AND STEVE JUENGST
FOR THEIR LIFE SAVING EFFORTS

WHEREAS, it was an ordinary Monday on January 30, 2017 when Mark Juliano, Beth Wrenn and Steve Juengst arrived at the Public Works Complex to begin their work day; and

WHEREAS, Walt Smyser was sitting at his office desk conducting business as usual and without any indication, suffered cardiac arrest and fell to the floor; and

WHEREAS, Steve Juengst immediately went to Walt's office and identified the emergency and contacted 911 to begin the lifesaving process; and

WHEREAS, Mark Juliano and Beth Wrenn quickly tended to Walt by placing him in a position to assess his condition and recognized that Walt had stopped breathing and did not have a pulse; and

WHEREAS, Mark and Beth alternated providing the lifesaving procedure Cardio Respiratory Resuscitation (CPR) until professionally trained police and fire rescue personnel arrived to stabilize Walt and transport him to the hospital; and

WHEREAS, Mark Juliano, Beth Wrenn and Steve Juengst deserve our sincere thanks, recognition and praise for their quick response and excellent judgement going beyond the call of duty to help save the life of their co-worker Walt Smyser.

NOW, THEREFORE, I, John Penny, Mayor of the City of Holly Hill, Florida, and on behalf of the City Commission, do hereby acknowledge and sincerely thank Mark, Beth and Steve for their lifesaving efforts and their service to the Holly Hill community.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 14th day of February, 2017.

City of Holly Hill, Florida

____

John Penny, Mayor

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

SCHEDULED

Meeting: 02/14/17 07:00 PM
Department: City Clerk
Category: CRA Agenda Item
Prepared By: Valerie Manning
Initiator: Valerie Manning
Sponsors:
DOC ID: 1584

CRA AGENDA ITEM (ID # 1584)

Resolution 2017-R-12 A Resolution of the Community Redevelopment Agency (CRA) of the City of Holly Hill, Florida, Amending the Purchase and Sale Agreement and the Incentive Agreement with Fountainhead, LLC; Extending the Deadline for Final Approval of the MPUD Rezoning by the City Commission to March 15, 2017; and Providing for Severability; and Providing for an Effective Date.

RESOLUTION 2017-R-12

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE PURCHASE AND SALE AGREEMENT AND THE INCENTIVE AGREEMENT WITH FOUNTAINHEAD, LLC; EXTENDING THE DEADLINE FOR FINAL APPROVAL OF THE MPUD REZONING BY THE CITY COMMISSION TO MARCH 15, 2017; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission and the Community Redevelopment Agency had approved a Purchase and Sale Agreement and an Incentive Agreement with Fountainhead, LLC on January 24, 2017, which provided for a deadline of February 28, 2017 for final approval of the MPUD rezoning; and

WHEREAS, to meet the February 28, 2017 deadline, the BOPA would have had to take action on the Fountainhead MPUD at February 6, 2017 regularly scheduled meeting, but the BOPA did not have a quorum to hear the Fountainhead MPUD rezoning; and

WHEREAS, the BOPA has set a special called meeting for February 22, 2017 to hear the Fountainhead MPUD rezoning; and

WHEREAS, the City Staff is requesting an extension of the deadline for the MPUD approval to March 15, 2017 as it is not possible for Fountainhead MPUD to be approved by the City Commission by February 28, 2017 due to the delay caused by the lack of quorum of BOPA on February 6, 2017.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Community Redevelopment Agency (CRA) hereby approves the amendment to the Purchase and Sale Agreement and the Incentive Agreement with

Fountainhead LLC to extend the deadline for approval of the MPUD rezoning to March 15, 2017.

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

SECTION 3. **EFFECTIVE DATE** This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 14th day of FEBRUARY, 2017.

There was no quorum at the February 6, 2017 Planning and Appeals Board meeting.

Therefore, city staff is requesting an extension to the MPUD rezoning by amending the purchase and sale agreement and the incentive agreement to reflect the new dates.

Motion:
APPROVE RESOLUTION 2017-R-12, AMENDING THE PURCHASE AND SALE AGREEMENT AND THE INCENTIVE AGREEMENT WITH FOUNTAINHEAD, LLC; EXTENDING THE DEADLINE FOR FINAL APPROVAL OF THE MPUD REZONING BY THE CITY COMMISSION TO MARCH 15, 2017 AND CONTINUING THE FIRST READING OF THE MPUD REZONING UNTIL FEBRUARY 28, 2017 AT 7:00 PM.

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

SCHEDULED

CRA AGENDA ITEM (ID # 1579)

Meeting: 02/14/17 07:00 PM
Department: Public Works
Category: CRA Agenda Item
Prepared By: Beth Wrenn
Initiator: Mark Juliano
Sponsors:
DOC ID: 1579

Resolution 2017-R-13 A Resolution of the Community Redevelopment Agency of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Quentin L. Hampton and Associates, Inc., to Provide Professional Services for the Electrical Design and Bidding Services for the Bold Landscaping Improvements to the Medians Along US1; and Providing for Severability; and Providing for an Effective Date.

RESOLUTION 2017-R-13

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH QUENTIN L. HAMPTON AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE ELECTRICAL DESIGN AND BIDDING SERVICES FOR THE BOLD LANDSCAPING IMPROVEMENTS TO THE MEDIANS ALONG US1; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Commission of the City of Holly Hill has entered into a Joint Project Agreement with the Florida Department of Transportation for Bold Landscaping Improvements for US-1 within the City Limits of Holly Hill; and

WHEREAS, The City has submitted full landscaping plans to FDOT for review; and

WHEREAS, In anticipation of approval from FDOT to bid the project, the City now wishes to contract with Quentin L. Hampton and Associates, Inc., for electrical design and bidding services; and

WHEREAS, The City has a continuing services agreement with and has received a proposal from Quentin L. Hampton and Associates, Inc., to perform the requested engineering services.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMUNITY REDEVELOPMENT AGENCY (CRA) OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. That the Community Redevelopment Agency (CRA) of the City of

Holly Hill does hereby authorize the City Manager to enter into an agreement with Quentin L. Hampton and Associates, Inc., to provide professional services for electrical design and bidding services for the Bold Landscaping Project on US1 not to exceed $9,275.00.

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

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the Community Redevelopment Agency.

APPROVED AND AUTHENTICATED this 14th day of FEBRUARY, 2017.

DISCUSSION:

In January of 2017, the Florida Department of Transportation (FDOT) approved a Joint Project Agreement (JPA) and an appropriation of $500,000.00 in funding for a Bold Landscaping Project on US-1 within the City Limits of Holly Hill. Plans have been submitted to FDOT for final review and authorization to bid the project.

In preparation of receiving authorization to proceed, the public works department is requesting authorization for Quentin L. Hampton and Associates, Inc., to perform electrical design and bidding services. While the landscaping design portion of the work is being conducted by the Stern Design Group, we have recently included the plans providing electrical power to the medians for Gateway Signage. FDOT requires that this work be accomplished by an electrical engineer. QLH will also assist the City with:

- Assembly of bidding documents using City standard bidding documents.
- Distribution of documents to potential bidders/plan rooms.
- Preparation/Issuance of any addenda.
- Attend and preside over pre-bid meeting.
- Review received bids.
- Prepare bid tabulation.
- Investigate low bidder(s) qualifications.
- Prepare bid award recommendation letter.

FISCAL ANALYSIS:

Engineering fees are not reimbursable under the terms and conditions of the grant. However, funding for the work has been included in this year’s fiscal budget.

STAFF RECOMMENDATION:

Under the terms and conditions of the Continuing Service Contract for Engineering Services, authorize the City Manager to enter into an agreement with Quentin L. Hampton and Associates, Inc., to provide professional services for an amount not to exceed $9,275.00.

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.

Goal #3: Implement the CRA Master Plan with a focus on the best utilization of vacant properties and blighted properties in the city. Attention should also focus on infrastructure improvements within the district and strategies to encourage private investment and business retention.

MOTION:

UNDER THE TERMS AND CONDITIONS OF THE CONTINUING SERVICE CONTRACT, APPROVE RESOLUTION 2017-R-13, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH QUENTIN L. HAMPTON AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE ELECTRICAL DESIGN AND BIDDING PHASE FOR THE US1 BOLD LANDSCAPING IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED $9,275.00.

QLH
Quentin L. Hampton Associates

January 16, 2017

Mark Juliano
Public Works Director
City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, FL 32117

Email: mjuliano@hollyhillfl.org
Hard Copy Mailed Only on Request

RE: CITY OF HOLLY HILL - US1 MEDIAN LANDSCAPING DESIGN AND BIDDING PHASE - REVISED

Dear Mr. Juliano,

Per your request, Quentin L. Hampton Associates, Inc (QLH) is pleased to offer this revised professional engineering services fee estimate for this project. The work includes design, permitting and bidding assistance for the installation of landscaping in the US1 medians partially funded by an FDOT grant. This proposal has been revised to delete the Landscape Architect services for which the City is contracting separately. Construction contract administration and inspection services was addressed in a separate proposal.

The attached scope of services is in conformance with our professional services agreement. We look forward to serving the City of Hilly Hill on this and future projects. Please contact our office if you have any questions.

Sincerely,
QUENTIN L. HAMPTON ASSOCIATES, INC.

Kevin A. Lee, P.E.
Project Manager

David A. King, P.E.
Vice President

KAL/DAK:bf

Enclosure
cc: QLH files

P.O. Drawer 290247, Port Orange, FL 32129-0247
Phone (386) 761-6810 Fax (386) 761-3977
www.qlha.com

CITY OF HOLLY HILL
US1 MEDIAN LANDSCAPING
DESIGN AND BIDDING PHASE - REVISED
-SCOPE OF SERVICES-

General – The CITY has applied for an FDOT Bold Landscape Initiative Grant for the US1 medians within the City limits. The CITY desires QLH to assist in the design, permitting and bidding phases of the project.

SCOPE OF SERVICES: Provide design, permitting and bidding assistance as described below.

SCOPE OF WORK:

Design – The City has contracted with a landscape architect and will provide complete plans and specifications for the landscape within US-1 medians. Richard Kranz, P.E. will add details for two (2) welcome signs at the north and south City limits under this contract. QLH will have no active role in this phase and all Richard Kranz fees will be invoiced as a pass-through cost with no mark-up. Stern Design Group (SDG) will contract with the City directly for their efforts. The CITY will work directly with SDG and Richard Kranz in regards to design review and comment. QLH will not be considered the design consultant/designer-of-record and; therefore, be eligible to provide construction phase services in regards to FDOT's conflict of interest rules.

Permitting: SDG and Richard Kranz will coordinate review of the design by FDOT per the Grant which will supersede the need for an FDOT permit.

Bidding: QLH will assist the City in the public bidding of the project by completing the following work items:

- Assembly of bidding documents using City standard bidding documents
- Distribution of documents to potential bidders/plan rooms
- Preparation/Issuance of any addenda
- Addressing of all potential bidder questions via input from SDG/Estes
- Attend and preside over pre-bid meeting
- Review received bids
- Prepare bid tabulation
- Investigate low bidder(s) qualifications
- Prepare bid award recommendation letter

CITY'S PROPOSED PROJECT SCHEDULE:

QLH will strive to complete the project according to the following schedule:

Design	60 days
Permitting	Per FDOT
Bidding	Per City schedule

These timeframes do not include review times by the CITY and FDOT.

SCHEDULE OF PAYMENT AND FEE BASIS:

Work Description	Fee Basis	Fee
Richard Kranz Design	Pass Through	$2,500
QLH Coordination/Bidding Assistance	Lump Sum	$5,775
Printing Allowance	Allowance	$1,000
	TOTAL	**$9,275.00**

If sales tax becomes due on professional services the City shall reimburse QLH for any applicable sales tax cost. Any additional services shall be billed per the attached rate schedule.

PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF QUENTIN L. HAMPTON ASSOCIATES INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

IF THE CONTRACTOR (QLH) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S (QLH's) DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT CITY HALL, CITY OF HOLLY HILL, 1065 RIDGEWOOD AVENUE, HOLLY HILL, FL 32117, City Clerk, Valerie Manning, (386) 248-9441, vmanning@hollyhillfl.org.

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: **February 14, 2017**
FROM: **Valerie Manning**
SUBJECT: **Minutes - January 10, 2017 - Regular City Commission & CRA Meeting January 12, 2017 - Commission Day January 24, 2017 - Regular City Commission & CRA Meeting**
NUMBER: **(ID # 1569)**
APPLICANT:
PLANNER:

DISCUSSION:

Approve the minutes from the regular City Commission and CRA meeting on January 10, 2017, minutes from Commission Day held on January 12, 2017 and January 24, 2017 Regular City Commission & CRA meeting.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve all three sets of minutes.

COMMISSION GOAL:

N/A

MOTION:

Approve minutes as submitted by staff.

- Minutes - Commission Day - January 12, 2017 (PDF)
- Minutes - January 10, 2017 - Regular City Commission & CRA meeting (PDF)
- Minutes - January 24, 2017 - Regular CC & CRA meeting(PDF)

MINUTES
COMMISSION DAY
CITY OF HOLLY HILL, FLORIDA
JANUARY 12, 2017

CALL TO ORDER

At approximately 10:00 a.m., members of the City Commission and staff met at the Fire Department, 1020 Daytona Avenue, Holly Hill, FL. Attending were Mayor John Penny and Commissioners Arthur J. Byrnes, Penny Currie, John Danio, and Chris Via. Also attending were the following staff members throughout the day for the tour: City Manager Joseph A. Forte, Public Works Director Mark Juliano, Deputy Public Works Director Walt Smyser, Facilities Supervisor for Public Works Steve Juengst, Finance Director Kurt Swartzlander, and City Clerk Valerie Manning.

1. FIRE DEPARTMENT TOUR

Fire Chief Jim Bland gave the Mayor and Commissioners a tour of the Fire Department. They toured the offices, upstairs of the Fire Department, kitchen area, bay area and the bunk room. Chief Bland discussed the three to five gear replacement plan, new washers for turnout gear, building's bay doors need to be replaced, need safety sensors on them, bay doors not hurricane ready, the department received five new air packs, Volusia County takes Bishop's Glen calls, showed the Commission outside of building and what needs to be replaced.

3. POLICE DEPARTMENT TOUR

Police Chief Aldrich gave the Mayor and Commissioners a tour of the HHPD and introduced staff to them; toured the storage facility for their records; briefing rooms; EOC room was discussed, discussed the records department shared by Kim and Donna and the updates and improvements, workstation upgrade – all done in-house by Public Works staff, discussed Records Management System (RMS), showed Commissioners the floor that got ruined from Hurricane Matthew that needs to be replaced, upgrading the training room in the PD that will be able to be used by all employees and shared with other agencies as well if needed, Crime Support Unit (CSU) room was shown to the Commission, go to the HHK-8 to interact with the kids and talk with them often, try to develop a relationship with the kids.

4. FINANCE/UTILITY BILLING TOUR

Kurt Swartzlander, Finance Director, gave a brief description of the Finance Department staff job duties and mentioned that this department is also over the Utility Billing Department, informed the Commissioners that Cindy Mitchell will be retiring on March 31, 2017, the Finance Department will be upgrading some positions, re-arranging duties amongst their staff, reallocating jobs, discussed the p-cards and how they still get the rewards/rebates for using them, it was assured that the City Manager and the Finance

Director monitor the p-cards being used and they have reduced the number of employees that have them, discussed the Utility Billing with Supervisor Michelle Williams and her department, January 2017 was the first month where no late notices were being mailed out to customers, all information is on one bill now for the water customers, discussed the improvements and upgrades to the UB department and that all the work was done in-house by Public Works – Marty Warrington, discussed software replacement for Finance, HTE software needs to be updated, each department has different needs and the software will be more efficient for everyone that has to use it, the software purchase is in this year's budget, the software will be able to track permits as well.

5. INFORMATION TECHNOLOGY TOUR

Scott Gutauckis, IT Director, gave a brief description of what his department does and mentioned that David Harlan is his assistant; showed the Mayor and Commissioners where he keeps the servers for all the computers within the city, shared a Neighborhood Watch program that Philadelphia currently uses that is called "*Not in Philly*" where you adopt your block and participate in cleaning up the street of litter debris, Scott is gathering more information on that to share with the City Manager to possibly start in Holly Hill – more information to follow.

6. ECONOMIC DEVELOPMENT/CRA DEPT. TOUR

Nick Conte, Jr., Economic Development Director/CRA Coordinator discussed the handouts that he gave to the Commissioners pertaining to project pipelines from September 2016 to present, shared the various businesses that are in the process of coming into Holly Hill, spent some time discussing the Halifax Seaplane Base/event that he has been working on and the possibility of a light-sport aircraft base here in Holly Hill, showed photos from a stage promo shoot, went over the regional layout, continues to work with the current businesses and bringing in new businesses for Holly Hill, discussed the overlay district briefly.

7. HUMAN RESOURCES TOUR

Diane Cole, Human Resources Manager, discussed what HR does, recruitment, training, claims, group benefits, this year they had two open enrollment periods, wellness initiatives program throughout the year with employees, union agreements went well, there will be online robust training for the employees throughout the year, participates in risk management and is the safety coordinator for the employees, in 2017 open enrollment will be online for group insurance, this year a city-wide salary and wage analysis study will take place, she is working on the scope of services and then herself and Mr. Forte will decide on who will conduct the study, will continue working with FHCP on personnel health assessments for employees.

8. BUILDING & ZONING/LICENSING & PERMITS TOUR

Larry Hites, Chief Building Official spoke briefly about the department and what they do, the permitting process was discussed, standard operating procedures, thinking about have a "Meet the Building Official Day" to update and inform customers.

~ BREAK FOR LUNCH ~

The Mayor, Commissioners and staff had lunch at approximately 12:15 pm in the large conference room at City Hall to further discuss Commission Day.

9. PUBLIC WORKS TOUR – Water, Wastewater, Fleet, Streets & Drainage, Buildings & Grounds

Mark Juliano Public Works Director, Walt Smyser Deputy Public Works Director, and Facilities Supervisor Steve Juengst spoke with the Commissioners on various topics, discussed the organizational chart for Public Works and the employees and their job duties, forty-eight Public Works employees, the inmates were discussed, spoke about the various lift stations throughout the City. The Mayor and Commissioners took a tour of the Public Works facilities: clarifier and settling tanks; alum tanks for storage; sand filters; chlorine conjection tank; treated reuse water tank; water plant/laboratory; air rater/screened; treatment units; chlorinated water tank/this recently got renovated; filters tank/screened; sand filters underneath water; controls panel for the filters; water utility facility for crew/meter readers/wastewater mechanics; solids handling building; fleet management facilities/maintenance vehicles; generators, toured the small engine shop, Streets and Drainage Department, Fleet Department, cameras throughout city yards now, SCADA system was discussed, the system needs to be replaced because it's over 20 years old, generator in the waste water department is over 30 years old and gets run about once a week, sludge press area – belt gets replaced annually, the parks, The Market, discussed the job duties of the custodians, John Znorowski Streets and Drainage Supervisor shared what his department does and the duties of his staff, tree maintenance, gutter repairs, basins cleaned often, mowing, maintain sidewalks, replace sidewalks when and if needed, capital projects discussed, street resurfacing, street sweeper is contracted out, Vaccon truck.

10. FINAL DISCUSSION

- ✓ There was ***consensus*** from the Mayor and Commissioners to bring back the alcohol issue at Sica Hall for further discussion at a Commission meeting.
- ✓ There was ***consensus*** from the Mayor and Commissioner to sell The Market "**AS IS**", which includes not replacing the roof.
- ✓ Sunrise Park South Boat Ramp Improvements
- ✓ Restroom needed in the future at Ross Point Park
- ✓ North and South buildings at Hollyland Park and BBQ area
- ✓ There was ***consensus*** from the Mayor and Commissioners to place on the next agenda, January 24th, the MG on the Halifax sign request and not workshop it.

6. ADJOURNMENT

Commission Day officially adjourned at approximately 4:30 p.m.

City of Holly Hill, Florida

____
Valerie Manning, CMC
City Clerk

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JANUARY 10, 2017

City Commission Chamber | **Regular City Commission Meeting** | **7:00 PM**

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

A. Roll Call

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

B. Invocation
Commissioner Via led the invocation.

C. Pledge of Allegiance to the Flag
Commissioner Via led the Pledge of Allegiance to the Flag.

2. PRESENTATIONS

1. Resolution

Resolution 2017-R-01 A Resolution of the City of Holly Hill, Florida, Recognizing Steve Juengst, Facilities Supervisor for the Department of Public Works, as Employee of the Year 2016.

(Requested by Valerie Manning, City Clerk)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

2. Resolution

Resolution 2017-R-02 A Resolution of the City of Holly Hill, Florida, Recognizing Rentha Flowers, President of the Holly Hill Historic Preservation Society, Inc., as Citizen of the Year 2016.

(Requested by Valerie Manning, City Clerk)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

3. Resolution

Resolution 2017-R-03 A Resolution of the City of Holly Hill, Florida, Recognizing Claris Mac'Kie, Executive Director of Family Renew in Holly Hill as the Corporate Citizen of the Year 2016.

(Requested by Valerie Manning, City Clerk)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA

Mr. Forte stated these are the two items that are going to probably be tabled. One of them is the Purchase and Sale Agreement for the Fountainhead project and the other is the Incentive Agreement. What he thinks they should do is, they can talk about them now and when it comes up on the regular agenda they can just go ahead and take the same action.

Mayor Penny stated he doesn't believe they are going to be prepared to vote on these tonight.

Attorney Simpson stated it shows up twice on the agenda. One is one the CRA agenda and then as a regular item. They could defer to talk about it under the regular agenda and just knock out everything else on the agenda and then do those last if they wanted to.

Mayor Penny stated let's do that. They are going to recess as the CRA and reconvene as the City Commission and then address these last. They will continue their business meeting as normal and these CRA items will more than likely just be for discussion purposes and brought back in two weeks to vote on.

Attorney Simpson stated they can be discussed…they are on the regular City Commission agenda, the last two things. He thinks they were initially put on there to be voted on but based on recent discussions, he guesses, most likely they won't be, so there's no reason…they can knock out the rest of the meeting and they can go through the discussion then.

Mayor Penny stated this discussion will take care of the workshop. They are now going to reconvene as the City Commission.

1. Resolution

Resolution 2017-R-04 A Resolution of the Board of Directors of the Community Redevelopment Agency of the City of Holly Hill, Florida, Approving the Sale of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida.

(Requested by Joseph Forte, City Manager)

RESULT:	**TABLED [UNANIMOUS]**	**Next: 1/24/2017 7:00 PM**
MOVER:	Chris Via, District 4 - Commissioner	
SECONDER:	John C. Danio, District 3 - Commissioner	
AYES:	Byrnes, Currie, Danio, Via, Penny	

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

2. Resolution

Resolution 2017-R-05 A Resolution of the Board of Directors of the Community Redevelopment Agency of the City of Holly Hill, Florida, Approving an Incentives Agreement with Fountainhead, LLC for the Development of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

RESULT:	**TABLED [UNANIMOUS]**	**Next: 1/24/2017 7:00 PM**
MOVER:	John C. Danio, District 3 - Commissioner	
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner	
AYES:	Byrnes, Currie, Danio, Via, Penny	

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

5. ADJOURN AS THE CRA & RECONVENE THE CC MTG

6. PUBLIC COMMENTS

The following individuals spoke to the Mayor and Commissioners:

Mary Nichols, 1715 Anniston Avenue, Holly Hill, stated she's here to talk about the dog park. She hasn't been here in a long time and some of the Commission are new and for some of the Commissioners that don't know her, she runs the dog park in Holly Hill. They are a not-for-profit Friends of the Riviera Oaks Park. She is here to really find out what the plan for the park is because they sustained a huge amount of damage in the hurricane. She thinks she really tries to hold back emotion when speaking to people, that she is really disappointed that she has not seen one person, other than Commissioner Via at the dog park since the hurricane. The hurricane was absolutely devastating to the park. It is a ten acre dog park and it is one of the most beautiful parks in Volusia County and it was destroyed. They have hundreds of people that use this park on a weekly basis and she doesn't know if the Commission are aware of that but it has really put an impact on dog owners in this area. Especially, when Manatee Island is closed the majority of the time. Bicentennial Park has been closed for refurbishment then open and then closed again and people really don't have anywhere to go. If the Commission went and saw the condition of the park right now, she thinks that they would be pretty embarrassed for the City of Holly Hill. The fence is being held up by plastic Rubbermaid chairs in most areas. She has asked for some temporary fencing and was told that it wasn't going to happen because the city doesn't have that. There are benches that were broken in two by the storm that are still laying in the park and there are tree stumps, cement blocks coming up from the ground, the gates don't work properly and she's being told that it's going to be months before the park is fixed. For some people in this community, this is their only social outlet. They have so many senior citizens that use this park on a daily basis and she can't tell the Commission that the people were literally in tears when the park was closed for just a couple of weeks while FEMA was in there removing trees. She just wonders what and when the city is going to get the park fixed. She can't fundraise with a park that looks the way that it does. It makes it extremely difficult for her. She knows she has spoken to Mayor Penny about doing the banners for businesses on the fencing, she can't do that because the fencing is ruined. It's impacting them financially, as a group. She can't ask people for money when she doesn't know when the park is going to get fixed and dogs can escape through the fencing. People are they are literally just with their dogs on leashes, having to watch their dogs around every area of the fence, not letting them be able to run as freely as they would. It's concerning for her. She doesn't want to let this sit like this for months and months.

Mayor Penny stated he knows that staff is aware of the situation and knows that Ms. Nichols is very aware of the financial situations. It was a three-way partnership between Volusia County and Ormond Beach and all of the responsibility has fallen…

Ms. Nichols stated she understands.

Mayor Penny stated it makes it much more difficult but Mr. Forte is fully aware of it.

Mr. Forte stated actually, under his comments this evening, the Commission is going to discuss the list of items within the city that need to be repaired. They have $2 million worth of outstanding repairs throughout the entire city. The park is not closed, it's open but it's open for people that need to watch their animals. He means, they either have to be on a leash or they have to be cautious with them because there are openings in the in the fence where they can get out. People can utilize the park, it's just not the best condition and what Ms. Nichols said is right, that park took a devastating hit from an enormous hurricane that this city has never seen before more. More damage in that one hurricane than they received all three hurricanes Charlie, Jean, and Francis and one of them hit twice. An enormous amount of damage. The staff did go in and it's been cleaned up, there is fence damage, there is other damage within the park. Under his comments when the Commissioners talk about the list of items that need to be repaired, he is going to be seeking their direction, as a whole from the Commission, as to how they want to proceed and to establish a priority of making those repairs. The dog park is an extremely popular park. There are a lot of people that use it. City Hall is leaking.

Ms. Nichols stated and so is her pavilion at the dog park and it's ruining all of the lights that were donated by some kind citizen.

Mr. Forte stated, exactly.

Ms. Nichols stated she is sorry that City Hall is leaking but the city also got brand new Christmas lights for City Hall out front for the yard.

Mr. Forte stated those were paid for by businesses.

Ms. Nichols stated okay, well that's great but you know, she really, at this point, she just would like to know what their timeline is?

Mayor Penny stated they will be discussing it at the end of the meeting, he thinks.

Ms. Nichols stated, okay.

Mr. Forte stated they will discuss it at the end of the meeting, they have the list and they will discuss priorities and how the Commission wants to proceed and he thinks part of it is a political decision of how the Commission wants staff to proceed and staff will take the Commission's direction and will move forward.

Commissioner Via stated they will prioritize that afterwards not now.

Commissioner Currie stated basically, the appropriate time would be at the end under Mr. Forte's comments.

Jim Schultz, 117 Harbor Drive, Ormond Beach, stated he wants to bring up a topic that's related to cities in general. The Flint Water crisis everybody seen about it in the news. What they haven't heard is the other part of the story that hasn't really gotten mentioned. Just recently, though they did bring it up to 13 people that have criminal charges against them including the last two State appointed administrators for the city because they were in bankruptcy. They're actually are charged on four counts up to 65 years each because they issued…they got the State to allow them to issue some emergency bonds for a line lagoon. They wrote it all up like that was it. They didn't use a dime of the money for that, they just wanted money to pay for the new pipeline that was going to be a big jobs project, 1000 jobs for four years and they wanted control of that bad. That's part of the story that's not heard. Also, the two consultants that had said that their water plant was ready to go after being mothballed for decades, are also up on charges because their water plant was not functional. It hadn't been operating in decades and it wasn't ready to operate, their staff wasn't ready to operate. Now the other part of the story that Flint got $170 million to help remediate some of these problems and change out pipes. The whole lead program, all of the United States for the CDC gets $17 million per year. Proportionally, that means Flint is a whole lot worse off. Well writers just did a huge study on data that hadn't really been released by the CDC or the States. They went and asked all the States, 21 States actually reported and 29 declined. What that data showed was that there were 3000 census tracts or ZIP Codes that had double the lead damage in kids than Flint had. There were 1100 throughout those 21 States that had four times as much damage. There were areas that had 10 times as much damage in the kids. All of which weren't getting funded or exposure or on the news or anything and people were very unaware of it because five years ago the CDC got a US toxicology profile report saying to defund lead testing and remediation because levels of lead were so low that it was virtually impossible to become lead poisoning. He guesses they didn't look at the data. There are a lot of ugly lessons there. The reality is many of the cities, especially like Pennsylvania, Cleveland, Ohio…almost all of Pennsylvania has a lot of very old home stock and there was lead in most of the white paint pigment up until '78 so they have heritage lead, which is another issue. They also have lead pipes too, which a lot of cities do work with. The reality is it's been an ignored issue and Flint, what they actually did was they faked the data. The water plant guy and the utilities guy are also up on charges because they aided in faking the data for the bond issue and they also aided in saying that they didn't have a lead problem when they darn well knew it and they gave bad data. You can't always believe the data but as Paul Harvey says, "there's always rest of the story", but sometimes you just don't get to hear it. He sent the Commission a couple of other things too about two all petitions. One that the federal government gave to a company that makes pharmaceutical drugs saying as season as this that because of fluoride supplements are a new unapproved drug and a pharmaceutical it has to be a prescription for that they couldn't make the claim a benefit or safety so they told them to take them off the market. Just one of the companies. There's others that are still producing it and then the other one was also in relation to that too. Another study asking Congress to halt fluoridation or actually the EPA with 2700 pages. Sort of like back in 2008, 19 of the of the 22 EPA Unions asked Congress please, immediately, halt fluoridation.

Mayor Penny closed pubic comments.

7. APPROVAL OF MINUTES

1.

Minutes - December 13, 2016 Workshop Session with Fountainhead for the MPUD and the Regular City Commission and CRA Meeting

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 10th day of January, 2017, in Holly Hill

8. CONSENT AGENDA - ITEMS (1 - 4)

Mayor Penny asked if any member of the Commission would like to pull an item from the Consent Agenda for further discussion and if any member of the audience would like to discuss any item on the Consent Agenda. No one spoke or pulled an item.

1.

Police Department - Taser Purchase

(Requested by Steve Aldrich, Police)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 10th day of January, 2017, in Holly Hill

2.

Police Department - Training Room Technology Upgrade

(Requested by Steve Aldrich, Police)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 10th day of January, 2017, in Holly Hill

3.

Florida Department of Law Enforcement - Child Abduction Response Team Voluntary Cooperation Mutual Aid Agreement Between the Participating Agencies and Florida Department of Law Enforcement

(Requested by Steve Aldrich, Police)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 10th day of January, 2017, in Holly Hill

4.

Public School Facility Planning Schools Oversight Committee

(Requested by Valerie Manning, City Clerk)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 10th day of January, 2017, in Holly Hill

9. REGULAR AGENDA

Mr. Forte stated that he would like to discuss the next three ordinances at one time and vote on them separately.
Attorney Simpson stated he will read them all at one time.

1. Ordinance

Ordinance 2982 An Ordinance of the City of Holly Hill, Volusia County, Florida, Annexing by Voluntary Petition Approximately 0.38 Acres Identified as Parcel Number 4244-01-04-0092 Contiguous to the City of Holly Hill; Redefining Boundaries of the City of Holly Hill to Include Said Property and the Adjacent Right-Of-Way of Nova Road; Directing the City Clerk to File the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Volusia County and with the Department of State; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)
Mr. Harowski stated the three ordinances they have before them tonight affect two properties. One, which many of the Commission who have been here long enough would know was the old Cochran Automotive repair facility on the west side of Nova Road. The other parcel which is the one with the subject of the annexation is about three or 4/10 of a parcel immediately adjacent on the north side; there used to be a single-family house on it that burned down a couple of years ago so that parcel is now vacant. The Hendrick Automotive group has bought both parcels and is proposing to use the combined parcel for basically back office operations. The first ordinance is simply annexation of that 4/10 of an acre parcel into the city. The city already has the parcels on either side of it and this will give the city continuous frontage on Nova Road. The second ordinance also addresses the smaller parcel. Once they annex it they have to designate it something in their Comprehensive Plan and they are going to designate it as General Commercial which is again, consistent with what they have done along the west side of Nova Road. The third ordinance which is a rezoning affects both parcels. First of all, with a smaller parcel, once they annex it they have to provide city zoning on it as well. With the existing parcel that's been in the city, the Cochran Automotive, is zoned with a very specific business plan unit development and they have found as they have tried to work with this parcel over time, that that's really inhibiting reasonable development of the parcel. It calls for a specific automotive use in one area, an office use in the other. What's being proposed here is they combine the two parcels and going to replace that business plan unit development with a standard city zoning classification which is the city's CC-1 corridor commercial. The CC-1 is consistent with the Comprehensive Plan designation before the parcel that is currently in the city and the one they are annexing and designating. That simply is the program in its entirety. They are annexing the smaller parcel into the city, they're giving it a city land use and both combined parcels are being designated as CC-1 which is one of the city's standard commercial districts. They did their coordination into governmental coordination where they are complete or almost complete through the process with VGMC and once they have completed their adoptions, he will send a notice to the Department of Economic Opportunity and under the current rules, they are not going to comment on this, they will simply accept it as a small-scale Comprehensive Plan Amendment.

Mayor Penny opened public participation for these three ordinances. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS] Next: 1/24/2017 7:00 PM**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 10th day of January, 2017, in Holly Hill

2. Ordinance

Ordinance 2983 An Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map to Designate the Parcels Identified as 1540 Nova Road as General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS] Next: 1/24/2017 7:00 PM**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 10th day of January, 2017, in Holly Hill

3. Ordinance

Ordinance 2984 An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Rezoning the Parcels Described in Exhibit "A" from City of Holly Hill Business Planned Unit Development (BPUD) and Volusia County B-5 Heavy Commercial to City of Holly Hill CC-1 Commercial Corridor; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS] Next: 1/24/2017 7:00 PM**
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 10th day of January, 2017, in Holly Hill

4. Ordinance

Ordinance 2985 An Ordinance of the City of Holly Hill, Florida, Amending Chapter 42 (Pension and Retirement) Article II - Police Officers, of the Code of Ordinances of the City of Holly Hill, Florida, Providing for Authority to Invest in Private Real Estate; Providing for a Repealer, Providing for a Savings Clause, Providing for Codification and Providing for an Effective Date.

(Requested by Steve Aldrich, Police)

Chief Aldrich stated he is the chairperson for the Holly Hill Police Pension Fund. This ordinance is being brought forward at the suggestion of our money managers. It's a policy change that will allow them to invest in core real estate. One of the things he wanted to bring up to the Commission on that is when he was putting the agenda together, the attached ordinance is correct but in the body of what's written, was the prior version which indicated that they would invest, they would have to invest 10% into this. The attachment indicates that they would invest, that they could invest up to 15%, which was what they had discussed in the meeting with their goal of the 10% and one of the companies suggested by their money manager. The reason for the change and the slight verbiage was obviously they don't want to be invested in that if it falls out of favor and they need to be out of it. That was the reason for that update in that policy.

Commissioner Byrnes stated you have had the annuity studies that say it's all going to be okay, right?

Chief Aldrich stated actually, the actuarial study will be done here shortly. It's presented for second reading. It will be done prior to that. It's already been requested.

Mayor Penny opened public participation. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS]**	**Next: 1/24/2017 7:00 PM**
MOVER:	Penny Currie, District 2 - Commissioner	
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner	
AYES:	Byrnes, Currie, Danio, Via, Penny	

ORDINANCE

Enacted and approved this 10th day of January, 2017, in Holly Hill

5. Ordinance

Ordinance 2986 An Ordinance of the City of Holly Hill, Florida, Volusia County, Relating to Comprehensive Planning; Adopting the Comprehensive Plan Amendments to the Capital Improvements Element in Accordance with Florida Law; Providing for Repeal of All Ordinances and Parts of Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)
Mr. Harowski stated each year under the Planning, they are required to adopt a current five year Capital Improvements Plan program or schedule and that's what is before the Commission tonight. Basically, each year they take off the year which was completed, add a fifth year and make adjustments in the intervening years. As always, has hastened to point out that this is a plan for Capital Improvements and not a budget. They expect numbers will change, they expect priorities will change, they expect funding sources will change as they work their way through but it does give them a chance to reflect back on what they've accomplished and to give a structure to be the Capital Projects that they are looking at going forward. Just call attention to some of the items that came off this year. They completed three lift station renovations, generator upgrades at the water and sewer plants were completed and helpful during Hurricane Matthew, they completed the pedestrian crossing and sidewalk on the FEC Railroad at Calle Grande, they completed the improvements to the boat ramp at Sunrise Park, installed new play equipment at Ross Point, they completed the new park at Seventh Street and Center Avenue and the work on US1 is partially completed. Looking forward into the program that's been approved, that the Commission approved in the current budget and that's why staff times it at this point, so staff can include their budget actions in the first year and beyond. No new major projects have been added to the program. Primary work that they are showing in FY2017 is continuation of the rehabilitation of the utility system, street maintenance, drainage, upgrades and improvements to city parks and other facilities and of course, the ongoing US1 utility underground project. They have the five-year plan as part of the attachments. The process here is they simply adopt this by local ordinance. It's a little different than what they have to for most Comp Plan amendments and once they've adopted it by local ordinance they simply send a notice to the State telling them they've completed this and they remain in compliance with the State Planning requirements.

Mayor Penny opened public participation. No one spoke.

RESULT:	**APPROVED AT 1ST READING [UNANIMOUS] Next: 1/24/2017 7:00 PM**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John C. Danio, District 3 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 10th day of January, 2017, in Holly Hill

6. Resolution

Resolution 2017-R-06 A Resolution of the City of Holly Hill, Florida, Declaring City Owned Property, More Particularly Described Herein, Located on Riverside Drive Across from 15Th Place as a Passive Neighborhood Park; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)
Mayor Penny opened public participation.

Ray Plate, 1580 Riverside Drive, Holly Hill, stated by doing this, what does this mean for the citizens?

Mr. Forte stated what it means is that over the past year or more the Commission has been asked to lease, sell or dedicate that property to the upland property owners. Recently the Commission, the people upland of that property decided to withdraw their request and the Commission voted it down. During those conversations they kept referring to this property as a park or park-like piece of property. What this resolution does now is it actually declares this property a park. It is now going to go on the list of parks that the city has listed in its inventories. It will show up on their maps as a park and it will be treated like a park and it will receive all of the same restrictions that other parts do for the location of where certain people can or cannot live. The city is dedicating it, they are naming it as an official park. It doesn't mean much different to the citizens. The citizens will still be able to access it as they have been before. The city will work to get the park in a better condition than what it currently is, keep it cleaned up and make sure that maintains use as a public access, neighborhood passive park.

Mr. Plate stated and with that being said, can they have a rolling garbage can there because when people use it, unfortunately they have nowhere to put their garbage. Whether it be recycles or trash. Also, he wants to than the Commission for doing that because it is a beautiful park and everyone that lives there keeps trying to help out with the maintenance and things like that. The fence, he wasn't sure if the city was going to take that down or what. Will the park be dedicated with a name?

Mr. Forte stated right now, in the resolution, he placed the park at 15th Place as its name for identification purposes. Staff can get with the Public Works Director to determine if they need a rolling trash can toter to be placed out there that the solid waste truck would pick up or if it needs just one of those round containers that can be handled a little bit easier but they will make that determination.

Steve Smith, 1410 Riverside Drive, Holly Hill, stated he guesses it was about 10 or 12 years ago when Donnie Moore lived next door to that park and the picnic tables were put in, the curbs were put around the picnic tables and the city put the fence up and they called it the Donnie Moore Park. It was at least a three-year struggle to maintain access to public access to the river. It started out with about thirty something properties that, he believes, that were in question, that the city was going to sell them and buy a fire truck. Well, it ended up down to one piece of property that they will maybe lease it for a dock. It was quite a long three years to maintain public access to the river. Former Commissioner John Capers shared with him that, when he got out of the hospital, he was passionate about the public access to the river and he was the sole no vote to at the first reading to send this proposal to the second reading. Commissioner Capers said it was important to him to make that meeting to vote no, to not lease any part of that park and to maintain the public access. Over the last…his family owned the house he's in on the river now for about 39 years. He's only lived in it for 20 but over the last 20, when he drinks his coffee at three or four in the morning waiting for the paper, he would frequently see Commissioner Capers in a flat bottom boat, poling along the edge of the river, gigging flounder. Sometimes he would see Commissioner Capers throwing a shrimp net and then over the last few years, he got to see Commissioner Capers enjoying his double deck dock. Commissioner Capers was passionate about the river and his neighborhood, owning property on the river, he enjoyed the river. Mr. Smith stated he thinks Commissioner Capers passion for maintaining public access to the river was very important to him and if the city is going to name it something for temporary like 15th Street Park or whatever, he would like to see something temporarily named like Capers Corner Park or something like this to honor the commitment that Commissioner Capers had to maintain public access to the river and give that park some history like the other parks. They've used that in the past with Ross Point that's on the river that's named after family, Waite Park is also named after Dr. Waites wife with her contribution to teenagers at the hospital and all. He thinks this would be an appropriate time to even if the city does change it later, to honor Commissioner John capers legacy and call it like Capers Corner or something like that. The city has an opportunity to…like he said, they've been calling it the Donnie Moore Park ever since the city put the picnic tables in so he would like to call it something else that they can remember in history.

Mayor Penny closed public participation.

Commissioner Byrnes stated the making of a park is not something that is done lightly. He has a tiny bit of concern about costs that may arise in the police department because of the rules surrounding sexual offenders living near parks. Are they going to have to research now all the homes close to there or are those people grandfathered in if there are any? He just wants to make sure they are not putting a big burden on the police department.

Mr. Forte stated those that are in those categories, that are already there first, they name the park after. Any new people moving into the area would have to report to the police department the same way they would do for any other area in the city and it would be evaluated as to whether or not they could live within proximity.

Commissioner stated Commissioner Byrnes, she also has a bit of bad news on that for him on that topic. She found out, through discussions with Mr. Forte, that even as far up as predators are allowed to live next to as close as a daycare through some exemptions, which she was extremely upset about. However, apparently because of our Florida legislature, in their wisdom, nothing can be done about it. She thought she would just give Commissioner Byrnes some education about it too since he's very passionate about that as well.

Commissioner Via stated he appreciates what their citizens said. From talking to Mr. Forte, Commissioner John Capers really did fight for this park multiple times and it would be nice to see something kind of dedicated to him there, like a bench or something. Maybe in the future they can go ahead and look at something like that. Would any of the Commissioners be interested in that?

Mayor Penny stated his concern is that he's never been in favor of naming places after people. He appreciates Commissioner Capers passion about this issue and it is difficult to try and put data in and data out and come with a black-and-white solution to an emotional situation. One of things that this Commission did several years ago was put out…the Eagle Scout is here with them this evening, that created a memorial garden in front of City Hall and the purpose of those bricks out there are to memorialize people that meant something to the city. He wouldn't be in favor of naming the entire park.

Commissioner Via asked what about putting a bench or something like that?

Mayor Penny stated he wouldn't be opposed to putting a bench with a brass plaque on it or something.

Commissioner Danio stated knowing Commissioner Capers, he wouldn't want a park named after him.

Mayor Penny stated and just for a selfish plug for his wife, he saw on Facebook today, she's trying to sell that flounder boat. Mayor Penny stated he wouldn't be opposed to putting bench there or something like that. No disrespect towards Commissioner Capers or his family, he's never been in favor of naming places after people.

Commissioner Currie stated she shares the same feelings Mayor Penny because at one time she did mention the possibility of taking their 7th Street Park and having a large plaque and put names in a smaller version and keep adding names to it but then after some discussions that everybody had it sort of made her think a little bit more about that and then the project that the young man did, a very nice project out here in front of City Hall and she believes Commissioner Capers already has his name out there and to take nothing away from him, Commissioner Capers was very passionate about it, she shared his passion but as Commissioner Danio said, she doesn't think he would have wanted that at all. Knowing how Commissioner Capers was, he wouldn't have wanted that at all. Doing a bench or something, she could agree with doing that to be able to just recognize him.

Commissioner Byrnes stated unrelated to the subject, he wanted to do the 7th Street Park after one of the city's long serving mayors who dedicated a lot of his life over a 30 year period and nobody supported that. He thinks the general feel this Commission is not naming places after people as Mayor Penny has said. Maybe in the future but he does support the bench.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

7. Resolution

Resolution 2017-R-07 A Resolution of City Commission of the City of Holly Hill, Florida, Approving the Sale of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida.

(Requested by Joseph Forte, City Manager)
Mayor Penny asked how do they proceed now? Do they read it and discuss it?

Attorney Simpson stated they can just do discussion and if they get to the point where the Commission actually wants to adopt then they are going to need to recess this meeting and go to the CRA meeting and read the titles. They can just discuss these two items and talk about where they are at and see where it leads them.

Mayor Penny stated the first discussion is concerning the approval of the sale of 9.42 acres. There's been many meetings over the last few weeks have transpired and as recently as last week some major changes were made to ensure the continuation of the project. He has heard this Commission loud and clear at their last meeting that they are concerned on how do you go from an unoccupied, old school building to over 100,000 square feet of occupied business space and the flowcharts that they were shown earlier, show them how that all happens but then his concern and staff's concern, he believes, is also that they can draw pretty pictures but how do they get there? There's purchases and incentives that come back with the purchase but how do they ensure that the project continues to move along? There's only one minor tweak in the purchase, Attorney Simpson, is that correct? The last paragraph, the amendment where it talks about the dollar amount needed rather than $25 million. It's now $5 million on or before closing? Is the Commissioners familiar with what he's talking about? The last sentence in the amendment talked about the need for the developer to show $25 million in funding prior to closing and there was some discussion on how that transpired and the initial estimates for Phase 1 are more in line with $5 million and so that's what's been written into the contract now is that before closing the applicant will produce $5 million worth of financing.

Attorney Watts stated he thinks that summarizes it pretty well. He thinks at the last meeting this was a provision that came up that $25 million made it in there as far as the scope of the overall project but as the Commission sees in the sequencing and everything else they went through earlier in the evening, they know that's a multi-year approach so as they are acquiring the first piece, which is the 9.42 acres to do Phase 1, it seems more in line with that piece moving forward to have the budget and the financing and everything correspond to what's moving forward on that piece with the initial step. This kind of goes back and corrects it to make it a little bit more accurate and realistic based on the first step they are taking with it. The one other change in there was just on the first page, they added the clarification that the fixtures and everything else are included in the contract. They reviewed the drafts that Attorney Simpson circulated earlier today and they are fine with them but it makes sense to give everybody time to look through this, look through the Incentive Agreement and make sure they are comfortable before they vote on the updated agreements and so they talked yesterday at their meeting about deferring until the 24th and they're in agreement with that.

Attorney Simpson stated it basically still has the same deadlines except they were adjusted for the Planning Board which will be February 6th but in terms of the ultimate deadline for approval, it will still be February 28th. They still have to submit a subdivision application before closing date which is going to be required to divide up the property. There is language in there that makes it clear that all these things are contingent on the city ultimately approving the MPUD, which is the key thing that brings everything forward. The only change would be the $5 million estimated, financing costs, financing before they acquire. The deposit has already been paid.

Commissioner Via stated he just wants to make it clear that they will still be able to meet the deadlines that the Commission placed on this already?

Attorney Watts stated, yes. As they talked about earlier, what their focus has been is making sure that February 28th deadline is the one that everyone is shooting for. Everything they've been doing to move forward has been based on making sure they meet that deadline.

Commissioner Via stated even if the Commission tables these two items tonight?

Attorney Watts stated, yes.

Attorney Simpson stated February 28th has been the key deadline because they know they have to have two readings. Their drop dead timeline is they have to meet…going through the approval process for the month of February.

Mayor Penny stated this will come back at the next meeting for formal approval.

*Commissioner Via made a motion to **TABLE RESOLUTION 2017-R-07, APPROVAL OF THE SALE OF 9.42 ACRES LOCATED AT 1200 CENTER AVENUE UNTIL JANUARY 24, 2017**, seconded by Commissioner Danio.*

Mayor Penny opened public participation. No one spoke.

Passed, 5-0.

RESULT:	**TABLED [UNANIMOUS]**	**Next: 1/24/2017 7:00 PM**
MOVER:	Chris Via, District 4 - Commissioner	
SECONDER:	John C. Danio, District 3 - Commissioner	
AYES:	Byrnes, Currie, Danio, Via, Penny	

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

8. Resolution

Resolution 2017-R-08 A Resolution of the City of Holly Hill, Florida, Approving an Incentives Agreement with Fountainhead, LLC for the Development of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

Mayor Penny stated the concerns that were heard was that only the initial 9.42 acres that might just be built and the incentives are due back to the developer and what would happen then? They would end up with two pieces of land around, halfway developed 9.4 acres and so through negotiations with Attorney Watts because they've met back and forth and the agreement now is that there will be no incentives due to the developer until there is a CO on the three yellow buildings that the Commissioners saw on the plan and they must purchase Parcel 1.

Attorney Simpson stated the CO on all three buildings, complete all of Phase 1, which is the landscaping…

Mayor Penny stated right, the landscaping and the stormwater…

Attorney Simpson stated and the relocation of Synergy Headquarters and employees to those yellow buildings.

Mayor Penny stated that secures the taxpayer's position a little better, he believes. He thinks staff would concur. The other major amendment was that when the lottery ball happens for the multifamily housing…

Attorney Simpson stated at the last meeting they were talking about taking $190,000 and reimbursing them for Capital Improvements that they incurred and they would get that money when they received an amount of $300,000 for jobs. If they receive $300,000 jobs, the city would then take $190,000 and this money that he's talking about is the money from the initial sale of the 9 acres, the city would use that money to reimburse for certain capital expenditures. Instead of reimbursing that money to them, that money will now be applied, the $190,000 will be applied to the purchase of Parcel 1. In essence, that money will now stay in there, along with the additional funds that come in of Parcel 1, which they figure is around $130,000 which they will have to come up with, that will now sit in the jobs fund money, account fund. That's job fund money now. So the change is, instead of them getting the $190,000 in terms of the reimbursement check to them, it's going to be $190,000 is going to facilitate the acquisition of Parcel 1.

Commissioner Via asked how much will the total cost be for Parcel 1?

Mr. Forte stated it's 321,000 minus $190,000…Fountainhead has to come up with approximately 131,000, he's not swearing to those numbers.

Mayor Penny stated and the purchase of Parcel 1 goes in with the phasing that the Commissioners see here in the spreadsheet, which Mr. Myer alluded too. The promises that he has to his other stakeholders that there will be a daycare there and the other amenities. Some of them might have had the misperception that all developments will be in middle first and then it's going to go here and then it's going to go there. More than likely the three buildings will be in the middle then they will jump to Parcel 1 with the amenities and then back to Parcel 2 for additional building.

Mr. Forte stated he just wants to make sure that everybody understands the expectation. When the Mayor says jump to. The expectation is that the rehabilitation of gymnasium and the media center and the construction of the

11,000 square foot single-story building on Parcel 2 will happen quickly in the first year. At the conclusion of that, he is hoping that all of the current employees will move in, it will be CO'd, they will purchase Parcel 1 but they're not going to jump to building that store if the Commission looks at list, in 2019 they start to build that building. He doesn't want anybody to think that this time next year they are starting construction on a building, on a parcel, that is not the case. They may be purchasing it about this time next year but may not be constructing on that until that time.

Attorney Watts stated they also had the discussion about the fact that they have Phase 1 on Parcel 2 and Phase 2 on Parcel 1 and Phase 3 and Parcel 3 line up. They got completely turned around on that in their meeting yesterday. He thinks the overall intent here, they heard at the prior meetings that there was a desire to have a bit more certainty and commitment and make sure the city is getting what they're investing and looking for and investing in and so the structure here changes it so they are really kind of keeping that new employee incentive fund in that new employee pot. So, rather than taking that $190,000 and putting it out into the capital reimbursement, which the city has TIF revenue that covers and they got the other funding that comes in from the workforce housing parcel acquisition that goes into that pot, that capital reimbursement pot, the 60,000 per acre that is the purchase price for the property is kind of staying in that new employee pot. They are using a portion of it as a credit for the purchase price and Mr. Forte and himself talked beforehand, they have their tax advisers looking at that to make sure that they are wording that exactly as they need to. He thinks that adds to the certainty and security the city is looking for and keeps that incentive in the area where they think they've heard job, jobs, jobs is the key point. He thinks it was keeping that intent with the changes made and then the other change that was alluded to is in the workforce housing parcel, if the Commissioners recall that piece, the initial 60,000 per acre of that purchase price goes into the employee pot. The balance, the net proceeds beyond that go into capital reimbursement, there's an additional change in paragraph 15, on page 9, it says, "neither net sale proceeds nor 60,000 per acre for new employee incentives shall be paid to the developer less the developer or third party during the term of this agreement has acquired Parcels 1, 2, and 3." So, progress. Continuing to see progress and require progress in order for those incentives to mount up as the project proceeds through. He thinks those two changes are the key. There are a few other housekeeping things that they've gone through in the agreement. Attorney Simpson sent that out yesterday evening and they've made a couple comments here and there throughout the day today but the form that it's in now, they are comfortable with. He wants to make sure that everybody has the time to look at it. So, they're not asking anybody to vote on it tonight and tabling it to the 24th lets them make sure their language is good from the standpoint of tax treatment and everything else but at the same time, he thinks it accomplishes the goals that they've been talking about the past several meetings.

Mayor Penny stated the workforce housing, they're hoping that will come within the next five years or so and when that comes around the $60,000 original purchase price is put into the jobs and any additional revenue above that would go back to the developer for reimbursement for infrastructure and the fear would be, well they still have that little 3 1/2 acres over here that’s undeveloped so now they're not eligible for any reimbursements until they own Parcel 1, Parcel 2 and Parcel 3. They would have everything except for the wellfield and the workforce housing.

Commissioner Via stated as he understands it, they will not get the incentives until Parcels 1, 2 and 3 are built?

Attorney Simpson stated basically, what we’ve done is we’ve said, as an additional condition of getting incentive money from the city, you have to buy more property. That’s what we’ve done. The first one is, they have to buy Parcel 1 if they are going to get anything for their improvements to Parcel 2 and before they get any money off the workforce housing, they have to buy Parcel 3 because they’re already going to own Parcels 1 and 2. They have to buy Parcel 3 before they get anything off of Parcel 1.

Commissioner Via asked what about jobs money? Can they get jobs money right away or do they have to buy Parcel 1?

Attorney Simpson stated jobs money…they have to buy Parcel 1. The condition of getting the jobs money is all of Phase 1 Parcel 2 is completed and CO’d, the acquisition of Parcel 1 and the relocation of Synergy and their employees to Parcel 2. When those three things happen, they then get the jobs money that they qualify for through the formula that they put in but they now bought Parcel 1. They do all of that and then the city gets activity over here on the workforce housing, the city sells that, we put the money aside. Before Fountainhead has access to it, they have to buy Parcel 3.

Commissioner Via stated looking through here it looks like the only public use would be done in Parcel 1, correct in Phase 2. Meaning Parcel 2 is just the offices, correct?

Attorney Watts stated that’s correct and the school. The academy is all located on Parcel 2.

Mayor Penny stated in long-term Commissioner Via, is that the gymnasium, the current gymnasium will become Synergy school/Synergy Academy. Long-term when Synergy Academy ramps up its enrollment, they will be occupying a new building then the old gymnasium will become a meeting hall of some sort that may or may not be open to the public but he can't speak to that but it will be…Mr. Myer does other types of things. Mr. Myer did a Fail Forwards symposium and rented out the Ocean Center so he’s going to need public space like that hold those types of events. So there would be some public use, he can’t tell the Commissioners but that’s Mr. Myer’s vision.

Commissioner Via stated he likes that and Mayor Penny, the reason he brings it up is because he wants to make sure if the city is giving public money that they are getting public use out of it, number one. He kinds of likes this new plan because it kind of helps the city out because… and make sure he is right on this, they won't get jobs money until they do Parcel 1 which Parcel 1….

Attorney Watts stated buy it. They have to buy it. It's all setting up to be simultaneous so when they qualify for that new employee incentive money, when they get the CO, they relocate the headquarters to the property, they close on Parcel 1, it all is simultaneous sequence.

Attorney Simpson stated if they think about it, the city has them buying Parcel 1 when they're eligible for job money. When they get over here and they are eligible to receive the money for workforce housing, which could be a significant sum of money, buy Parcel 3.

Mayor Penny stated it would be silly not to.

Attorney Simpson stated, right. It would be silly not to because they're getting this money from the city, they just have to give some of it back to get this, which the city then turns around and sets it aside for job money.

Commissioner Byrne asked so, where does the city draw the line on the baseline on the jobs? Because now, before they get the jobs money they have to buy Parcel 1 but that means they've already moved their jobs in and they probably added some jobs that are moving.

Mayor Penny stated it's all going to happen simultaneously.

Attorney Watts stated it's all going to happen simultaneously.

Mayor Penny stated the same day.

Commissioner Byrnes stated so if they hired somebody the week before….

Attorney Simpson stated it doesn't qualify.

Mayor Penny stated 52 weeks they have to be employed.

Commissioner Byrnes stated he understands that but…they have to be employed for 52 weeks but when do the start that baseline? When does the city decide that these are new jobs and not jobs…

Mr. Forte stated they're getting credited for all current existing jobs on (inaudible).

Attorney Simpson stated the jobs that are transferred in, they get credit for and for however long they work with Synergy prior to coming to the Holly Hill facility. They get credit for that.

Attorney Watts stated when they move in and occupy that initial influx of jobs, of the new employee incentive revenue would happen simultaneous with also to closing Parcel 1.

Attorney Simpson stated they evaluate the jobs quarterly and to see what jobs are out there, new jobs and new jobs are adjusted for jobs that are lost so it's a net. What's going to happen is those people are going to, as he envisions it, they are going to get a CO, they're going to get it finished off inside so people can move in. They're going to get people moved in then they're going to have to provide paperwork for all these people, the city is going to have to evaluate that paperwork and then determine what the amount of proper compensation is for those new jobs that were relocated into city. During that same period of time, we can be getting the closing ready on Parcel 1. It's not going to happen that they're saying alright, we moved them into the city, give us a check. It's not going to happen that quick.

Attorney Watts stated they will be in that process and he thinks this sets it up. He thinks the keys here are the biggest benefit comes from continuing momentum and the focus is on the job creation.

Commissioner Currie stated they have guarantee for Parcel 1, Parcel 2 and Parcel 3, pretty much.

Attorney Simpson stated when she says guarantee, if they want the money they have to do it.

Commissioner Currie stated that's what she means. That's the best guarantee they're going to get.

Mr. Forte stated there's no guarantee…

Commissioner Currie stated she understands...

Mr. Forte stated of development. There's only a preservation of the taxpayers money going back after certain milestones are met.

Commissioner Currie stated there isn't a guarantee. The best that the city has is they don't get the money until they get…

Mr. Forte stated until they hit the milestones.

Commissioner Currie stated, right. She guesses guarantee wasn't the proper word but there really isn't anything for Parcel, 4 if the lottery doesn't hit.

Mr. Forte stated if Parcel 4, which is the workforce housing, and he just wants to comment that another additional language in here, he doesn't think he heard anybody say it is commitment of budgeting $50,000 or in-kind equivalent for a five-year period to go through that Florida Housing Finance Corporation application process, that's in the Incentive Agreement as well, that the city will budget for that. But to answer Commissioner Currie's question, if at the end of five years or even any time prior to that the developer feels the need to purchase that property for some other need they will have to come back to the Commission and amend the PUD to do that.

Commissioner Currie stated and that's great. She really hopes the workforce housing comes through.

Attorney Watts stated they think that's a key piece to the development.

Commissioner Currie stated but if it doesn't…

Mr. Forte stated it will be zoned multi-family so other than workforce housing can go on that property.

Commissioner Currie stated if the lottery doesn't hit then they have that parcel left, that Fountainhead does not have to buy.

Mr. Forte stated they do not have to buy it but it is zoned….

Commissioner Currie stated and there is nothing there, incentive wise, that would be provided to really make them buy it or cause them to buy it.

Commissioner Danio stated wouldn't it be a viable piece of property for an outside group?

Mr. Forte stated like he said, it will be zoned multi-family.

Mayor Penny stated what makes it viable are the tax credits. The standard market would not develop that as an apartment complex.

Mr. Forte stated keep in mind, what also makes it viable is by that time the rest of these properties should be developed and attracted to someone else.

Attorney Watts stated I think at the end of the day, you may get to a point…let's say we don't hit the lottery in five years but we got 500 employees there, you may have market rate apartment developers that may want to develop that parcel.

Commissioner Byrnes asked when does Fountainhead's option expire and it falls back to the city? For Parcel 4?

Attorney Simpson stated Parcel 4, the overall agreement is good until 2026, that's when the CRA dissolves. If they don't perform anything during that period of time the city can terminate. After they acquire Parcel 1 they will then have four years from the period of time that they actually acquired Parcel 2, which would have been the first acquisition to exercise another option to buy Parcel 3. If they buy that then they add another year to their option. The city has set aside five years in the agreement to allow for lottery ball attempts, for five years, at which time if that doesn't occur the developer then has the right to acquire the property and the city won't continue to pursue the workforce housing but that will then require coming back to the Commission.

Mr. Forte stated it goes back to the open market at that point.

Attorney Simpson stated, right.

Attorney Watts stated it corresponds with the last option period that they would have. The last option period, after the acquisition of Parcel 3, and the termination of that five year period with the workforce housing options or attempts would correspond. That last option year that they would have, would be for the acquisition of option for them to do something with that. They would have to come back to the Commission and define what would be happening on that property. So, getting to the plan, what is the plan for Parcel 4. The plan is they want it to be multi-family residential. They think that brings the best overall benefit to the redevelopment of the property as a mixed-use site. If it doesn't come to pass for whatever reason then they would have to come back to the Commission and readdress what the plan is for Parcel 4 at the point where they have the option to exercise for the acquisition of it.

Mayor Penny asked Attorney Watts if the daycare and the clinic add more points to the tax credit?

Attorney Watts stated he knows just enough about the program to be dangerous. He's done about six or eight of those projects over the past 15 years. He thinks things like that do elevate the criteria, being located near transit, elevates the scoring but he doesn't know what the real impact in the scoring is. He thinks it is something that is also influx from year to year as they put together the scoring criteria for the giving year.

Commissioner Currie asked is it that it's planned to be there or does it have to physically be there, as far as, if you get points for daycare or medical or what have you? Is it that it's in the PUD or that it's the physical building is there?

Attorney Watts stated he doesn't know how they look at that from a scoring standpoint. He's not sure.

Commissioner Currie stated so the city's chances of getting it could be better once the buildings are, they don't know.

Attorney Watts stated they maybe, he doesn't know. They look at various criteria like that.

Mr. Forte stated once you qualify for that lottery ball then your qualified. Having anything more doesn't make you more qualified.

Commissioner Currie stated but don't you get more…

Mr. Forte stated once you get a lottery ball, you're in the lottery.

Attorney Simpson stated it is random.

Mr. Forte stated and it's random after that.

Attorney Watts stated his understanding on how that lottery system works is the higher you are ranked the more opportunities you have in that lottery selection.

Commissioner Via stated when they go to develop Parcel 1, they come back to the Commission with a new PUD?

Mr. Forte stated yes, an amendment to the PUD.

Commissioner Via stated so the Commission won't see that…

Attorney Watts asked Parcel 1?

Commissioner Via stated, yes.

Attorney Watts stated Parcel 1 covered under the existing PUD.

Commissioner Via asked and is Parcel 3 as well?

Mr. Forte stated no, you have to come back and amend it because we don't have the uses. He means, they don't have the design.

Attorney Watts stated they have to come through and do a site plan with the architects.

Commissioner Via stated, right. So they will have that.

Mr. Forte stated the Commission will see that.

Attorney Simpson stated the way they left it is the Commission is going to have a generic site plan layout for the entire site and if Fountainhead does not do a major modification of that generic site plan attached to the MPUD, it will not come back to the Commission for a rezoning.

Mr. Forte stated, right.

Attorney Simpson stated however, because of the architectural design for Parcel 1, Parcel 3 buildings, has not been submitted for full review, those will come back for a full review to the Commission.

Attorney Watts stated that's correct.

Commissioner Via stated he just wants to see the public use and once he sees that with the public money, he will feel a lot better.

Mayor Penny stated that will be in the official submittal.

Attorney Watts stated, right. What they will see with the final submittal, they will have what they have seen with the black-and-white outline of what the full project will look like at buildout. What they focused on tonight is that Phase 1 portion of the overall site but if they look at the top of the conceptual site plan drawings that is still the overall site plan. It is still part of what will come through with the PUD. They do have Joe Hopkins, the engineer, doing some updates on it to reflect some of the things they've been talking about in the past several meetings. They are looking for that to be a part of what they resubmit at the end of the week with the MPUD. The Commission will see the footprints. The Commission will see the full buildout footprints. They are adding phasing lines on it so the Commission can fully understand and see the phasing of it a little bit more clearly on that exhibit as well. They did include language, specifically, saying it's coming back to the Commission to see the architecture as it goes forward as well, including on the public buildings.

Attorney Simpson stated the other time the Commission is going to have a look at it is when it comes back for a subdivision. There's going to be a subdivision to create Parcel 2 but when they see the subdivision, they are definitively setting the line. Whereas, in their preliminary site plan they are generically setting where they think the phasing lines will be but they're only going to subdivide out the first part in Parcel 2 then they will have to come back subdivide Parcel 1 and then they will have to come back and subdivide Parcel 3. Each time they do that, it will come before the Commission for review and at that point in time, they will know where they're drawing the line, they will have significant detail and show the Commission exactly what they're doing.

Commissioner Danio made a motion to ***TABLE RESOLUTION 2017-R-08, APPROVING THE INCENTIVES AGREEMENT WITH FOUNTAINHEAD UNTIL JANUARY 24, 2017****, seconded by Commissioner Byrnes.*

Mayor Penny opened public participation. No one spoke.

PASSED, 5-0.

RESULT:	**TABLED [UNANIMOUS]**	**Next: 1/24/2017 7:00 PM**
MOVER:	John C. Danio, District 3 - Commissioner	
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner	
AYES:	Byrnes, Currie, Danio, Via, Penny	

RESOLUTION

Enacted and approved this 10th day of January, 2017, in Holly Hill

10. PUBLIC HEARING - NONE

None.

11. COMMUNICATIONS

a. City Manager and Staff Comments

A. City Manager and Staff Comments

Mr. Forte stated he would like to jump specifically to the dog park. Just to give the Commission an understanding of what Ms. Nichols had mentioned in regards to the time frame that is involved. The city received an estimate of $14,000 to repair the fencing at the dog park. The city received an offer from the insurance company of $5,000. If the Commission wants to direct staff to go ahead and make that repair using General Fund monies they can go ahead and do that. The process that the city is taking on all of these settlements is when the insurance company offers the city one-third of what the estimated cost of repair is, staff has to go back and argue that settlement. Staff goes back to the insurance company and say, “you offered us $5,000, the estimated cost for repairs is $14,000,” then they have to go through that appeal process. The insurance company sticks to their guns and says, “no, we’re only going to pay you $5,000”, the city then goes to FEMA and we say to FEMA, “we applied to the insurance company, they offered us $5,000, we have estimate of $14,000, we’re appealing to you under category A or B and we’re requesting additional funds.” FEMA is either going to supplement that amount or they going to deny us. That's what takes so long. It's not that staff is dragging their feet on anything. It takes time to go to through these appeal processes.

Mayor Penny stated the estimate for repairs a third-party repair or is that the city doing it in-house?

Mr. Forte stated in this case, it’s a third-party doing the repairs. Now, staff has a list of repairs, like he said, $2 million worth of repairs, of which, staff met today to discuss and some of those repairs they need to hire outside to make repairs and some of them they can do internally. The city has some very talented, a couple of staff members who are very talented that can do many of these repairs, however, they have full-time jobs and all these repairs are more time added and assigning it to the in-house personnel would probably take three years to make a dent in the amount of damage that the city has. Staff discussed today the possibility of hiring either a temporary full-time employee or even an apprentice to Marty Warrington because he will be retiring in about 4 1/2 years, he’s in the DROP program, and seeing if that position would qualify under FEMA reimbursement so that staff can bring somebody else on to do some of these repairs internally and not have to go out and bid the project. So, really what the bottom line is, what he is looking for direction from the Commission is…and if they want to talk specifically about the dog park, the dog park is a $15,000 repair.

$14,000 for the fence and then they are going to have additional repairs, as Ms. Nichols mentioned. Some of the concrete work came up, some of the benches were damaged. We may believe that a tornado may have gone through that section of the park.

Mayor Penny stated Mr. Forte, are those amended numbers because he's looking at $30,000 for Riviera Dog Park.

Commissioner Via stated and $5,000 for fencing.

Steve Juengst, Facilities Supervisor for Public Works stated, what staff did, after the storm came through, himself and staff went out and took a look at the areas and they based the repairs, it kind of depends on where, some of it was based on what the things cost the city in the past and added on extra monies to account for inflation and that sort of thing. They estimated that the fence would be around $5,000. He got a contractor out there to give him an estimate and that's what came back, $14,000 just for the fence.

Commissioner Via asked is that for replacing all of the fence not fixing it?

Mr. Juengst stated no, that's to bring it back to pre-disaster.

Commissioner Via stated that's just to fix it.

Mr. Juengst stated that's just to fix it.

Mr. Forte stated and on top of that, they still have the dog fence, the pavilion and some of the other repairs out there.

Commissioner Currie stated she has a couple of questions about this list in general and then…

Mr. Forte stated he wanted to address the dog park first specifically because Ms. Nichols is here and he thought they would address that first.

Commissioner Currie stated because it may or may not take down the total overall cost, the question she has. First of all, one of the cost on here is Center Street. If they're getting ready to sell it, why are they going to repair it?

Mr. Forte stated they have to put a list together to submit to FEMA.

Commissioner Currie stated she understands that but it's in their total figure that staff is giving the Commission.

Mr. Forte stated he didn't wash the figures. He gave the Commission what staff is sending to the city's insurance company and submitting to FEMA. Right now, the city owns those buildings.

Commissioner Currie stated she understands that but she's being told they need an "X" amount of dollars and if that's part of "X" amount of dollars…

Mr. Forte asked how much is for Center Street?

Commissioner Currie stated, $30,000.

Mr. Forte stated okay, $30,000 of a $2 million dollar line item…

Commissioner Currie stated still, $30,000 would fix the dog park.

Mr. Forte stated it's not $30,000 that he has, it's $30,000 that he doesn't have.

Commissioner Currie stated she understands that but scratch $30,000 on a piece of property that the city is selling…

Mr. Forte state and now they're at $1,970,000. He didn't earn $30,000.

Commissioner Currie stated she understands that, what she is saying, she's scratching off $30,000 for a piece of property that she's selling, now she might be able to use that…

Mr. Forte stated they don't have it. All it does is lower it from $2 million to $1.9 million.

Commissioner Currie stated her second question was, probably for Mr. Swartzlander, doesn't she constantly hear how great they are on reserve funds and that's what they have them for?

Mr. Forte stated let him explain it again. He didn't say they don't have the money in their reserve fund. He said they have to go through a process to get the city's money back. He can take $2 million dollars out of the city's budgets and pay for everything. Now, they have nothing left in their reserves.

Commissioner Currie stated well, obviously, she doesn't want to do that.

Mr. Forte stated the next process is to file a claim with the insurance company, appeal the claim to the insurance company, file the claim to FEMA, appeal the claim to FEMA and then make a decision based on what they get. If you had damage on your home and you have insurance and the insurance is going to pay you one-third of what it's worth, are you going to file the appeal or are you going to say, "no, I'll take it out of my savings account."

Commissioner Currie stated she would probably file the appeal but if she could, she would fix it first.

Mr. Forte stated with no assurance you are going to get reimbursed.

Commissioner Currie stated well, go through the process first but she's got to fix her home.

Mr. Forte stated the city doesn't have that ability. They have to go through the appeal process first.

Commissioner Currie stated so they can't fix any of this stuff until they finalize the appeals?

Mr. Forte stated staff is going through this and making some repairs. For example, Ms. Cole's office was damaged. Staff went in, took pictures, they made the repairs, there was a mold issue there. Staff documents them in anticipation that the city "may" get reimbursed because the city made repairs in advance of an approval. It's not as easy as Commissioner Currie is making it sound. Staff is dealing with FEMA.

Commissioner Currie stated she's dealt with FEMA.

Commissioner Danio asked where are they in the process?

Mr. Forte stated they are in the appeal process.

Commissioner Danio asked typically, how long does that take?

Mr. Forte stated, months.

Commissioner Currie stated but they can repair things, document…if they choose to repair and document, fight and do all that.

Mr. Forte stated, right. That's what staff is working on. They are working on making repairs. Now, his question for the Commission, specifically tonight, is do they want him to go outside of the process and spend between $15,000 and $30,000 to repair the dog park or do they want him to go through the appeal process?

Commissioner Byrnes stated he has another question before he can answer that. If they get an outside contractor to come in and fix the fence they would have to get three bids. They would then have documentation that, here is the lowest bid and that's who the city used to fix the fence. The insurance company denying the city is incorrect so the city has to pay for this. With that information, he would think the city would say let's get the fence fixed and have it fixed by the lowest bidder like they would normally do.

Mr. Forte stated that's all he's seeking. Is the Commission's direction to go outside the normal process and fix this and then they can go back and try and seek reimbursements from the insurance company and FEMA. He needs their direction to tell him to go outside the normal process.

Mayor Penny stated dealing with insurance companies for a living, you always have more pressure if you haven't paid for it already.

Mr. Forte stated, correct.

Mayor Penny stated if you paid for it, you probably shot yourselves in the foot.

Commissioner Byrnes stated they have a park where they have animals that may run loose, a dog may get loose, may find a hole in the fence, and now the city has a possible liability because the city didn't fix that fence. They have people who have animals and have been told to come and use the park. He thinks the city only has two options. They shut the dog park down entirely or they fix the fence. That's all they can do tonight to get away from the liability that he sees is out there.

Mayor Penny stated they have a third option and they can tell people to walk their dogs in the park on a leash.

Commissioner Via stated and not only that but one thing that he knows this Commission is working hard on is to improve the image of Holly Hill. This is the city's most utilized park that they have by far, period. To have people coming from all over, from our city from other cities, coming and seeing…he doesn't know if the Commissioners have gone down there. It's pretty terrible.

Commissioner Byrnes stated Commissioner's Via's father and himself, that park wouldn't exist. So when he drives by there and he sees it, he is embarrassed and he is disappointed.

Commissioner Via stated he is embarrassed of it. They have chairs sitting on downed fences right now trying to keep the big dogs out. With tons of elderly women that have little dogs. He agrees with Commissioner Byrnes point that there's a liability there. A dog jumps over and gets a hold of somebody.

Mr. Forte stated he is going to go on record here because he's taking it a little bit personal and he knows he shouldn't. There's nothing to be embarrassed about. We have done so well in this city. I drive through Ormond Beach, they still have debris in their neighborhoods. We do not.

Commissioner Byrnes stated it's not a personal thing Mr. Forte.

Commissioner Via stated it's not.

Mr. Forte stated he knows it's not but when the Commission says it's an embarrassment, it's not an embarrassment. He applauds the staff for what they've done to get them where they are. They had a hurricane come through the city that they've never seen in the history of this city. They are well ahead of the curve. They can do what Ms. Nichols is asking and they can repair the park. If the Commission gives him direction to deviate. Attorney Simpson just told him if the Commission deviates from the plan and they don't follow the insurance code to a "t", the city will lose it.

Mayor Penny stated they're not getting it. The city will get denied.

Mr. Forte stated and it may only sound like $30,000 for this one…

Commissioner Danio stated and Ms. Nichols, don't take this wrong. He is afraid if the city does something outside the normal process the city is going to open itself to…that's the only thing he is afraid of.

Ms. Nichols stated if she could just get some orange temporary fence put up at the dog park. Just buy a roll of plastic fencing and put it up.

Mr. Forte stated he can do that. He can buy a 100 feet of the plastic fencing…

Ms. Nichols stated they've talked about it. She has spoken to Mr. Juengst about it but he can only do what he can do. He has been there, walked the park with her.

Mr. Forte stated Mr. Swartzlander and himself did go to the park and walked the park. They can temporarily put up the orange fencing.

Ms. Nichols stated she doesn't want the city to loose money but she also wants to keep the park safe and the dogs safe until they can get some sort of repairs done the proper way.

Mayor Penny stated and he agrees with her but this is a much larger issue but he has to applaud this city and this Commission and Ms. Nichols and the volunteers of the Riviera Dog Park for taking over the dog park because it got dumped on the city because Ormond Beach and Volusia County dumped it on the city.

Ms. Nichols stated she knows.

Mayor Penny stated it was closed because they didn't fund it.

Mr. Forte stated, and Daytona.

Mayor Penny stated and Daytona. So maybe the larger issue is…he doesn't believe it's the most visited park in the city.

Ms. Nichols stated they do have hundreds and hundreds of people that come there.

Mayor Penny stated maybe the bigger issue is the people that don't live in Holly Hill have to pay $2.00 every time they come.

Ms. Nichols stated they talked about that.

Mayor Penny stated so they can set this aside for a future time because it's not fair and he's not trying to be disrespectful towards anyone that uses the dog park but it's not fair, in his opinion, and for the citizens of Holly Hill to provide this beautiful amenity to all the other residents of Volusia County and the city is paying for it. That's a much bigger issue for another day.

Ms. Nichols stated she totally agrees.

Mayor Penny stated what he is hearing is that they can get some orange fence and make temporary repairs.

Commissioner Byrnes stated he doesn't want to see orange fence down there. He wants the fence fixed. They can put the building off until they get the insurance back. He wants to see those fences fixed. That's what he wants to see. He doesn't know if anybody else wants that or not.

Commissioner Currie stated Mr. Forte, that would obviously, be part of the insurance claim, correct, and that would mess up the process is what Attorney Simpson is telling them?

Mr. Forte stated the orange fencing, no.

Commissioner Currie stated no, she means to fix the fence.

Mr. Forte stated to fix the fence outside the appeal process may jeopardize the reimbursement.

Commissioner Currie stated, okay. Temporarily fixing it wouldn't.

Mr. Forte stated it would not.

Mayor Penny stated they're making temporary repairs.

Ms. Nichols stated she can tell them, if they are saying that they think the park should be closed until the fencing can be fixed, they will have hundreds of people devastated and…

Commissioner Currie stated that's not what she is asking Ms. Nichols. A temporary fix with the orange fencing versus fixing it with regular metal, they would mess up the appeals process possibly…

Mr. Forte stated, no. The city, out of pocket, would pay for a roll of that orange fencing and secure it to the existing fence.

Commissioner Currie stated and that wouldn't mess it up.

Mr. Forte stated that's not going to mess it up. They are not going to file a claim for that.

Commissioner Byrnes stated so, six months from now a gem of a park in Holly Hill is going to still have that orange fencing.

Ms. Nichols stated well, she would hope not in six months.

Commissioner Currie stated generally, how long does it take for the appeals process?

Mr. Forte stated he is going to ask Mr. Juengst because he has experience in doing this.

Commissioner Byrnes stated it took the city years to get some of the money from FEMA with the last storm; five years, six years.

Mr. Forte stated that was reimbursement for qualified expenses.

Commissioner Via asked is there any guarantee though that the city will get the full $14,000?

Mayor Penny and Mr. Forte stated, no.

Commissioner Via stated not at all so they might be stuck with the $5,000 that they first quoted the city?

Mr. Forte stated it could be.

Mayor Penny stated no one wants to hear this but the reality is no one wants to see this go on another six months but he has to tell them, they are dealing with FEMA and it might take six months. The reality is, is that to put up a fence six months from now is going to be about 25% less than it is to put up a fence right now. It's supply and demand. There's only so many vendors. The materials are there, it's the labor force.

Mr. Forte stated they were only able to get one quote.

Commissioner Currie stated, Mr. Juengst, to put up the temporary fence right now, six months down the road, could they possibly, in your experience, an answer from the insurance company, FEMA, all that good stuff?

Mr. Juengst stated within six months he would hope so. He can't guarantee that.

Commissioner Currie stated she understands that. With his experience…

Mr. Juengst stated he would expect that within six months they should be fine. Depending on how they bid stuff out it takes a little…

Commissioner Currie stated and she's not going to hold his feet to the fire on that.

Commissioner Danio stated his mother had trees come down, she was crying. They wanted $3,000 to move these trees. He told her to wait. Six or eight weeks go by, $800 for the same trees.

Mr. Juengst stated, right.

Commissioner Danio stated that's what he's trying to say.

Commissioner Byrnes stated it's been three months since the storm.

Commissioner Danio stated but he thinks it's prudent for this.

Mayor Penny stated he can tell them that by dealing with insurance every day, this is not uncommon. There's not enough…you can get a vendor to come by. You can get an out of town contractor to come do the repairs and you have absolutely no guarantee of the quality or anything in the future. They need to wait for the local, home-grown company to do the repairs and it maybe six months. He has people that can't even get a second bid for their roof right now. We're telling them to get three bids. The first bid is $12,000 and we're going to allow them $4,000. They need to wait. Whenever you rush with these situations, you lose money. If the dog park people are going to be satisfied with the temporary orange fencing, that makes perfect sense to him.

Commissioner Currie stated Mr. Forte, are you telling us that you would advise us that we should go through the process and not make any repairs because you would be concerned about us not being able to get reimbursed?

Mr. Forte stated, yes. Administratively, that is his concern.

Commissioner Currie stated, okay.

Mr. Forte stated that the city wouldn't get its reimbursements. Like he said, it may only be $30,000…he didn't get the request for the orange fencing. The city could probably do that and if that would satisfy the dog owners to go in there and be able to utilize the park for a couple of months.

Commissioner Currie asked if she could call Ms. Nichols back up. Commissioner Currie asked Ms. Nichols if they would be happy with orange temporary fencing?

Ms. Nichols stated, yes. For now.

Commissioner Byrnes stated knowing it could be six months to a year before they get real fences?

Commissioner Currie stated knowing the city is going through a process with the insurance company with what they have to do, it's not us (inaudible)…

Ms. Nichols stated she's concerned as well that it would be a year before that park is going to look like that. It's the only concern that she has.

Mr. Forte stated why don't they agree and cut their losses in six months then.

Ms. Nichols stated that's what she was going to say. If they could possibly revisit it.

Commissioner Via stated or sooner than that.

Commissioner Currie stated she doesn't know that within six months they would expect have anything. She would be willing to do six months and say if the city hasn't been able to get anything done with FEMA and the insurance company to go ahead and fix the dog park.

Commissioner Byrnes stated three months from now it will have been six months from the storm.

Ms. Nichols stated, exactly.

Mayor Penny stated he doesn't want to burst anyone's bubble but Riverside Drive park is $5,300, Sunrise Park is $821,000, Ross Point park is $1,100, Hollyland Park is $79,500

Commissioner Currie stated but Mayor, they're talking about the safety of the animals.

Mayor Penny stated they're talking about the image of their city. When you drive down Riverside Drive, which is our scenic view, and you see the pavilions with no shingles on them and you see all this devastation from a natural disaster, the city is doing its best.

Commissioner Currie stated like Mr. Forte pointed out, Holly Hill looks a lot better than most cities right now.

Mr. Forte stated one of the problems is, is this storm didn't come across the State and affect five counties, it affected every county from West Palm to the Carolinas and all these insurance companies and FEMA are dealing with this enormous stretch of people filing claims. That's why it's taking a bit longer to get responses. They just don't have the appraisers out there doing what they would typical do if it were an event that was to a smaller geographic area. It's because of that, that it's taking longer.

Commissioner Byrnes asked what are the odds that the city will get more than the $5,000?

Mr. Forte stated when they come out with that $5,000 it's a swag. Now the city at least has an estimate. They can go back and say, "look, here's an estimate, we got a legitimate estimate, we only have one", like he said, they don't have a lot of vendors coming out giving estimates but at least they have one and they can go back to the insurance company and say, "here's the reality of what cost is", staff submits it and they wait for them to respond back. Like he said, City Hall roof is leaking, one of the walls in his office is buckled and he's told staff don't open it up, just leave it. Whatever's behind it, as long as he doesn't see it, he doesn't care. There are concrete bare floors in the Police Department because of floods. There's a lot of little things and unfortunately, because none of these little things go beyond the 3% value of the building, they don't fall into that automatic reimbursement. If any of the damage exceeded the 3% it would be covered, no questions asked. But none of it hits that threshold so every one of those items on that list is going to be a challenge and an appeal.

Commissioner Currie stated she would like to see and she doesn't know if everybody else up here agrees but she would like to see the city go ahead and provide Ms. Nichols and the dog park with the temporary fencing that is needed there and the city goes through the process it needs to, to have all this taken care of and not divert from the process. She thinks when they do that, they cause problems.

Ms. Nichols stated she would just like to revisit this in six months or in four months.

Commissioner Via asked how long will the appeals process take? Three months?

Mr. Forte stated, no. He doesn't know how long the appeals process will be. That's what Mr. Juengst was saying. The project could be done in six months. It all depends on how they respond to the city's repeal.

Commissioner Currie asked if Mr. Forte could bring the City Commission back some sort of a report.

Mr. Forte stated he can give them a monthly update on the status of where they are with all of this stuff.

Commissioner Currie asked could you bring us back something in three or six months or something like that?
Mr. Forte stated, sure.

Commissioner Danio asked Ms. Nichols if there was something she could do on her end to maybe get some help for some estimates because we only have one so far.

Mr. Forte stated, yes. That's all that responded back.

Ms. Nichols stated she can't do that because it's the city. The city needs to have those.

Commissioner Danio stated she couldn't have authority to just put together some bids on her own.

Mr. Forte stated, no. We have to go through our purchasing procedures.

Ms. Nichols stated the city has to do that.

Commissioner Byrnes stated it's clear that Commissioner Danio doesn't want to do it…

Commissioner Danio stated he's not saying that he doesn't want to do it.

Commissioner Byrnes stated Commissioner Via and myself are the only people…

Commissioner Danio stated he's not saying he doesn't want to do it.

Commissioner Byrnes stated he wants to be done with this.

Commissioner Via stated he does too.

Commissioner Danio stated there will be a lot of people like Ms. Nichols standing out there next week if they do it tonight and they go outside the box.

Ms. Nichols stated there's actually not though because she runs a city park. She is the only park in the city that is run by a private group of volunteers so there's not going to be a lot of Ms. Nichols' standing here asking for money because she's the only one that does it.

Mayor Penny stated they haven't even addressed any of the other fifty items on this list.

Commissioner Byrnes stated because Mr. Forte asked the Commission to address the dog park.

Ms. Nichols stated, yes.

Mayor Penny stated, right.

Ms. Nichols stated she would love to have it fixed. She fought really hard to keep this dog park open and it's something that she is very passionate about. She stood in the park and cried the day after the storm and she's crying now. She has worked extremely hard for this park and for all the people that use it. Commissioner Via knows it's very sad for her to see the park the way that it looks and it is a mess and it looks terrible.

Commissioner Currie stated she knows that Ms. Nichols put in a lot of work there.

Ms. Nichols stated and it's embarrassing for her to have to tell people every day…especially, when they're visiting that this is not typically how the park looks but they had a hurricane and it was damaged. If she has to take the temporary fencing she will be happy with that for now but she wants the park to be back to normal. She would like to have the fencing fixed and the holes repaired and the pavilion and all of that.

Commissioner Currie stated if they do the temporary fencing, the park would be open as opposed to other city parks that are not open.

Ms. Nichols stated, right. They are open now but like she said before…

Commissioner Currie stated opened to where the animals can run around.

Ms. Nichols stated, right.

Commissioner Currie stated and it's not something that the city is saying they are going to put up the orange fencing and that's what Ms. Nichols has. They are not saying that at all.

Ms. Nichols stated, right. She understands that.

Commissioner Currie stated they are saying that this is a temporary fix, the Commission is agreeing, if everyone agrees with it, it's a temporary fix because the city is going to have it permanently fixed. They just need to go through the process of having the insurance company pay for a portion of this.

Ms. Nichols stated she completely understands that.

Commissioner Currie stated she doesn't want Ms. Nichols to think that the Commission isn't being supportive of her but the process has to be gone through so that the insurance company can at least fork up some of the money.

Commissioner Byrnes stated and tell us no.

Ms. Nichols stated she understands that. It's like she said, it's hard to look at the park like that.

Commissioner Currie stated she understands because she knows that Ms. Nichols put a lot of work into it.

Ms. Nichols stated, yes.

Commissioner Currie stated and she definitely does appreciate that. She has to give the insurance company and FEMA the opportunity to reimburse the citizens of this community money instead of just paying the full boat right up front.

Ms. Nichols stated, right.

Commissioner Currie stated she hopes that Ms. Nichols can understand that.

Mayor Penny stated Mr. Forte, it sounds to him like there's going to be consensus to do a temporary solution. Can they get some sort of sign that says, "Pardon our dust"…like when you go someplace, "Pardon our dust; we've experienced a hurricane and we're doing our best to put this back in order. Please be patient." Something like that?

Mr. Forte stated it's not going to be that long.

Ms. Nichols asked if the insurance company denies the claim, who is going to fix the park?

Mr. Forte stated it would come out of the General Fund Reserves.

Ms. Nichols stated, okay.

Commissioner Currie stated she would be in full support of that.

Mr. Forte stated if FEMA does, if FEMA denies it then it ends up being the city's reserves.

Ms. Nichols stated, okay.

Commissioner Via stated he thinks they need to put on a time limit. Like they were talking about.

Commissioner Currie stated she just would like to have a report back to see where they are at in the process.

Commissioner Via stated but they need to revisit. If in six months this park is still in…still has orange fence up.

Mayor Penny stated he can't commit to six months from now because they're…

Commissioner Byrnes stated but he can and so does one other person.
Mayor Penny stated this roof may fall in on this building and he knows that there are dog lovers here but if it comes to priority between putting a roof on City Hall and opening up the dog park, they have to be realistic.

Commissioner Via stated but they can revisit it.

Mayor Penny stated they can revisit it but he's not going to commit that six months from now he is going to stroke a check for it. They can revisit it and see where they are but they have to prioritize. This isn't their money. They only have so much money.

Commissioner Byrnes stated and it's because of that, that he wants to stroke the check tonight and be done with it. That's why we have a fund balance. That's why we do all this stuff so that we don't have to wait for this kind of stuff.

Commissioner Currie stated but Commissioner Byrnes, you have to look at it realistic. This is not our money. We have to give the insurance company and FEMA an opportunity to pay for this. All these repairs that you see on these two pages. It's unrealistic to not go through a process that you have.

Commissioner Byrnes stated in three months from now it will be six months from the event.

Commissioner Currie stated well, she's sorry. She has to give them the opportunity to pay the citizens of this community monies for two pages of repairs. It would be irresponsible of her not to do that.

Commissioner Byrnes stated he disagrees but that's okay.

Commissioner Currie stated well, they can agree to disagree, sir.

Jeff Martin, 934 Jasmine Avenue, Holly Hill, stated he's been down this road. He's dealt with FEMA, he's dealt with FEMA by helping with repairs for a couple of parks along the line. They expect one thing of you. If there's any obvious danger or anything that has to be repaired to keep anybody from getting hurt then yes, document them and you go in and fix them and that's all you do then let Mr. Forte do his job with the rest of it. But FEMA will not have any objections at all if you can prove that there was a problem or a danger that could be avoided by fixing it. They'll be right on it in no time. That's about the only time he's ever seen FEMA move with any force at all. He's helped repair an Indian reservation and they repaired a city park in Marion County by using that method. They were able to picture and document all of the repairs, the necessary repairs that had to be done. Submit everything to FEMA and they'll handle it.

Mayor Penny stated unfortunately, the whole FEMA reimbursement process has become much more strict since 2005 because of all of the fraud.

Mr. Martin stated this was eighteen months ago.

Ray Plate, 1580 Riverside Drive, Holly Hill, stated he's a dog lover and thanked Ms. Nichols for everything she's done. Mr. Plate stated he has two dogs and he walks them every day and you hit the nail on the head. If you go over there with your orange fence or whatever color you want to put over there, you're opening yourself up for a liability because then you're saying it's okay, to let your dog go. Mr. Plate stated he walks his dogs every day on Riverside Drive with a leash. He's been to that park many times and unfortunately, never met Ms. Nichols or her husband and he apologizes for that but the truth in the matter is, he takes his dogs to parks all the time and he just doesn't turn them loose because there could be danger and the unfortunate part…

Ms. Nichols stated it's a dog park.

Mr. Plate stated he brutally understands that but he has to agree with somewhat of the panel here and the Mayor. Why throw good money at bad money? His house got $40,000 worth of damages and the adjuster was there last Saturday at 12:30 pm for the first time. Almost all of his neighbors are fixed. There's a brand new dock across the street. Like Mr. Forte said, you can't just call up your insurance company and demand. You can't call up FEMA and demand because they're not going to be there. If anything else, they're going to move away from you. Unfortunately, by patching something, even your roof on your home, it's just going to keep trickling down and he would hate to see city money being wasted because he's sure Mr. Forte's employees make something per hour and the fencing isn't free and then the city is going to do it again if the city does win. He doesn't want to see any animal get hurt but he thinks that anybody that owns an animal should be as responsible as any parent. You don't let your kids run loose, don't let your dog run loose.

Commissioner Byrnes stated it's a park where the dogs are supposed to be able to run loose so please address the panel. The park is designed for dogs to run.

Mr. Plate stated he agrees, it is a dog park and yes, he would like to see it fixed. He doesn't want Mr. Forte's wall to fall in on him because he thinks he's a great guy and he doesn't want the roof to mess up because this is a beautiful building and every time he goes to Riverside park and see those naked pavilions, so to speak, because there's no roofing left on them, he wonders how much more damage is going to happen before they get fixed. Every dollar probably counts right now he would have to think and that's just his personal opinion because he has the same thing going on at his house and he just doesn't have the money in his pocket to say, "okay, I'm just going to go ahead and fix the siding and the roof and where the water came in." Instead, he's like the Police Chief, he doesn't have any carpet in his brand new room downstairs. He wishes everyone the best of luck with their repairs.

Mayor Penny stated Mr. Forte needs some direction as to what to do. No disrespect towards anyone at the dog park but the problem is, historically what this Commission does is the squeaky wheel gets greased. Whoever comes to this Commission and brings something to their attention, they take immediate action and they often make a mistake. There's a lot more items on here, which are larger items and he thinks a lot higher priority items to be repaired than the fence and the dog park. He's sorry. He knows people are passionate about dog parks but the Commission hasn't talked about any other line item on that. If they can do a temporary repair, he thinks that shows that they are working in good-faith and they follow the process. The one thing he knows about FEMA, if you don't follow the process, you will absolutely, positively not get reimbursed even if you were eligible. Mr. Forte needs direction on the dog park. If someone would like to make a motion to do something.

Commissioner Byrnes made a motion to ***repair the fence at the dog park as it is now, they have a bid, they get two more bids, they repair the fence****, seconded by Commissioner Via.*

Mayor Penny opened public participation. No one spoke.

Commissioner Byrnes stated he doesn't believe they are going to get much more than the $5,000 out of this because of all of the insurance stuff that's going on. They get this part done, they make sure that there are no people or dogs lives in danger because it's a park. It's designed for where the dogs are supposed to be let loose and supposed to run. It's not like a regular park where in a lot of their parks they're not supposed to have a dog whether it's running loose or not. He would hope that the park is repaired for what it's supposed to be. The building was not included in his motion only the fence.

Commissioner Via stated he agrees with Commissioner Byrnes. This is their chance to step up and get this done now. There's no guarantee that the city will get this money back in any way, shape or form even if they go through this process and have this for another six months. That's why he is for this. He would rather get this fixed right away than in six months down the road or maybe even a year down the road.

Commissioner Currie stated she understands where both Commissioners are coming from because she would feel the same way if she didn't have to be fiscally responsible with the citizens and the money. It's not her money. If it was her money, she would go fix it. Not a problem but unfortunately, that's not the case. She has to be responsible and do her due-diligence to let it go through the process that it needs to go through but at the same time allow a temporary fix to at least allow the park to remain open and be able to contain the pets that choose to go there with their owners to play and run until the process can go through.

FAILED, 3-2. (Opposing: Currie, Danio and Mayor Penny).

Mayor Penny asked if someone would like to make a motion to possibly temporarily repair the fence.

Commissioner Currie made a motion to ***fix the fence temporarily with some type of fencing that the city finds appropriate to safely repair the park temporarily until the city goes through the process that needs to be gone through with FEMA and the city's insurance company and would like a report back where they are in the process in six months****, seconded by Commissioner Via.*

Mayor Penny opened public participation.

Mary Nichols, 1715 Anniston Avenue, Holly Hill, stated she just wants to make sure that if they do, do this that they follow up in six months and she knows where they stand.

Mayor Penny and Commissioner Currie stated that was in the motion.

Ms. Nichols stated okay and the temporary fencing is something that will work for now.

Commissioner Danio stated they're trying.

Ms. Nichols stated she knows.

Mayor Penny closed public participation.

Commissioner Byrnes stated when Commissioner Currie indicated that he might have been fiscally irresponsible with the last motion, he wanted to…

Commissioner Currie stated I did not indicate that you were.

Commissioner Byrnes stated well, you…

Commissioner Currie stated I said that I had to be.

Commissioner Byrnes stated and I believe that this motion is fiscally irresponsible because that temporary fencing…when he's seen it, dogs can easily crawl out from underneath it. He's worried about the liability that the city may have without putting in the proper fencing. That's the whole focus of his argument and his motion.

Commissioner Currie stated first of all Commissioner Byrnes, I did not indicate that you were being fiscally irresponsible, I was indicating that "I" needed to be fiscally responsible so let me clear that up and make that for the record. I would never accuse a Commissioner of being fiscally irresponsible. Secondly, that's why I made it very clear in the motion that I wanted the fencing, I didn't say plastic orange fencing, I made it very clear that I wanted it to be some type of temporary fencing that would be secure to make that the pets that went down there and took their owners there would be secure.

Commissioner Byrnes stated, thank you.

Commissioner Currie stated you're welcome.

Mayor Penny stated it may appear that the Commission is heartless up here and he thinks if they came to any of the Commissioners homes or their place business and asked for a $50.00 donation for the dog park, they would probably get it. But they sit there as a legislative body, as the caretakers of the taxpayers money and it may appear that they are cold hearted at times and he doesn’t want that impression to be left with anyone tonight. He is in favor of Commissioner Currie’s motion.

PASSED, 5-0.

Mr. Forte stated he talked to Mr. Juliano and Mr. Juengst today and staff is taking the approach of going through health, safety and welfare matters when it comes to repairing that. What does that mean? It means if he can do something that can prevent further damage, those are the ones they are going to try and take care of first using their in-house staff. This Thursday they do have a meeting with FEMA and staff is going to talk to them about hiring somebody in-house to help do those repairs, whether it’s a temporary or full-time employee or an apprentice to Mr. Warrington or somebody that can do it. If they can do that, that will help expedite some of these things done a little bit more quickly. Things like, the roof is a big concern for them. The roof of this building. If they jeopardize the structure of this building, they will have a situation like they have down at The Market and staff doesn’t want to cause any further damage. Mr. Juengst has the top ten items that they would like to go ahead and address first. Mr. Juengst will read those off to the Commission and let them know where they are administratively.

Mr. Juengst read off the list of items that were a top concern for staff. See below.

Hurricane Damage Priority

#	Location	Why	Notes
1	City Hall Roof	Location of EOC, insulation exposed, flood hazard	Estimate $4,800
2	Market Roof	Isolated water intrusion from Ste 402	Estimate $101,129.63* HISTORICAL BLDG
3	PD Flooring	Uneven surface hazard.	Estimate $4,072 HISTORICAL BLDG
4	DAF Roof	DAF Units need to be protected (Removes solids from water)	In House Estimate $5,000
5	Quonset Hut Tracks	Doors in danger of falling. Vehicles/Generators stored	In House Estimate $1,000
6	City Hall Shutters	Location of EOC, records, IT infrastructure, etc	HISTORICAL BLDG. Will add to LMS
7	Seawall at Sunrise Park North	Flood protection	FEMA requires engineering. Estimates sought from (2) contractors. In house estimate $800,000
8	Nature Trail at Sunrise Park North	Trip hazard. Currently roped off	In House Estimate $8,000
9	Northern Beach Access at Sunrise Park N	Trip hazard. Currently roped off	In House Estimate $5,000
10	YMCA Roof	Mitigate future leaking	In House Estimate $1,000
11	Dog Park Fence	Dogs must be leashed at present	Estimate $13,735
12	Fence @ Hollyland Field 3	Poses a possible danger for players	In House Estimate $500
13	Fence @ Boys & Girls Club	Acts as security, keeps kids on property	In House Estimate $500
14	Fence @ Riverside Park	Leaning on fence could be very dangerous (over wtr)	In House Estimate $5,000
15	Seawall at Riverside Park	Flood protection	Unknown cost of repair - significant
16	N/S Park Buildings @ Hollyland	Mitigate future leaking	$80,000 budgeted for 16/17

B. City Attorney Comments
None.

C. Mayor's Comments
Mayor Penny stated he wants to thank and tell them how much he appreciates the leadership of Mr. Forte, Attorney Simpson and all of the department heads. Staff is out fixing all this hurricane stuff. It’s a great team. We are a small city, like a family. He is excited about the progress of the city and moving forward. These are complex issues and one thing he just wants to caution the Commission about is let’s not make knee-jerk reactions that are financial. He knows the dog park issue was just $14,000/$15,000/$30,000, he doesn’t know how much it was going to be but in the grand scheme of things when you hear these things are life risks, there’s not a stop sign there, there’s a seawall crumbling, the roof is falling in City Hall, they have to prioritize things and that’s when it gets tough. He

appreciates the Commission, the passion of the Commissioners. He wants to thank their newly elected Councilwoman Heather Post for coming to the workshop. Ms. Post was here to hear about Synergy Billing and the Fountainhead progress and he thinks that's the most representation the city has had from District 4 since he's been a Commissioner.

Commissioner Currie stated she made a comment about that this morning because she was at the Chamber breakfast too. That's the most she's seen District 4.

Mayor Penny stated Mr. Forte and Mr. Conte had a meeting with Ms. Post several weeks ago and she has follow up meetings scheduled with Mr. Forte. They are going to meet on a regular basis so she can know what's going on in the city and the city can actually get some leverage and presentation from our County Council hopefully. Mr. Forte sent an email out earlier this week and they gave the Citizen of the Year to Rentha Flowers tonight for all of her work at the Holly Hill Historic Society and he would be remise if they didn't recognize David Rowe who passed away this week and he was one of the founding people that got that museum going. He's been out of the lime light for several years. We all just need to say a prayer for his family and thank him for his hard work and dedication for getting that museum going and if you haven't been there, it's pretty cool. Every time you go there there's something else. There's a lot of cool stuff over there.

D. City Commission Comments

Commissioner Byrnes stated please don't mistake his passion for anger. The dog park means a lot to him and he would be remise if he didn't say that they wouldn't have that because of Mr. Forte because he was the one that helped the Commission to bring that in to make that happen. He hates to see the park with problems. He thinks it's unique because of the fact that people could be hurt by the animals and the animals could be hurt by other animals so he sees that as part of the fiscal responsibility. He hopes that they can get all these other things fixed too because they are important. He did want to mention that he's not sure that the historical building part has any real baring because they've tried to get City Hall put on the register of historical places back before we did this, when this was a gymnasium and of the reasons that they did such a huge renovation of City Hall was because they were told no, the building doesn't qualify for the historic place sort of stuff so he would hope that staff would double check that. He could be wrong but in those days, they were told no, there is nothing historical about the building even though it was built in 1940 by folks that Roosevelt was trying to help them out of the Depression.

Commissioner Currie stated she wants to thank staff. They are really a great bunch of people. Mr. Forte, I really wouldn't want to be in this position any longer if I had to work with the previous City Manager. Everybody is just great. She appreciates the hard work they put in, the dedication. She can't think of a bad employee. This is such a great place to be. To be a Commissioner. To live. She just wants to thank everybody. She apologizes that she tends to get close to that fine line of passion and anger. She likes that the Commission can still have good debate and they can still care about things but still make good solid decisions, she believes. She does appreciate everybody that does come out to the meetings.

Commissioner Via stated they had a spirited debate tonight and he appreciates that. He's glad they have passion and that's why they are here in these seats and that's what he prayed for tonight. Is that they all have that passion for the city and it's a good thing. He doesn't see it as a bad thing, they leave it all up here. They all have differences of opinions. Sometimes the votes 3-2, sometimes it's the other way around. Thank you to staff for staying tonight and congratulations to Mr. Juengst and thank you Mr. Forte.

12. ADJOURNMENT

The meeting adjourned at approximately 9:45 pm.

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● JANUARY 24, 2017

City Commission Chamber **Regular City Commission Meeting** **7:00 PM**

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

A. Roll Call

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

B. Invocation
Commissioner Via led the invocation.

C. Pledge of Allegiance to the Flag
Commissioner Via led the Pledge of Allegiance to the Flag.

Mayor Penny stated before they go to Item 2, which is Presentation. The city had a request from the applicant to table their topic tonight until February 14, 2017.

Robert Merrell, Cobb Cole, 149 South Ridgewood Avenue, Daytona Beach, stated actually, they would like to continue it until February 14th.

Commissioner Byrnes made a motion to ***TABLE MARINA GRANDE MPUD until February 14, 2017 at 7:00 PM in the Commission Chambers****, seconded by Commissioner Currie.*

Mayor Penny asked if there was anyone from the audience that would like to discuss moving the Marina Grande MPUD to February 14, 2017 at 7:00 PM, only. They are not going to talk about the substance of the item, just moving the item to February 14th.

Mayor Penny opened public participation.

Steve Smith, 1410 Riverside Drive, Holly Hill, stated last time the Commission had this discussion, the Commission said they were going to have a workshop prior to it being on an agenda, earlier in the year. He's been waiting for that workshop.

Mayor Penny stated they aren't having a workshop. They are bringing it back on the 14th.

Mr. Smith stated but the public was told at the meeting that there was going to be a workshop to discuss other things that weren't on the agenda specifically those signs and so there was going to be a workshop. So that has been canceled?

Mayor Penny stated, yes. Would anyone else from the audience like to discuss moving the item to February 14th?

Mayor Penny closed public participation.

PASSED, 5-0.

2. PRESENTATION

1.

Presentation by Fleet Manager Proposing a 5 Year Vehicle and Equipment Replacement Program

(Requested by Mark Juliano, Public Works)

Mark Juliano, Public Works Director and Danny O'Flaherty, Fleet Manager were present to do the PowerPoint presentation Proposing a 5-year vehicle and equipment replacement program to the Mayor and City Commissioners. Mr. Juliano stated just a little background, back when he came here about six years ago, it was during the recession, there wasn't a lot of money for anybody, they did have here at one time a vehicle and replacement schedule but that has been long gone by the time he came to the city. During the last five years or so they've been just patching vehicles together to keep them running. They have an outstanding Fleet Manager and department that have done miraculous things to keep wheels on the ground and things going and moving. They've bought used equipment. They've taken old equipment and salvaged it into running equipment. The time has come with the economy getting better that staff has put together what they foresee as being their needs for all the departments in the city in the next five years. It's not cast in stone. It's a fluid document. Things change but they wanted the Commission to see what the Fleet Manager and the Public Works Department had in mind for vehicles and equipment in the next five years. Mr. O'Flaherty will be showing a PowerPoint presentation at this time.

The City of Holly Hill

Fleet Overview

The City's fleet reflects the full-service nature of the City, being comprised of emergency service vehicles, public works equipment and a full variety of vehicles and equipment. Facts and statistics about the City's fleet:

- Fleet size: 135 Vehicles and equipment.(Ave age 15yrs)
- Fleet value: $7.5 million
- Annual fuel cost $118,000
- Fleet budget for FY 2016-17 for repairs $149,100
- Fuel usage: 48,000 gallons gas,5,000 gallons of on road diesel and 3,000 gallons off road diesel per year.
- Approximately 400,000 total miles per year driven.
- Preventive maintenance services and inspections
- Ratio of equipment to technician is 63/1
- 16 Emergency Generators (average age 26 years)
- 65 Pieces of small equipment to support Facilities and inmates lawn crews

The City of Holly Hill

Building and Maintenance

UNIT#	UNIT	Purchased	Year	Mileage	Replacement year	Recommended life expectancy	Estimate cost to replace
838	Ford Ranger Pickup	New	2001	93K	2013	12	$19,000
841	Ford F-350 Mini-Dump Body	New	2004	70K	2014	10	$31,000
847	Ford Pickup Truck	New	2002	54K	2014	12	$28,000
110	Ford Ranger Pickup Truck	New	2004	63K	2016	12	$19,000
23	Ford F350 Bucket Truck	Used	1981	89K	2016	35	$120,000
403	Ford Explorer	New	2004	129K	2016	12	$18,000
938	IHC Bucket Truck	Used	1981	99K	2016	35	$185,000
751	Ford Stake Body Truck	New	2003	58K	2018	15	$31,000
758	Ford F-150 Pickup Truck	New	2006	26K	2018	12	$24,000
135	Ford F-150 Pickup Truck	New	2013	4K	2025	12	$21,000

The City of Holly Hill

Building, Planning and Code Enforcement 2017

DEPT	UNIT#	UNI	Purchased	Year	Mileage	Replacement year	Recommended life expectancy	Estimate cost to replace
B & Z								
1	602	Ford Explorer	New	2006	175K	2016	10	$20,000
2	796	Chevrolet Pick up	Used	2008	79K	2020	12	$20,000
P&I								
1	3	Ford F-150 Pickup Truck (Code Enf)	New	2006	54K	2018	12	$28,000
2	109	Ford Ranger Pickup Truck	New	2003	62K	2015	12	$22,000

Attachment: Minutes - January 24, 2017 - Regular CC & CRA meeting (1569 : Minutes)

The City of Holly Hill

Storm Water

UNIT#	UNIT	Purchased	Year	Mileage	Replacement year	Recommended life expectancy	Estimate cost to replace
47	Chevy Van (On Call)	New	2000	70K	2012	12	$28,000
756	Ford F-350 Mini-Dump Truck	New	2004	58K	2012	8	$31,000
835	Chevy Pickup	New	1990	180K	2005	15	$20,000
869	Vacon Jet Rodder	New	2003	101K	2015	12	$290,000
7	Ford Taurus	New	2001	57K	2016	15	$18,000
842	Ford Taurus	New	2001		2016	15	$18,000
309	Ford Taurus	New	2003	103K	2013	15	$18,000
596	Ford Explorer (FM96-7)	New	2007	66K	2018	11	$18,000
764	Ford F-150 Pickup Truck	New	2004	64K	2019	15	$21,000
864	Int'l Dump Truck	Used	1982	34-36K	2002	20	$85,000
871	Ford Dump Truck	Used	2005	14k	2025	20	$32,000
885	IHC Dump Truck (Sludge Truck)	Used	1979	16K	1999	20	$18,000
141	Sterling Dump Truck (LT7501)	Used	2003	118K	2023	20	$85,000
906	Ford Escape	New	2009	46K	2024	15	$19,000
136	Ford F-250 4x4	New	2013	8K	2025	12	$28,000
896	Ford F550 Crew Cab	New	2012	5K	2032	20	$75,000
161	Chevy Van (Inmate Van)	New	2016	4K	2026	10	$29,000
162	Ford Dump Truck	New	2016	3K	2026	10	$35,000

The City of Holly Hill

Storm Water F-350 with dump bed

Replacement F-350 mini dump to replace vehicle #756. The cost for the cab and chassis has stayed the same from 2016, but the cost of the service body/dump bed has risen total cost of the vehicle will be $31,411 an extra $3,411.

The City of Holly Hill

Waste Water

UNIT#	UNIT	Purchased	Year	Mileage	Replacement year	Recommended life expectancy	Estimate cost to replace
32	Jeep Cherokee	New	1993	87K	2008	15	$26,000
848	Ford F150 Pickup Truck	New	2003	62K	2015	12	$21,000
763	Ford F-150 Pickup Truck	New	2004	53K	2016	12	$21,000
140	Ford F350 Pickup Truck	New	2014	5-7K	2026	12	$32,000

The City of Holly Hill

Generators

Priority	UNIT#	Equipment	Purchased	Year	Mileage/Hours	Recommended Replacement	life expectancy
1	G27	Aux. Generator(Well field/Mobile)	New	1985	244 hrs.	2015	30
2	G43	KATO Generator (City Hall)	Used	1984	177 hrs.	2014	30
3	35	Onan Generator (Mobile)	Used	1965	531 hrs.	1995	30
4	G2001	Caterpillar Generator	New	1997	1,804 hrs.	2027	30
5	G52	Shandong Huayuan Generator	Used	2010	253 hrs.	2030	20
6	G44	Olympian Generator (Fire Dept.)	Used	2003	878 hrs.	2033	30
7	G41	Olympia Generator(Mobile)	New	2005	173 hrs.	2035	30
8	G42	Olympia Generator(Mobile)	New	2005	127 hrs.	2035	30
9	G46	Cummins Generator	New	2006	455 hrs.	2036	30
10	G45	Olympian Generator (YMCA)	New	2007	138 hrs.	2037	30
11	G47	Trade winds Generator	New	2010	170 hrs.	2040	30
12	G48	Trade winds Generator	New	2010	131 hrs.	2040	30
13	G49	Trade winds Generator	New	2010	148 hrs.	2040	30
14	G08	Trade winds Generator	New	2012	75 hrs.	2042	30
15	G11	Trade winds Generator	New	2012	42 hrs.	2042	30
16	G28	Trade winds Generator	New	2012	86 hrs.	2042	30

The City of Holly Hill

Off Road Equipment

Priority	UNIT#	Equipment	Purchased	Year	Mileage/Hrs	Replacement year	Replacement cost
1	866	331 Bobcat Excavator	New	1997	1,707hrs.	2012	$50,000
2	16	AC Forklift (4,000 lbs)	Used	1979	3,796 hrs.	2014	$22,000
3	886	JCB Loader/Backhoe	New	1989	Unknown	2004	$82,500
4	843	Hustler Z Mower	New	2001	2,111 hrs.	2009	$9,000
5	741	John Deere (Gator)	New	1993	2,418 hrs.	2008	$7,000
6	757	Hustler Z Mower	New	2003	2,267 hrs.	2011	$9,000
7	33	John Deere (Gator)	New	2002	3,307 hrs.	2017	$7,000
8	773	Hustler Z Mower	New	2008	2,249 hrs	2016	$9,000
9	25	Forklift (12,000lbs)	Used	1981	3,317hrs.	2016	$55,000
10	753	Hustler Z Mower	New	2003	2,155 hrs.	2011	$9,000
13	771	Hustler Z Mower	New	2006	1,977 hrs.	2014	$9,000
14	772	Hustler Z Mower	New	2006	1,858 hrs.	2014	$9,000
11	39	John Deere (Gator)	New	2005	1,775 hrs.	2020	$9,000
12	765	John Deere (Gator)	New	2006	1,262 hrs.	2021	$7,000
15	774	Hustler Z Mower	New	2012	775 hrs.	2020	$9,000
16	868	Caterpillar Loader/Backhoe	New	2000	4,670 hrs.	2020	$120,000
17	752	Ford Tractor	New	1987	3,770 hrs.	2022	$35,000
18	761	Kubota Tractor	New	2003	1,168 hrs.	2023	$35,000
19	744	Toro Ball field Machine	New	1998	2,028 hrs.	2028	$10,000
20	37	Thompson 6" Trash Pump	New	2005	14 hrs.	2035	$15,000
21	38	Thompson 6" Trash Pump	New	2005	14 hrs.	2035	$15,000
22	111	Caterpillar Forklift	Used	2013	1,358 hrs.	2035	$65,000
23	147	Caterpillar Loader/Backhoe	Used	2014	1,175 hrs.	2029	$135,000

The City of Holly Hill

Water

UNIT#	UNIT	Purchased	Year	Mileage	Replacement year	Recommended life expectancy	Estimate cost to replace	UNIT#
1	19	Ford Ranger Pickup Truck(Meter truck)	New	2007	75K	2017	10	$21,000
2	31	Ford F350 Pickup Truck	New	2005	83K	2017	12	$31,000
3	755	Ford F-150 Pickup Truck	New	2002	74K	2017	15	$21,000
4	12	Ford Ranger Pickup Truck(Meter truck)	New	2008	61K	2018	10	$21,000
5	22	Ford F-150 Pickup Truck	New	2004	39K	2019	15	$21,000

The City of Holly Hill

Utility Billing Proposed New Fleet Vehicle

- The current vehicle used is the Ford Ranger.
- That size vehicle is only available in the Nissan Frontier.
- Fleet department was looking to replace the pick up truck with a small van. Either Nissan NV200 or the Ford Transit connect. It will return a greater MPG, security for tools and equipment and shelter for J.D. and Ken when working in inclement weather

The City of Holly Hill

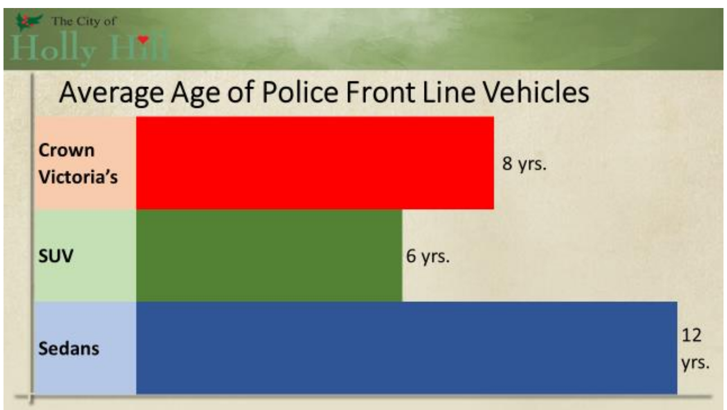
Police Department

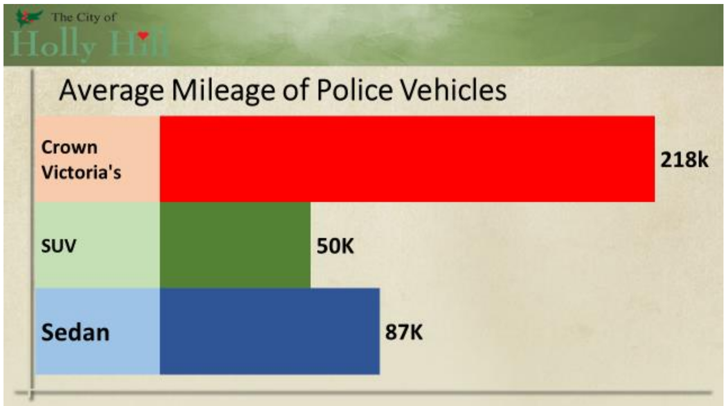
	UNIT#	UNIT	Purchased	Year	Miles	life expectancy	Rec Replacement
1	501	Ford Crown Victoria	New	2005	143K	5	2013
2	502	Ford Crown Victoria	New	2005	139K	5	2013
3	402	Ford Crown Victoria	New	2004	186K	5	2012
4	101	Ford Explorer	New	2010	102K	5	2015
6	4	Dodge Intrepid (Under Cover)	Used	2000	196K	12	2015
7	711	Ford Crown Victoria	New	2007	515K	5	2012
8	746	Ford 1/2 Ton Pickup (Under Cover)	New	1990	108K	12	2010
9	171	Ford Crown Victoria	Used	2007	206K	8	2015
10	824	Ford Crown Victoria	Used	2008	232K	8	2016
11	823	Ford Crown Victoria	Used	2008	203K	8	2016
12	827	Ford Crown Victoria	Used	2008	171K	8	2016
13	825	Ford Crown Victoria	Used	2008	97K	8	2016
14	826	Ford Crown Victoria	Used	2008	110K	8	2016
15	747	Chevrolet S10 Pickup Truck	New	1999	87K	12	2011
16	103	Ford Crown Victoria	New	2010	239K	5	2018
17	105	Ford Crown Victoria	New	2010	169K	8	2018

The City of Holly Hill

Police Department PT2

18	503	Ford Taurus (CID)	New	2005	70K	12	2017
19	2	Ford Taurus	New	2003	90K	12	2018
20	862	Ford Explorer (Under Cover)	New	2006	55K	12	2018
21	809	Chevrolet Impala (CID)	Used	2008	87K	12	2020
22	941	Ford Crown Victoria	Used	2009	225K	8	2017
23	942	Ford Crown Victoria	Used	2009	260K	8	2017
24	943	Ford Crown Victoria	Used	2009	150K	8	2017
25	134	Ford Police Interceptor (Chief)	New	2013	45K	12	2025
26	996	Ford Police Interceptor (Dept Chief)	New	2013	43K	12	2025
27	122	Conti Trailer	New	2012	N/A	15	2027
28	108	Ford Crown Victoria	Used	2010	250K	8	2018
29	112	Ford Crown Victoria	Used	2010	256K	8	2018
30	113	Ford Crown Victoria	Used	2010	240K	8	2018
31	114	Ford Crown Victoria	Used	2010	230K	8	2018
32	116	Ford Crown Victoria	Used	2010	210K	8	2018
33	118	Ford Crown Victoria	Used	2011	200K	8	2019
34	151	BMW Motorcycle	New	2015	2K	8	2023
35	714	Ford Crown Victoria(VIP)	Used	2007	250K	12	2019
36	944	Ford Crown Victoria	Used	2009	150K	8	2017





Five year Plan years 2015-2017

2015			Year	Estimated	Dept	Actual
1	866	331 Bobcat Excavator	1997	$50,000	Storm Water	
2	16	AC Forklift (4,000 lbs)	1979	$22,000	Water	
3	501	Ford Crown Victoria	2005	$35,000	PD	
4	502	Ford Crown Victoria	2005	$35,000	PD	
5	601	Ford Explorer	2006	$35,000	PD	$ 35,000
6	309	Ford Taurus (CID)	2003	$18,000	PD	$ 18,000
Total				$195,000		$ 53,000

2016			Year	Estimated	Dept	Actual
1	47	Chevy Van (Inmate Van)	2000	$25,000	Storm Water	
2	886	JCB Loader/Backhoe	1988	$82,500	Storm Water	
3	843	Hustler Z Mower	2001	$9,000	PW	
4	936	F350 Ford Truck	1993	$28,000	Storm Water	
5	101	Ford Explorer	2010	$35,000	PD	$ 35,000
6	711	Ford Crown Victoria	2007	$35,000	PD	$ 35,000
Total				$214,500		$ 70,000

2017			Year	Estimated	Dept	Actual
1	G27	Aux. Generator(Well field/Mobile)	1986	$75,000	Water	
2	747	Chevrolet S10 Pickup Truck	1999	$18,000	PW	
3	756	Ford F-350 Mini-Dump Body	1999	$28,000	PW	
4	838	Ford Ranger Pickup	2001	$18,000	PW	
5	741	John Deere (Gator)	1993	$7,000	Waste Water	
6	757	Hustler Z Mower	2003	$9,000	PW	
Total				$155,000		$ -

Five Year Plan 2018 to 2020

2018			Year	Estimated	Dept	
1	171	Ford Crown Victoria	2007	$35,000	PD	$ 35,000
2	403	Ford Explorer	2004	$35,000	PD	$ 28,000
3	824	Ford Crown Victoria	2008	$35,000	PD	$ 35,000
4	602	Ford Explorer	2006	$20,000	B&Z	$ 26,000
5	869	Vacon Jet Rodder	2003	$290,000	Storm Water	$ 290,000
6	109	Ford Ranger Pickup Truck	2004	$18,000	P&I	$ 26,000
				$443,000		$ 442,000

2019			Year	Estimated	Dept	
1	823	Ford Crown Victoria	2008	$35,000	PD	Actual
2	827	Ford Crown Victoria	2008	$35,000	PD	
3	825	Ford Crown Victoria	2008	$35,000	PD	
4	31	Ford F-350 Mini-Dump Truck	2005	$26,000	Water	
5	19	Ford Ranger Pickup Truck(Meter truck)	2007	$18,000	Water	
6	G43	KATO Generator (City Hall)	1984	$150,000	PW	
				$311,000		

2020			Year	Estimated	Dept	
1	826	Ford Crown Victoria	2008	$35,000	PD	Actual
2	806	Ford Crown Victoria	2008	$35,000	CRA	
3	35	Onan Generator (Mobile)	1965	$45,000	Waste Water	
4	755	Ford F-150 Pickup Truck	2002	$23,000	Water	
5	12	Ford Ranger Pickup Truck(Meter truck)	2008	$18,000	Water	
6	7	Ford Taurus	2001	$18,000	Storm Water	
				$169,000		

10 Year Fleet Replacement for Police Department

The fleet department would like to see the front line Police vehicles to be replaced every eight (8) years and administration vehicles every twelve (12)

Starting with FY 2016-17,use the three Police Interceptor SUV in the fleet currently being used by the Chief, Dept. Chief and LT, out fit then with prisoner cages ($3,000 per vehicle) and replace three Crown Victoria's. The three SUV will be replaced by a sedan type vehicle. Plus an extra sedan to replace a vehicle in CID.

To replace a front line Police car is $35,000 by using the vehicles we own and replacing them with the sedans a saving of $14,000 per vehicle will be saved.

FY 2017-18 Three (3) of the Ford Police Interceptor SUV will be requested to be purchase to replace three more Crown Victoria's ($105,000 at todays prices)

FY2018-19 Two Ford Police Interceptor SUV and one sedan type vehicle for CID will be requested for purchase ($88,000)

FY2019-20 Three (3) of the Ford Police Interceptor SUV will be requested to be purchase to replace three more Crown Victoria's

FY2020-21 Two Ford Police Interceptor SUV and one sedan type vehicle for CID will be requested for purchase

FY2021-22 Three (3) of the Ford Police Interceptor SUV will be requested to be purchase to replace three more Crown Victoria's

FY2022-23 Two Ford Police Interceptor SUV and one sedan type vehicle for CID will be requested for purchase

FY2023-24 Three (3) of the Ford Police Interceptor SUV will be requested to be purchase to replace three more Crown Victoria's

FY2024-25 Two Ford Police Interceptor SUV and one sedan type vehicle for CID will be requested for purchase.

FY2025-26 Three (3) of the Ford Police Interceptor SUV will be requested to be purchase to replace three more Crown Victoria's

Mayor Penny stated thank you for all your hard work. This renewal and replacement is forward thinking. It’s something that the city has lacked for a long time. They build things but never plan to maintain them or replace them.

Mr. Juliano stated Mayor, they are looking for two things tonight. One, a motion to adopt the Fleet Manager’s Replacement for vehicle and equipment schedule as presented and then later on in the evening there will be an agenda item that outlines the vehicles that are funded in this year’s budget that are called out in this document (presentation) to be replaced this fiscal year.
Mayor Penny stated, okay. Would anyone from the audience like to comment on the presentation they just saw before he entertains a motion?

Gilles Blais, 710 Magnolia Avenue, Holly Hill, stated on these particular vehicles, do they have hour meter on them? All of them including police cars?

Mr. O’Flaherty stated, yes.

Mr. Blais stated okay because that’s very important because idle speed is a killer.

Mayor Penny closed public participation.

Commissioner Currie made a motion to ***APPROVE the 5 YEAR VEHICLE AND EQUIPMENT REPLACEMENT PROGRAM AS PRESENTED BY THE FLEET MANAGER****, seconded by Commissioner Via.*

Commissioner Currie, Byrnes, Danio and Via thanked staff for a job well done.

PASSED, 5-0.

3. RECESS THE CC MTG & CONVENE AS THE CRA

4. CRA AGENDA

1. Resolution

Resolution 2017-R-04 A Resolution of the Board of Directors of the Community Redevelopment Agency of the City of Holly Hill, Florida, Approving the Sale of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida.

(Requested by Joseph Forte, City Manager)
Mr. Forte stated this is the Resolution which is authorizing the sale of the 1200 Center Street for the 9.42 acres. They did make the amendment to the contract which removed the $25 million requirement to a $5 million requirement by the time of purchase and they include language that said that the furniture, fixtures, and equipment inside the buildings would go to the buyer.

Attorney Simpson stated the MPUD is not on the agenda tonight. That still has to go through review process. But they have talked in the last few meetings about the Commission reviewing this as the owner and then at some point, in essence, blessing it to go forth to the regulatory process. If the Commission approves these two items, both as the CRA and individual, that will be interpreted or viewed as the Commission authorizing staff to submit the MPUD for review to the Planning Board, which is scheduled to meet the beginning of February. That is the only way they can meet the deadlines that are in these documents. So, approval of these documents is the Commission's tacit blessing to say move forward, let's keep moving forward with the MPUD and let's start the review process at the Planning Board.

Attorney John Ferguson, Cobb Cole, 914 Riverside Drive, Holly Hill, standing in for Attorney Mark Watts. Attorney Ferguson stated, he doesn't have anything else to add. He agrees with everything and he thinks it's consistent with the discussions with city staff and workshops.

Mayor Penny opened public participation.

Jim Legary, 342 Burleigh Avenue, Holly Hill, asked will the general public participate in the PUD?

Attorney Simpson stated, yes. You, as a board member of the Planning and Appeals Board will have an opportunity then at that meeting and then there will be two public hearings on it in February before the City Commission.

Mr. Legary stated and when this issue comes before the Planning and Appeals Board they will have input on the arrangement or will they just review it?

Attorney Simpson asked Mr. Legary what he was talking about.

Mr. Forte stated the Planning and Appeals Board will be looking at this as they would any other PUD project.

Attorney Simpson stated it's a rezoning process.

Mr. Forte stated they're not looking at as it came to them the first time as the city being the applicant, they're looking at it as the Board of Planning and Appeals and they will review it as any other zoning request. Once they give a recommendation from the Board of Planning and Appeals that recommendation comes to the City Commission on February 14th and 28th.

Mr. Legary stated this is a little editorial, he would just love to see the amount of energy and time that has been spent hashing this thing out over the last 18 months spent on something that would directly affect the general population.

Mayor Penny closed public participation.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

2. Resolution

Resolution 2017-R-05 A Resolution of the Board of Directors of the Community Redevelopment Agency of the City of Holly Hill, Florida, Approving an Incentives Agreement with Fountainhead, LLC for the Development of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)

Mr. Forte stated there were quite a few changes to the Incentive Agreement. Most of which came out of the previous meeting where the Commission directed staff to make some changes. Of note is paragraph 8, that they have talked about so many times in the past and paragraph 8 has now been changed to read as follows, *"Notwithstanding the forgoing provisions of this Part One, $190,000.00 shall be used as a credit towards the purchase price of the Developer acquiring Parcel 1. Parcel 1 shall be acquired by the Developer after meeting the criteria below which shall be closed simultaneously with the first payment of the New Employee Incentive. The $190,000 used as a credit towards the purchase price shall remain in the New Employee Incentive fund. The first payment of the New Employee Incentive shall be conditioned upon (a) the completion and certificate of occupancy being issued for all of Phase 1, Parcel 2 as identified on Exhibit C; and (b) the headquarters and all employees of Synergy Billing, LLC being permanently located to the Phase 1, Parcel 2."* In other words, paragraph 8 had some other criteria where they had to reach a certain development stages in order to start to get the reimbursements of the job incentive money and a portion of that money $190,000 would be used towards the initial improvements. Well now what the agreement says is that they have to rehabilitate the two buildings, the media center and the gymnasium, and construct the one-story building and receive a Certificate of Occupancy for those properties, complete the landscape, the parking, and the stormwater in accordance with Phase 1 on Parcel 2 and contract the purchase Parcel 1 before they receive those reimbursement dollars. He thinks it puts the city in a more comfortable position that the monies won't be released until the performance is met.

Mayor Penny opened public participation. No one spoke.

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

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

5. ADJOURN AS THE CRA & RECONVENE TO THE CC MTG

6. PUBLIC COMMENTS

The following individuals spoke to the Mayor and City Commissioners:

Roy Johnson,1706 Ridge Avenue, Holly Hill, stated when he was on this Commission as the mayor he always favored the Police Explorers and lately there has been so many bad vibes about the police danger and a lot of people don't want to get into it anymore because of that and even the people that work in the shop, at his work place, that work on the police cars, are almost afraid to road test them anymore because they don't know who is going to pull up on the side of them and get hostile. In lieu of that, he would like to make a donation, if he can, can he make a donation to the Police Explorers?

Mayor Penny stated sure, just don't give it to any elected official. The city would gladly accept Mr. Johnson's donation.

Mr. Johnson stated but that is a charitable organization you can donate to because he remembers he did a fund raiser and donated to them.

Mr. Forte stated he is not sure if the Police Explorers qualify as a tax deductible contribution - donation. Mr. Johnson can donate to them. He just doesn't know if he will get a tax credit for it.

Mr. Johnson stated he wants to challenge anyone else on this Commission or the city to maybe make a small donation if they would because it really is a worthy cause. Especially, with the way things have been happening in Orlando and everywhere else lately. The police are really in danger so a lot of people will probably not want to get into it but he would like to encourage the Holly Hill Police Explorers. He's always been proud of them. Mr. Johnson gave his check to Mr. Swartzlander, the Finance Director.

Mr. Swartzlander stated on behalf of the Police Explorers, thank you.

Jim Cameron, Senior Vice-President Government Relations with Daytona Regional Chamber, stated he just wanted to note, March 7th beginning of the Legislative Session here soon and between now and then their Chamber and others are working closely with members of our own Volusia legislative delegation and other Tallahassee officials that will be hosting. They are wanting to work in tandem with Team Volusia, which he believes Holly Hill is associated with and also the CEO Business Alliance and other entities and they will be working in support of economic development. Namely, State assistance and funding public-private partnerships. He wanted to add that they will be hosting and the city participated with them on this in the past, Volusia Days. It's going to be again a two-day project on March 21st and 22nd, which might sound familiar because he believes that's the same day as the Florida League of Cities up in Tallahassee. He is hoping, maybe perhaps, if they can coordinate activities or whatever, if the Commission is up there with them, work with us on some of the activities. They are going to be hearing from a number of State departments up there and different Cabinet officials to start off with and then they are going to split up in teams to go meet with Legislators but our main goal is matters that bring job development back here to Volusia County. They are very much in support of capital projects that can help them economic development wise, here in Volusia County. On that same note, he wanted to invite the Commissioner to their next eggs (?) and issues breakfast, that's going to be February 9th at the LPGA clubhouse and they have Mark Wilson who is also going to be providing a preview of what's going to be coming up in the Legislative Session starting in March. They look forward to working with Holly Hill.

Commissioner Byrnes stated Mr. Cameron, you're not going to do the standard bus thing that you have done in the past where everybody can go up and come back in one day?

Mr. Cameron stated he knows how he feels. He loves the buses too. They are going to be trying it a different way. They may go back to the buses another time. Don't forget that though. Keep bringing that up. He likes the buses.

Commissioner Byrnes stated he may go up there one of those days on his own.

Mr. Cameron stated if they come up on their own, it's going to be a smaller group but they are going to split up into teams and go up there meeting with House and Senate members, not only from our delegation but from other delegation and committees as well.

7. APPROVAL OF MINUTES

1.

Minutes - January 10, 2017 - Workshop Session with Fountainhead - MPUD

(Requested by Valerie Manning, City Clerk)

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 24th day of January, 2017, in Holly Hill

8. CONSENT AGENDA - ITEM (1)

1.

WWTP Effluent Pump Replacement

(Requested by Mark Juliano, Public Works)

Mayor Penny opened public participation. No one spoke.

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

Enacted and approved this 24th day of January, 2017, in Holly Hill

9. REGULAR AGENDA

1. Resolution

Resolution 2017-R-07 A Resolution of City Commission of the City of Holly Hill, Florida, Approving the Sale of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida.

(Requested by Joseph Forte, City Manager)
Mayor Penny opened public participation. No one spoke.

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

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

2. Resolution

Resolution 2017-R-08 A Resolution of the City of Holly Hill, Florida, Approving an Incentives Agreement with Fountainhead, LLC for the Development of 9.42 Acres Located at 1200 Center Avenue, Holly Hill, Florida; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)
Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

3.

1559 : Marina Grande MPUD - Sixth Amendment

(Requested by Thomas Harowski, Board of Planning and Appeals)
This item was tabled until the February 14, 2017 Regular City Commission meeting. There will be no discussion at this time.

RESULT:	**TABLED**	**Next: 2/14/2017 7:00 PM**

4.

The Mirage Replat A Replat of a Portion of the Mirage Subdivision

(Requested by Thomas Harowski, Board of Planning and Appeals)
Mr. Harowski stated the application that is before them tonight is to approve a final plat. It is a replat portion of the Mirage subdivision, which involves all of the undeveloped portion of the subdivision. So, the twenty units that have been developed on Alabama Avenue and Primo Court which has been approved but not yet have seen any residential construction is not involved. The plat takes that remaining area and essentially, creates three lots out of it. One of which, will be a larger retention pond when it's finished and that's going to be the subject on the next item on their agenda. There's developable land, which lies between that lake

and Flomich Street and then there's a smaller portion that's in the north west corner of the project that's kind of separated by the County ditch that goes with that. That would be a third, other lot. The primary reason for this plat is to facilitate the construction of the larger retention pond without having to essentially, bond other improvements. The property owners will need to come back to this Commission at some point in the future and basically, replat the areas that the buildable lots that they are creating now to allow for some sort of future development of those. This project is under the standard R6 zoning in the city's Land Development Code. The only caution he has with this, at this point, is the city surveyor is still doing a technical review of the plat and that's something that is required by State Statute. They recommended approval of the plat but this should be conditioned on the surveyor finalizing that and they expect that will happen in the next day or two.

Mayor Penny opened public participation. No one spoke.

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

Enacted and approved this 24th day of January, 2017, in Holly Hill

5. Resolution

Resolution 2017-R-09 A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Mirage Subdivision Improvement Agreement; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Joseph Forte, City Manager)
Mr. Forte stated they have been working on this project for a little while as well and the Commission just approved the plat for this project. The agreement that the Commission will be approving tonight, in summary, is basically saying that the developer is going to dig a large retention pond on the property and use the fill that comes out of that and sell that for his own personal profit. The city is going to receive the benefit of that land being donated to the city for a storm water pond and the pond is going to be built to the specifications as approved by the city's consulting engineers. In exchange for that the city is going to grant the developer $400,000 in credits. Those credits would be used and applied toward the development of the townhomes that are surrounding that property. The benefit that the city receives is that in the city's stormwater master plan that the Commission has adopted, the cost to purchase that land was estimated at $390,000. The cost to dig just the hole was approximately $160,000 or $180,000 with some other costs involved. So, in exchange for the credits that the city is going to offer the developer the city is going to acquire land and the retention pond. Now once that's done the city will then go back and put in the infrastructure. In other words, the piping that will go from the community in the

neighborhood that will feed the storm water into that pond. What will happen as the developer starts to build the townhomes and impact fees and other fees, permit fees, inspection fees are billed, those that can't be waived will be paid to the General Fund or those specific impact fee funds by the storm water fund. No different than if the storm water fund was going to purchase the land. It's not going to be an at-large out-of-pocket payment at one time but it's going to be spent…the stormwater fund will spend that over time as the development begins to occur and then those credits will be applied to the development of the townhouses. The anticipation is that, that's going to be an incentive for someone to buy that project and start to build those townhomes. He doesn't believe the current developer who is going to be digging the pond is going to be the same developer that is going to build the townhouses, he may, there may be a market to sell that property because now you got an incentive of reducing or eliminating the impact fees to get those townhouses built. He thinks there is a two-fold benefit to the city. One is, that the city will acquire the land and will have upon built for the city and then the city will also have an incentive to get townhomes built so, it will be an improvement to our community and it would be an improvement to the city's stormwater plan and it's a benefit to the developer because he gets to utilize that land and sell the material that comes out of the pond.

Commissioner Byrnes stated and the city will also get a density reduction because there won't be as many townhomes built because there's less land.

Mr. Forte stated he doesn't know if that's a plus or minus but the fact that the density will be reduced.

Commissioner Byrnes stated there are people that look at density reduction a plus so, he thought he would toss that out there for them.

Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

6. Resolution

Resolution 2017-R-10 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into a Contract with Dredging and Marine Consultants to Provide Construction and Inspection Managements Services for the

Sunrise Park South Boat Ramp Improvement Project; and Providing for Severability; and Providing an Effective Date.

(Requested by Mark Juliano, Public Works)
Mr. Forte stated when the city went out, the city had hired Beth Lemke to apply for some grants for the city to do the improvements to Sunrise Park South, that grant provided funding not only for Ms. Lemke to do the administrative work and manage that grant but also for the design and the construction of the grant but what it did not include was the, what they call the CEI, the Construction Engineering and Inspection, that takes place as the project is being built. So, in order to…and the city doesn't have staff that has the skills to monitor that type of a construction project because a lot of that work exactly happening on the water and they need someone with expertise to do that type of inspection. In the sake of saving time staff was able to find of contracts similar to this where they can piggyback and what the city is doing is piggybacking on an amount for the inspection of the project, which he thinks is $16,000 and then another amount for, which will be based on an hourly rate. Staff didn't project the hourly number of hours that are going to be needed because that's going to be based on whether or not there are conflicts that come up. They may need to have the CEI inspector come out and attend certain meetings, he may have to come out to troubleshoot a certain complication with the project but it will be done on an hourly basis and it's based on the work of the inspector of an administration assistant and so on but the total cost of the project for the CEI is not is not to exceed $37,000 and he thinks for an $850,000 project that the city got funded through grants, so that's a $37,000 investment that's a good deal. It's not that the city is going to spend this money. So, per say, we're spending the entire cost of the project. What happens is we get reimbursed for the grant for the money that gets laid out, we just will not get reimbursed that amount of money…the $37,000.

Mayor Penny stated to help you with those numbers Mr. Forte, it's $16,700 for construction management and the inspection services not to exceed $20,000. So, it's $36,700.

Mr. Forte stated, thank you.

Mayor Penny opened public participation. No one spoke.

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

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

7. Resolution

Resolution 2017-R-11 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Appropriate Additional Funds for the Purchase of City Vehicles as Outlined in the Fleet Replacement Schedule as Recommended by the Fleet Manager; Authorizing the Appropriation of Additional Funds for Vehicle 841; and Providing for Severability; and Providing for an Effective Date.

(Requested by Mark Juliano, Public Works)

Mr. Forte stated what staff is asking for, as Mr. O'Flaherty expressed in his presentation, they are going to be purchasing the Ford Fusions for Police administrative vehicles and transferring the three SUVs into the patrol division. They are going to be getting four Ford Fusions for the Police Chief, Deputy Chief, the Lieutenant and the CID Sergeant. The CID Sergeant's vehicle is going to be disposed of. The other three administrative are going to patrol. They have four new administrative vehicles and then they are also going to be purchasing two of those enclosed minivans for the utility mechanics that work actually under the Finance Department and then the dump truck. That is what staff's request is this year. These items are in the budget this year to be replaced and he thinks adopting that replacement program that Mr. O'Flaherty spoke about earlier is a step in the right direction. They talked about doing a five year replacement because for years the city would run these vehicles to death. Once they died there was no value to them so they are trying to run them to a point where the city can sell them, get a return on that and then reinvest that return in the ongoing cost in replacing these vehicles.

Mayor Penny opened public participation. No one spoke.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

RESOLUTION

Enacted and approved this 24th day of January, 2017, in Holly Hill

10. PUBLIC HEARINGS

1. Ordinance

Ordinance 2982 An Ordinance of the City of Holly Hill, Volusia County, Florida, Annexing by Voluntary Petition Approximately 0.38 Acres Identified as Parcel Number 4244-01-04-0092 Contiguous to the City of Holly Hill; Redefining Boundaries of the City of Holly Hill to Include Said Property and the Adjacent Right-Of-Way of Nova Road; Directing the City Clerk to File the Ordinance with the Clerk of the Circuit Court, with the Chief Administrative Officer of Volusia County and with the Department of State; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)
Attorney Simpson read Ordinances 2982, 2983, and 2984 titles together but each ordinance was voted on separately.

Mr. Harowski stated the rezoning is primarily triggered by the development on the old Cochran Automotive parcel which for quite a few years has been burdened by very specific Business Planned Unit Development (BPUD). What is before the Commission is a rezoning from BPUD to the city's CC1 Commercial Corridor which is a standard commercial zoning classification. The other two Ordinances relate to the small parcel immediately to the north which is also owned by the same property owner. That's being annexed into the city and the city is designating that as general commercial which is what the other properties along that side of Nova Road, in general vicinity are. Since the last reading the only action that's really occurred on this is the city got final clearance from VGMC on their review of it. Assuming the Commission approves this tonight, staff will send the Comprehensive Plan Amendment to Tallahassee. They will take no action on the amendment unless somebody decides to file a challenge to it in the next thirty days.

Mayor Penny opened public participation for Ordinances 2982, 2983, and 2984. No one spoke.

At this time each Ordinance was voted on separately and all three Ordinances PASSED unanimously, 5-0.

RESULT:	**ADOPTED AT 2ND READING [UNANIMOUS]**
MOVER:	John C. Danio, District 3 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 24th day of January, 2017, in Holly Hill

2. Ordinance

Ordinance 2983 An Ordinance of the City of Holly Hill, Florida, Amending the Comprehensive Plan by Amending the Future Land Use Map to Designate the Parcels Identified as 1540 Nova Road as General Commercial; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

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

ORDINANCE

Enacted and approved this 24th day of January, 2017, in Holly Hill

3. Ordinance

Ordinance 2984 An Ordinance of the City of Holly Hill, Florida, Amending the Land Development Regulations by Rezoning the Parcels Described in Exhibit "A" from City of Holly Hill Business Planned Unit Development (BPUD) and Volusia County B-5 Heavy Commercial to City of Holly Hill CC-1 Commercial Corridor; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

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

RESULT:	**ADOPTED AT 2ND READING [UNANIMOUS]**
MOVER:	Chris Via, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

ORDINANCE

Enacted and approved this 24th day of January, 2017, in Holly Hill

4. Ordinance

Ordinance 2985 An Ordinance of the City of Holly Hill, Florida, Amending Chapter 42 (Pension and Retirement) Article II - Police Officers, of the Code of Ordinances of the City of Holly Hill, Florida, Providing for Authority to Invest in Private Real Estate; Providing for a Repealer, Providing for a Savings Clause, Providing for Codification and Providing for an Effective Date.

(Requested by Steve Aldrich, Police)
Mayor Penny opened public participation.

Gilles Blais, 710 Magnolia Avenue, Holly Hill, stated retire law enforcement officer, spent many years on the Pension Board. Once upon a time, in the early 80's ladies and gentlemen, they invested in real estate at 17% interest. Tallahassee turned around and said you got to diverse your investment and we lost. He wants to know if this has been approved by the State of Florida?

Mr. Forte stated he doesn't believe the State of Florida has approved this. If you're talking about…

Mr. Blais asked the pension of some sort? That's just like investing internationally of some sort.

Mr. Forte stated, no.

Mr. Blais stated of some sort of control.

Mr. Forte stated, no. These are approved, qualified investment practices that are accepted. These are not…

Mr. Blais stated, accepted. Guaranteed by whoever tells you this by the State of Florida.

Attorney Simpson stated it's not guaranteed.

Mr. Blais stated there's no guarantee of life.

Attorney Simpson stated these are legally, authorized investments under the law.

Mr. Blais stated go for it but look into it before they get a letter that says, "guess what…".
Mr. Forte stated that's the responsibility of the Pension Board.

Mayor Penny closed public participation.

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

ORDINANCE

Enacted and approved this 24th day of January, 2017, in Holly Hill

5. Ordinance

Ordinance 2986 An Ordinance of the City of Holly Hill, Florida, Volusia County, Relating to Comprehensive Planning; Adopting the Comprehensive Plan Amendments to the Capital Improvements Element in Accordance with Florida Law; Providing for Repeal of All Ordinances and Parts of Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date.

(Requested by Thomas Harowski, Board of Planning and Appeals)
Mr. Harowski stated this is basically a routine housekeeping activity that the city is required to do each year which is to adopt a continuing five-year Capital Improvements Element. They bill the first year of that off of the city's approved budget and then basically the other four years are wishes and hopes and sometimes reflect longer range planning. This is something the city is required to do which is to keep the city's Comprehensive Plan in compliance with State requirements.

Mayor Penny opened public participation. No one spoke.

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

ORDINANCE

Enacted and approved this 24th day of January, 2017, in Holly Hill

6.

Special Exception for Day Care at 601 8Th Street

(Requested by Thomas Harowski, Board of Planning and Appeals)
Mr. Harowski stated the special exception is for the parcel that's at the southwest corner at Center Avenue and 8th Street. It had been a convenience store for quite a few years and been vacant recently. Ms. Johnson who has been in business in the city for quite a few years over here on US1 about 14th Street, is interested in moving into this building, moving her daycare into this location. As the Commission sees in their staff report, staff has reviewed Ms. Johnson's application relative to the special exception criteria and she meets that criteria. Staff is recommending approval.

Commissioner Currie stated Mayor, if I may, I need to disclose ex parte communication. Ms. Johnson is a neighbor of mine. I have had communication with her about this when she first decided to seek this building for her business. As Mr. Harowski stated she had been over here on Ridgewood for quite a few years. She came to me and asked me numerous questions about what her steps were to be able to accomplish being able to get into that building over off of 8th and Center. I just want to disclose that I did assist her with the proper steps of what needed to be done through the city.

Mayor Penny opened public participation.

Gilles Blais, 1710 Magnolia Avenue, Holly Hill, stated building maintenance chairman for the DAV at 605 8th Street. The Commander Harold Hallway gave him the job to show up tonight and say, “we, the DAV approve 100% for this particular special exception for a daycare. It has improved so much in their neighborhood on 8th Street and Center Street, since the little store closed. He will give the Commission a little example. This pick up stick for trash is his magic wand. He did a police call Wednesday morning about 8:30 am, he was out of town Friday, at a seminar in Lake Mary, he comes back Monday to do a police call, he was pleased about the neighborhood. He picked up one beer can and one wrapper from the *Checkers* fast food place. If they want to see him work, Monday, Wednesday, Friday he will have coffee and donuts for them and they can see him work. He does appreciate this particular business to be in this particular area. They have new veterans, young veterans, that try to go to school, they’re trying to work, and guess what? Somebody's got to take care of those kids. A daycare is a great thing, he feels for that particular neighborhood. They used to have one right next to *Thee Garage* on the north side. He just wanted to thank Ms. Johnson for bringing her business to Holly Hill.

Jeff Martin, 934 Jasmine Avenue, Holly Hill, stated most of you all know he’s a long time bread in that particular neighborhood and he has to say the difference now from just a few years ago, has greatly improved. He does have one concern because certain building regulations have to be followed. He’s worried about the main entrance on the north side of the building that they will be able to properly secure or if there is some way that they can put an extra restraint or something in there that will keep the kids from getting out into the street because that building is particularly close to the road. That is the only concern he has. He welcomes the idea that, that daycare is there.

Mr. Forte stated he’s sure Ms. Johnson has to have an inspection by the State.

Heather Johnson, 783 Lakewood Drive, Holly Hill, stated hopefully within the next two weeks they will be open. She pretty much has all the paperwork done. She just has to have the people from Lakeland to come and do her final inspection.

Mayor Penny closed public participation.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Chris Via, District 4 - Commissioner
AYES:	Byrnes, Currie, Danio, Via, Penny

Enacted and approved this 24th day of January, 2017, in Holly Hill

11. COMMUNICATIONS

a. City Manager and Staff Comments

A. City Manager and Staff Comments

1.

Budget Amendment(S) - Staff Report Only City Manager Level Amendment(S)

(Requested by Kurt Swartzlander, Finance)
Mr. Forte stated under his communications he has one budget amendment that he wanted, which is transferring money $1,800 from the Operations Small Tools and Equipment account to the Capital Machinery and Equipment account because the cost to purchase this particular piece of small equipment exceeded the $1,000. No reason to take action on it. This is for informational purposes only.

RESULT:	**CM COMMENTS**

B. City Attorney Comments
None.

C. Mayor's Comments
Mayor Penny stated something he would like them to have a workshop on. It came up in their recent election and it's the residency requirements. He knows people will probably be tired of talking about their Charter but something came up in their Charter that he doesn't think went far enough to declare residency. One of the loop holes is, is that you can declare to be a Holly Hill resident and have homestead somewhere else and you're still eligible to run for office in our city. He just doesn't think that's right. He would like to see if there are two other people that would like to have a workshop and talk about that issue?

Commissioner Currie stated she thought they made it a little clearer than that but apparently they didn't.

Mr. Forte stated well, it's not as clear as the Mayor just said.

Commissioner Currie stated, right. She doesn't like that it's like that because she thought it was clearer than that verbiage.

Mayor Penny stated he did too but apparently there's a gapping loophole.

Commissioner Currie stated and she, for one, because she took a lot of flak from a Commissioner trying to do what the people wanted her to do, she would like to seal that shut.

Mayor Penny stated the city's Charter was reviewed two years ago and the residency restrictions were tightened up. However, if…let's say if someone has a home in Ocala that they have homesteaded, it's their homestead from property appraisers purposes, that's their declared residency and they declare homestead exemption on it and they get a $25,000 exemption, they could have another home here in our city, as a vacation home, let's say they have a vacation home at Marina Grande, and they can have one in Ohio for that matter, they could still run for office declare their homestead, which he believes is their legal residency and they could run for office here and not have homestead here. He's not saying you have to have homestead to run for office, I'm saying if you have homestead somewhere else, that should preclude you from running for public office in our city.

Commissioner Currie stated she was under the impression that homestead was very…

Mayor Penny stated let's not workshop it right here. He wants to workshop it.

Commissioner Byrnes stated he doesn't want to workshop it here but he would like to talk about it because he would have sworn that when they did it the last time that they put some teeth in there because right now you can say anything you want, the City Clerk has no power to say, to prohibit somebody from running. The only thing that can happen is that the opponent has to sue and it seems that if the documents don't match, there should be a very easy, here it is and then the person should have to sue to run if they don't live in the city.

Mayor Penny stated they will workshop those. That's his only appeal tonight. ***There was consensus to have a general Charter discussion workshop.***

Commissioner Byrnes asked if they could have it as a general Charter discussion so they can discuss some other Charter items at the same time.

Mayor Penny stated if that's the pleasure of the Commission.

Commissioner Via stated he would like that.

There was consensus to have a general Charter discussion workshop.

D. City Commission Comments

Commissioner Currie stated they have good discussion, good debate. She's learning how to not be so passionate so hopefully, that will carry through on many more meetings. She appreciates all the hard work put in by staff, into that report, she really does. That was fantastic.

Commissioner Danio thanked Mr. Juliano and Mr. O'Flaherty on the presentation.

Commissioner Byrnes stated he thinks they mentioned him at end of the last meeting but I thought someone that did as much work for the city as he did, could use two mentions. He misses David Rowe. He knows that Mr. Blais was the last person to see him before he passed and Mr. Rowe did a tremendous amount of work with the Historical Society and other community projects, which they don't hear often enough about and it's nice to have someone of his caliber who was interested in a positive view of the city and not out there constantly making bad remarks. Mr. Rowe was a great guy and he's going to miss him.

Commissioner Via thanked the employees for Commission Day. He, personally, learned a lot. He really appreciates how much hard work staff put into it and how much work they put into Commission Day. He thinks he speaks for all of the Commissioners when he says that. There was a lot of eye-opening things like Mr. Juliano said, you don't think about the bowels until something goes wrong with their sewage system and things like that. He wanted thank staff very much. He also wanted to say publicly to, he appreciates Mr. Conte for what he's doing for the city. He doesn't get a lot of publicity or thank you's for that but he knows day in and day out, Mr. Conte is working for the city to bring some prosperity here to Holly Hill and he appreciates the work he is doing.

Mayor Penny stated he wanted to talk about their K-8 school and they have a new Principal. It's unusual that they have a Principal change in the middle of the year but there are retirements. Mr. Forte and himself met with the new Principal, Mr. Reeves and the outgoing Principal and they also met with the school board representative and were assured that the city is getting its fair share. That the city wasn't going to be just getting some nonqualified Principle here. Mayor Penny stated he went to the SAC (School Advisory Committee) committee meeting last week and Principal Reeves is…when he says he is going to do something, my experience is that he is. Principal Reeves talked about…he came from Edgewater and he talked about the importance in the education system now is the STEM (science, technology, engineering and manufacturing). When they met with them, Holly Hill has quite a few manufacturing companies in our city and the Principal has reached out to the school board to allow him some extra money and he hasn't totally been approved for it but it's in the works, to actually have the K-8 labeled as a manufacturing school. This is dumbing it down but to bring things like shop back and to have mentor opportunities for some of our local manufacturers to be mentors for these kids and to show them that there are great jobs out there right around the corner from where they live. He was impressed. He was really impressed with the enthusiasm from the parents at the school. He heard a lot of Holly Hill pride and that they were proud. They had the same concerns that they've had three Principals in four years and what is happening is this K-8 is being left by the wayside and they've been assured that it's not. They were assured by the last Principal that this is a long-term relationship and they can build some stability. Principal Reeves has asked for at least five years to be at this school. No guarantee but he has committed to the city that, that is his wish. Past administrations have done a lot of heavy lifting, there's been a lot of turnover in personnel. He has to tell the Commission, there are easier places to teach, there's easier but this past year, the school grade was brought to a "C" and so now there is additional funding available, there's merit pay that comes out. Every school with a letter grade, they raise additional funds that go back to the teachers and the staff. It was a very good school advisory committee meeting and he thinks they have a good Principal there. Time will tell. The city has assured the school that Holly Hill will hold them accountable for what they've promised the city. Good things; positive information. Mayor Penny thanked Commissioner Currie and staff that went to the school and read yesterday.

12. ADJOURNMENT

The meeting adjourned at approximately 8:45 PM.

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **February 14, 2017**
FROM: **Mark Juliano**
SUBJECT: **Resolution 2017-R-14 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Approve a Budget Reappropriation Creating a Budgetary Line Item of $40,000 in Account 140-4172-572-6300; Authorizing the City Manager to Fund This Line Item with Revenues from Account 140-0000-331-5010; and Providing for Severability; and Providing for an Effective Date.**
NUMBER: **(ID # 1574)**
APPLICANT:
PLANNER:

DISCUSSION:

In fiscal year 2015/2016, the City had budgeted $40,000 as a reimbursable expense for a Community Development Block Grant (CDBG) project. This project funded the purchase and installation of a playground at Ross Point Park. However, in an effort to guarantee compliance with federal grant conditions, payment to the playground contractor was withheld and reimbursement not received until fiscal year 2016/2017.

No CDBG facilities improvement funds for a playground were included in the current year's budget. As such, a reappropriation of funds is needed in order to create a budgetary line item for fiscal year 2016/2017 for $40,000 in CDBG facilities improvements. This newly created line item will be funded with CDBG revenue received in fiscal year 2016/2017.

FISCAL ANALYSIS:

What is proposed is revenue neutral as monies received from Volusia County for grant reimbursement will be added to the CDBG facilities improvements budget in order to cover 2016/2017 expenses.

STAFF RECOMMENDATION:

Approve the reappropriation of funds to allow for reimbursement of CDBG facilities improvement expenses with funds received from Volusia County for CDBG activities.

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:

APPROVE RESOLUTION 2017-R-14, AUTHORIZING THE CITY MANAGER TO APPROVE A BUDGET REAPPROPRIATION CREATING A BUDGETARY LINE ITEM OF $40,000 IN ACCOUNT 140-4172-572-6300; AND AUTHORIZING THE CITY MANAGER TO FUND THIS LINE ITEM WITH REVENUES FROM ACCOUNT 140-0000-331-5010; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ATTACHMENTS:

- CDBG Reappropriation Budget Amendment Request (PDF)

Resolution No. (ID # 1574)

RESOLUTION 2017-R-14 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A BUDGET REAPPROPRIATION CREATING A BUDGETARY LINE ITEM OF $40,000 IN ACCOUNT 140-4172-572-6300; AUTHORIZING THE CITY MANAGER TO FUND THIS LINE ITEM WITH REVENUES FROM ACCOUNT 140-0000-331-5010; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2017-R-14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPROVE A BUDGET REAPPROPRIATION CREATING A BUDGETARY LINE ITEM OF $40,000 IN ACCOUNT 140-4172-572-6300; AND AUTHORIZING THE CITY MANAGER TO FUND THIS LINE ITEM WITH REVENUES FROM ACCOUNT 140-0000-331-5010; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, During fiscal year 2016/2017, $40,000 was expended from the CDBG facilities improvements account; and

WHEREAS, No funds were allocated towards the CDBG facilities improvements account for fiscal year 2016/2017; and

WHEREAS, Reimbursement from Volusia County has been received during fiscal year 2016/2017 for CDBG expenses.

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

SECTION 1. That $40,000 in funds be reappropriated for reimbursement of expenditures for CDBG facilities improvements.

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

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED this 14th day of FEBRUARY, 2017.

Revision Date: 3/11/15

CITY OF HOLLY HILL
Budget Amendment Request
Fiscal Year 2016-2017

Requesting Department	Date
CDBG	1/24/2017

TAKE FUNDS FROM ACCOUNT NUMBER:	ACCOUNT DESCRIPTION:	AMOUNT:
140-0000-331-50-10	CDBG Revenue	40,000.00
	Total	40,000.00

ADD FUNDS TO ACCOUNT NUMBER:		
140-4172-572-63-00	Infrastructure	40,000.00
	Total	40,000.00

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

Reappropriation of prior year funds for purchase and installation of playground equipment at Ross Point.

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 ------------------

Step 1: Finance Review

Finance Director Signature ______________ Date ______________

Step 2: Budget Adjustment Entry

Funds are available for this request? ☐ Yes ☐ No

HTE Group # ______________

Employee Signature ______________ Date ______________

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **February 14, 2017**
FROM: **Valerie Manning**
SUBJECT: **Resolution 2017-R-15 A Resolution of the City Commission of the City of Holly Hill, Florida, Appointing a Member to the Firefighters Pension Fund Board of Trustees; Setting Forth the Term and Expiration Date for Said Member; and Providing an Effective Date.**
NUMBER: **(ID # 1570)**
APPLICANT:
PLANNER:

DISCUSSION:
In accordance with City Code Section 42-63, Board of Trustees, states the following: (a) The Board shall consist of five trustees, two of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission, and two of whom shall be members of the system, who shall be elected by a majority of the firefighters who are members of the system.

Debra Snow has submitted her application for consideration to the board. If appointed, Ms. Snow's term will expire December 31, 2018.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve Resolution 2017-R-15 as submitted by staff.

COMMISSION GOAL:

N/A

MOTION:
APPROVE RESOLUTION 2017-R-15, APPOINTING A MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER.

ATTACHMENTS:

- Debra Snow - Firefighters Pension Board Application (PDF)

Resolution No. (ID # 1570)

RESOLUTION 2017-R-15 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPOINTING A MEMBER TO THE FIREFIGHTERS PENSION FUND BOARD OF TRUSTEES; SETTING FORTH THE TERM AND EXPIRATION DATE FOR SAID MEMBER; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2017-R-15

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

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

WHEREAS, the Board shall consist of five trustees, <u>two</u> of whom, unless otherwise prohibited by law, shall be legal residents of the city, who shall be appointed by the Holly Hill City Commission.

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

<u>SECTION 1.</u> That the City Commission does hereby appoint the following individual to the Firefighters Pension Fund Board of Trustees:

<u>Debra Snow</u> **Commission Representative**

<u>SECTION 2</u>. Term of said member will expire on December 31, 2018.

<u>SECTION 3.</u> That this Resolution shall take effect immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 14th day of FEBRUARY, 2017.

The City of Holly Hill

ADVISORY BOARD APPOINTMENT APPLICATION FORM

PLEASE CHECK THE APPROPRIATE BOX(ES) OF INTEREST:

- ☐ Beautification Advisory Board
- ☐ Holly Hill Youth Advisory Council
- ☐ Board of Planning & Appeals
- ☐ Civil Service Board
- X Firefighters Pension Fund Board of Trustees
- ☐ Police Pension Fund Board of Trustees
- ☐ Volusia Growth Management Committee

Name of Applicant: DEBRA K. SNOW

Home Address: 302 DAYTONA AVE

HH 32117 Phone: 404-625-9573

E-Mail Address: DK55NOW@GMAIL.COM

Do you own and/or manage a business in the City of Holly Hill? ✓ Yes ___ No

Business Name and Address: PROFORMA - same as above Business Phone: 404-625-9573

Employer Name: ROB AYERS

Job Position: SALES

Work Experience: Printing & Branded merchandise

Education: Associate Business Degree

Why do you desire to serve on a City Board? Involvement in community

Are you a resident of Holly Hill? Yes How long? 2 years/months

Have you previously served on a city Board? Yes ( ) / No (X)

Name of Board: ______

Community Involvement: Historical Society

I hereby acknowledge in conjunction with Board membership that I understand the responsibilities 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, Civil Service Board, or the Board of Planning and Appeals, I understand that I must file a limited financial disclosure each year and that filing late may result in a fine.

Date: 1/17/17 Signature: Debra Snow

RECEIVED 1/18/17 LSM 10:00 am

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: February 14, 2017
FROM: Steve Aldrich
SUBJECT: Volusia County Law Enforcement - Mutual Aid Agreement
NUMBER: (ID # 1575)
APPLICANT:
PLANNER:

DISCUSSION: The Volusia County Sheriff's Office (VCSO) is committed to working with all Volusia County Law Enforcement agencies to protect lives, property, public peace, and the safety of all citizens. The VCSO is leading the effort by entering into a Mutual Aid Agreement of Voluntary Cooperation for and amongst all Volusia County Law Enforcement Agencies to ensure a harmonious Law Enforcement response during times of need.

FISCAL ANALYSIS: The only financial impact from participation in this Mutual Aid Agreement is our responsibility for our personnel and equipment that could be requested during a response to an incident outside our city's jurisdiction. As this agreement is reciprocal in nature, should we need the services of other agencies we would not be responsible for their personnel or equipment cost.

STAFF RECOMMENDATION: Allow the Holly Hill Police Department to enter into the Voluntary Cooperation Mutual Aid Agreement between the Participating Agencies and the Volusia County Sheriff's Office to enhance Law Enforcement services in the area.

COMMISSION GOAL: Provide 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 partnerships and utilization of technologies and proven innovations.

MOTION: Motion to Approve the Holly Hill Police Department entering into the Volusia County Law Enforcement Mutual Aid Agreement.

- Volusia County Mutual Aid Agreement - Law Enforcement 2017-2020 (PDF)

MUTUAL AID AGREEMENT

COMBINED OPERATIONAL ASSISTANCE AND VOLUNTARY COOPERATION AGREEMENT FOR VOLUSIA COUNTY, FLORIDA

WITNESSETH

WHEREAS, the subscribing law enforcement agencies are so located in relation to each other that it is to the advantage of each to receive and extend mutual aid in the form of law enforcement services and resources to adequately respond to:

1. intensive situations including but not limited to emergencies as defined under Section 252.34; Florida Statutes and
2. continuing, multi-jurisdictional law enforcement problems, so as to protect the public peace and safety, and preserve the lives and property of the people; and

WHEREAS, the Volusia County Sheriff's Office, the Daytona Beach Police Department; Daytona Beach Shores Department of Public Safety; DeLand Police Department; Edgewater Police Department; Holly Hill Police Department; Lake Helen Police Department; New Smyrna Beach Police Department; Orange City Police Department; Ormond Beach Police Department; Port Orange Police Department; Ponce Inlet Police Department; South Daytona Police Department; and the Beach Patrol, Department of Beach Services, have the authority under Section 23.12, Florida Statutes (et seq.), the Florida Mutual Aid Act, to enter into a combined mutual aid agreement for law enforcement service which:

1. Permits voluntary cooperation and assistance of a routine law enforcement nature across jurisdictional lines, and;
2. Provides for rendering of assistance in a law enforcement emergency as defined in Section 252.34, Florida Statutes.

NOW, THEREFORE, the parties agree as follows:

SECTION I: PROVISIONS FOR VOLUNTARY COOPERATION

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other in dealing with any violations of Florida Statutes to include, but not necessarily be limited to, investigating homicides, sex offenses, robberies, assaults, burglaries, larcenies, gambling, motor vehicle thefts, drug violations pursuant to Chapter 893, F.S., backup services during patrol activities, school resource officers on official duty out of their jurisdiction, and inter-agency task forces, including but not limited to: traffic enforcement and drug enforcement task forces, and/or joint investigations.

SECTION II: PROVISIONS FOR OPERATIONAL ASSISTANCE

Each of the aforesaid law enforcement agencies hereby approve and enter into this agreement whereby each of the agencies may request and render law enforcement assistance to the other to include, but not necessarily be limited to, dealing with civil disturbances, large demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, Spring Break, motorcycle weeks, automobile race events, concerts, parades, escapes from detention facilities, and incidents requiring utilization of specialized units.

SECTION III: PROCEDURE FOR REQUESTING ASSISTANCE

In the event that a party to this agreement needs assistance as set forth above, an authorized representative of the agency requesting assistance shall notify the agency head or other person authorized by the agency from whom such assistance is required/requested. The agency head or other authorized person from the agency whose assistance is sought shall evaluate the situation and the request, the agency's available resources, consult with supervisors as necessary and respond in an appropriate manner. The agency head in whose jurisdiction assistance is being rendered may determine who is authorized to lend assistance in his/her jurisdiction, for how long such assistance is authorized, and for what purpose such authority is granted. This authority to grant mutual aid or receive mutual aid may be made verbally or in writing as the particular situation dictates.

In the event of exigent circumstances or other situation which precludes a formal request, any sworn member of the agency seeking assistance may request such assistance directly from a sworn member of another agency. Such request may be made verbally, in writing, or by use of radio communication. As soon as the situation allows, the requesting officer shall notify his/her supervisor of the existence of the request and the basis for it.

Should a sworn law enforcement officer of an agency be in another subscribed agency's jurisdiction for matters of a routine nature, such as traveling through the jurisdiction on routine business, attending a meeting, going to or from work, or transporting a prisoner, and a violation of Florida Statutes occurs in the presence of said officer, he/she shall be empowered to render enforcement assistance and act in accordance with law. Should enforcement action be taken, said party shall, as soon as possible, notify the agency having normal jurisdiction and upon the latter's arrival, turn the situation over to them and offer any assistance requested including, but not limited to, a follow up written report documenting the event and the actions taken. This provision is not intended to grant general authority to conduct investigations, serve warrants and/or subpoenas or to respond without request to emergencies already being addressed by the agency of normal jurisdiction, but is intended to address critical, life threatening or public safety situations, prevent bodily injury to citizens, or secure apprehension of criminals whom the law enforcement officer may encounter. The agency head's decision in these matters shall be final.

<u>SECTION IV:</u> **<u>COMMAND AND SUPERVISORY RESPONSIBILITY</u>**

The personnel and equipment that are assigned by the assisting agency head shall be under the immediate command of a supervising officer designated by the assisting agency head. Such supervising officer shall be under the direct supervision and command of the agency head or his/her designee of the agency requesting assistance.

CONFLICTS: Whenever an officer, deputy sheriff or other appointee is rendering assistance pursuant to this agreement, the officer, deputy sheriff or appointee shall abide by and be subject to the rules and regulations, personnel policies, general orders and standard operating procedures of his/her own employer. If any such rule, regulation, personnel policy, general order or standard operating procedure is contradicted, contravened or otherwise in conflict with a direct order of a superior officer of the requesting agency, then such rule, regulation, policy, general order or procedure shall control and shall supersede the direct order.

HANDLING COMPLAINTS: Whenever there is cause to believe that a complaint has arisen as a result of cooperative effort as it may pertain to this agreement, the agency head or his/her designee of the requesting agency shall be responsible for the documentation of said complaint to ascertain at a minimum:

1. The identity of the complainant.
2. An address where the complaining party can be contacted.
3. The specific allegation.
4. The identity of the employees accused without regard to agency affiliation. If it is determined that the accused is an employee of the assisting agency, the above information, along with all pertinent documentation gathered during the receipt and processing of the complaint, shall be forwarded without delay to the agency head or his/her designee of the assisting agency for administrative review. The requesting agency may conduct a review of the complaint to determine

if any factual basis for the complaint exists and/or whether any of the employees of the requesting agency violated any of their agency's policies or procedures.

SECTION V: LIABILITY

Each party engaging in any mutual cooperation and assistance, pursuant to this agreement, agrees to assume responsibility for the acts, omissions, or conduct of its own employees while engaged in rendering such aid pursuant to this agreement, subject to the provisions of Section 768.28, Florida Statutes, where applicable.

SECTION VI: POWERS, PRIVILEGES, IMMUNITIES AND COSTS

1. Members of the participating agencies when actually engaging in mutual cooperation and assistance outside of their jurisdictional limits but inside this state under the terms of this agreement shall, pursuant to the provisions of Section 23.127(1), Florida Statutes, have the same powers, duties, rights, privileges and immunities as if they were performing duties inside the political subdivision in which they are normally employed.

2. Each party agrees to furnish necessary personnel, equipment, resources and facilities and to render services to each other party to the agreement as set forth above; provided however, that no party shall be required to deplete unreasonably its own personnel, equipment, resources, facilities and services in furnishing such mutual aid.

3. A political subdivision that furnishes equipment pursuant to this agreement must bear the cost of loss or damage to that equipment and must pay any expense incurred in the operation and maintenance of that equipment.

4. The agency furnishing aid pursuant to this section shall compensate its appointees/employees during the time such aid is rendered and shall defray the actual travel and maintenance expenses of its employees while they are rendering such aid, including any amounts

paid or due for compensation due to personal injury or death while such employees are engaged in rendering such aid.

5. The privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers' compensation, salary, death and other benefits that apply to the activity of the officers, agents, or employees of the agencies when performing their respective public duties apply to them to the same degree, manner and extent while engaged in the performance of their duties extraterritorially under the provisions of this mutual aid agreement. The provisions of this section shall apply with equal effect to paid, volunteer and reserve employees.

6. Nothing herein shall prevent the requesting agency from requesting supplemental appropriations from the governing authority having budgeting jurisdiction to reimburse the assisting agency for any actual costs or expenses incurred by the assisting agency performing hereunder.

SECTION VII: CONCURRENT JURISDICTION

Whereas, it is to the mutual benefit of the subscribing law enforcement agencies, through voluntary cooperation, to exercise concurrent jurisdiction as set out below, in that officers, while in their or another jurisdiction, are often present at events where immediate action is necessary or are able to expeditiously conclude an investigation by identifying and arresting or citing an offender, the subscribing parties agree as follows:

1. Arrests: Concurrent law enforcement jurisdiction for lawful arrests shall exist in and throughout the territorial limits of participating municipalities, those municipalities that contract law enforcement services with the Volusia County Sheriff's Office, and the unincorporated areas of Volusia County, Florida. This concurrent jurisdiction to arrest shall be limited to persons identified as a result of investigations for a felony, misdemeanor, or arrestable traffic offense occurring in the municipality employing the arresting officer and for which probable cause exists to arrest had the offender been apprehended within the municipality. Concurrent jurisdiction under this

subparagraph does not include authority to make non-consensual or forcible entries into private dwellings, residences, living spaces or business spaces which are not open to the public. Authority derived pursuant to this subparagraph may be exercised only in places open to the public or private places into which the arresting officer has entered with the consent of an occupant entitled to give consent.

2. Crime Scene Perimeters: Concurrent law enforcement jurisdiction shall exist for the purpose of establishing a crime scene perimeter or area of containment for the securing of a crime scene or apprehension of suspects. Stationary surveillance activities shall be included within concurrent jurisdiction, provided, however, that appropriate notification is given including the general location of the surveillance and a description of the vehicles involved. Mobile surveillance shall not require notification unless concurrent jurisdiction enforcement activities take place or are reasonably anticipated.

3. Traffic Enforcement: Concurrent law enforcement jurisdiction shall exist for the enforcement of the Florida traffic statutes on roadways contiguous to and forming the border between law enforcement jurisdictions. This concurrent jurisdiction shall extend to and include the investigation and arrest of any individual(s) found to be in violation of the Florida criminal statutes who has been identified as a result of enforcement of the Florida traffic statutes. For purposes of this concurrent jurisdiction, "roadway" is defined as the paved portion subject to vehicular travel <u>and</u> the right-of-way constituting the "shoulder" of the road.

4. The following requirements shall apply to any enforcement action taken, excluding traffic enforcement action, pursuant to concurrent jurisdiction.

A. Prior to taking any enforcement action, the officer shall notify the agency in the jurisdiction where the action will be taken, unless exigent circumstances prevent such prior notification. In this case, notification shall be made as soon after the action as possible.

B. Officers shall not utilize unmarked vehicles to make traffic stops or to engage in vehicle pursuits, except in the event of an emergency or exigent circumstances.

C. Concurrent law enforcement jurisdiction pursuant to this Mutual Aid Agreement does not include preplanned operations, undercover investigations, stings, or sweeps.

D. Officers shall not conduct routine patrol activities outside of their jurisdiction.

E. Copies of reports of any action taken pursuant to this Mutual Aid Agreement shall be faxed or forwarded to the agency head of the agency within whose jurisdiction the action was taken as soon as possible after the completion of the action.

F. Any conflicts regarding jurisdiction will be resolved by allowing the agency within whose jurisdiction the action took place to take custody of any arrestees and/or crime scenes.

G. All provisions of the Volusia County Mutual Aid Agreement shall be in full force and effect as they relate to concurrent jurisdiction.

<u>SECTION VIII:</u> <u>INSURANCE COVERAGE</u>

Each party shall provide satisfactory proof of liability insurance by one or more of the means specified in Section 768.28(16)(a), Florida Statutes, in an amount which is, in the judgment of the governing body of that party, at least adequate to cover the risk to which that party may be exposed. Should the insurance coverage, however provided, of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such change within ten (10) days of receipt of notice or actual knowledge of such change.

SECTION IX: EFFECTIVE DATE

This agreement shall take effect upon execution and approval by the hereinafter named officials and shall continue in full force and effect until January 1, 2020, unless terminated prior thereto by any or all of the parties here. Under no circumstances may this agreement be renewed, amended, or extended except in writing.

SECTION X: CANCELLATION

Any party to this agreement may withdraw from participation by providing each other party with written notice of withdrawal which date shall be specified in the notice. Furthermore, any party wishing to withdraw from participation with one or more other parties may terminate voluntary cooperation with said party(ies) by providing written notice of termination to the effected party(ies) and the Volusia County Sheriff's Office. Should this occur, voluntary cooperation shall remain in force only with respect to the remaining participants. The Volusia County Sheriff's Office shall keep all concerned agencies advised as to current parties to this Mutual Aid Agreement.

IN WITNESS WHEREOF, the parties hereto cause these presents to be signed on the date specified.

Michael J. Chitwood, Sheriff
Volusia County

Date signed

Ray Manchester, Director
Volusia County Beach Services

Date signed

James T. Dinneen, County Manager
Volusia County

Date signed

Craig Capri, Chief
Daytona Beach Police Department

Date signed

James V. Chisholm, City Manager
City of Daytona Beach

Date signed

Stephan Dembinsky, Director
Daytona Beach Shores Dept. of Public Safety

Date signed

Michael Booker, City Manager
City of Daytona Beach Shores

Date signed

William Ridgway, Chief
DeLand Police Department

Date signed

Michael Pleus, City Manager City of DeLand	Date signed
David J. Arcieri, Chief Edgewater Police Department	Date signed
Tracey T. Barlow, City Manager City of Edgewater	Date signed
Stephen Aldrich, Chief Holly Hill Police Department	Date signed
Joe Forte, City Manager City of Holly Hill	Date signed
Michael Walker, Chief Lake Helen Police Department	Date signed
Buddy Snowden, Mayor City of Lake Helen	Date signed

Mike Coffin, Chief
New Smyrna Beach Police Department

Date signed

Pamela Brangaccio, City Manager
City of New Smyrna Beach

Date signed

Peter C. Thomas, Chief
Orange City Police Department

Date signed

Dale Arrington, City Manager
City of Orange City

Date signed

Robert Jesse Godfrey, Chief
Ormond Beach Police Department

Date signed

Joyce Shanahan, City Manager
City of Ormond Beach

Date signed

Frank G. Fabrizio, Chief
Ponce Inlet Police Department

Date signed

Jeaneen Clauss Witt, Town Manager
Town of Ponce Inlet

Date signed

Thomas Grimaldi, Chief
Port Orange Police Department

Date signed

Michael Johansson, City Manager
City of Port Orange

Date signed

Ronald R. Wright, Chief
South Daytona Police Department

Date signed

Joseph W. Yarbrough, City Manager
City of South Daytona

Date signed

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: February 14, 2017
FROM: Steve Aldrich
SUBJECT: Police Department - Thomson Reuters (CLEAR for Law Enforcement Plus) Contract
NUMBER: (ID # 1576)
APPLICANT:
PLANNER:

DISCUSSION: "CLEAR for Law Enforcement Plus" is a computer database system that is frequently utilized by the Police Department while conducting criminal investigations. The system allows our officers a vast array of data that can be utilized during the course of an investigation to identify suspects, past and present address's of subjects, phone numbers, and related persons. This wealth of information often produces investigative leads that can be used to identify suspect and witnesses to criminal activities. The Police Department has used the CLEAR for Law Enforcement database system for several years with only one access point allowed. Under the new contract, 0-85 users are allowed individual access to the database system with no additional charge. This contractual change will allow more of our officers and/or supervisors the ability to conduct more thorough preliminary investigations at the time of the initial report. This should increase the likelihood of identifying potential suspects and increasing the safety for all Holly Hill citizens and visitors.

This contract is a multi-year contract that will be $288 per month, $3,456 per year, with a bridge of $288 per month until the beginning of the contract cycle that will coincide with the City's fiscal year, October-September. The contract has built-in 5% increases for the second ($3,628.08) and third year ($3,810.24) of the contract. The increased cost for the subsequent years of the contract will need to he budgeted for in the following years of the contract.

FISCAL ANALYSIS: This is a budgeted expense form account #001-2110-521-3101.

STAFF RECOMMENDATION: Approve the acceptance of the multi-year contract with Thomson Reuters for the CLEAR Law Enforcement Plus information system database.

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

MOTION: Motion to Approve the acceptance of the multi-year contract with Thomson Reuters for the CLEAR Law Enforcement Plus information system database.

- Thomson Reuters (CLEAR) contract 2017-2020 (PDF)

THOMSON REUTERS

Order Form

Contact your representative tyler.murray@thomsonreuters.com with any questions. Thank you.

Order ID: **865996**

Subscriber Information

Account Address:
Account #: **1004341705**
HOLLY HILL POLICE DEPT
1065 RIDGEWOOD AVE
HOLLY HILL, FL 32117
US
386-248-9475

Shipping Address:
Account #: **1004341705**
HOLLY HILL POLICE DEPT
1065 RIDGEWOOD AVE
HOLLY HILL, FL 32117
US
386-248-9475

Billing Address:
Account #: **1004341705**
HOLLY HILL POLICE DEPT
1065 RIDGEWOOD AVE
HOLLY HILL, FL 32117
US
386-248-9475

This Order Form is a legal document between West Publishing Corporation and Subscriber. West Publishing Corporation also means "West", "we" or "our" and Subscriber means "you", "my" or "I".

CLEAR Products

CLEAR Fixed Rate

Svc Mat #	Product	Qty	Unit	Program Details	Program Code	List	Other	Monthly Charges	Minimum Term (Months)	TermandIncrease
41882302	CLEAR for Law Enforcement Plus Short-Term Bridge/Contract 8 Months - List Price: $720.00 Other: 71.365% Net Price: $206.17 See Additional Bridge Terms below	85	CLEAR Users	Exception Approved	545210	$720.00	60%	$288.00	36	Year2-5% Year3-5%

Minimum Terms

Monthly Charges begin on the date West Publishing Corporation ("West, "we" or "our") processes your order and continue for the number of complete calendar months listed in the Minimum Term column above. Based on above terms listed you agree to the length and year over year increases.

During my subscription terms, I am also responsible for all Excluded Charges. Excluded Charges are charges for accessing CLEAR that is not included in your subscription. Excluded Charges may change after 30 days written or online notice.

If you are a corporation accessing CLEAR Services on your own behalf and on behalf of any government agency or entity, you must sign separate agreements for each use case and be credentialed separately for each use case. If you have an existing Per User CLEAR license and are using this Order Form to add additional users, the Minimum Term in your underlying Order Form will apply.

If the transactional value of your CLEAR fixed rate usage exceeds your then-current Monthly Charges by more than 10 times in any month (or by 20 times in any month for Enterprise Law Enforcement subscribers), we may limit access to live gateways and request that the parties enter into good faith renegotiation or terminate upon 10 days written notice. Transactional value of your CLEAR usage is calculated based upon our then-current Schedule A rate. Schedule A rates may change upon at least 30 days written or online notice.

If you have a fixed rate batch subscription and the total of your batch inputs exceed your annual fixed rate batch allotment, we may request that the parties enter into good faith negotiations regarding a superseding agreement or terminate your subscription.

Post Minimum Terms

For Online/Practice Solutions/Software: Your subscription will change to a month-to-month status at the end of the Minimum Term, and your applicable Monthly Charges will be billed at up to the then current retail rate. Thereafter, we may modify the Monthly Charges after at least 30 days notice. Either of us may cancel the month-to-month subscription by sending at least 30 days written notice. Send your notice of cancellation to Customer Service, 610 Opperman Drive, P.O. Box 64833, Eagan MN 55123-1803.

Order charges for print/eBook products not on subscription: N/A

Initial order charges for print/eBooks products with updates billed upon shipment:	N/A
Initial Monthly Charges for Products under 36 month Minimum Term:	$288.00
Estimated total Monthly Charges for the initial 12 months:	$288.00

Totals above do not reflect applicable taxes and transportation charges or updates billed upon shipment. Please see the Miscellaneous section below for details.

These Monthly Charges show the first year's Monthly Charges (and are combined if multiple products are ordered) with the same contract term and are subject to increase per the terms of this agreement.

Miscellaneous

Charges, Payments Taxes. You agree to pay all charges in full within 30 days of the date of invoice. You are responsible for any applicable sales, use, value added tax (VAT), etc. unless you are tax exempt. If you are a non-government subscriber and fail to pay your invoiced charges, you are responsible for collection costs including attorneys' fees.

Credit Verification. If you are applying for credit as an individual, we may request a consumer credit report to determine your creditworthiness. If we obtain a consumer credit report, you may request the name, address and telephone number of the agency that supplied the credit report. If you are applying for credit on behalf of a business, we may request a current business financial statement from you to consider your request.

Excluded Charges and Schedule A rates. If you access CLEAR services that are not included in your subscription you will be charged our then current rate. Excluded Charges will be invoiced and due with your next payment. For your reference, the current Excluded Charges schedules are located at http://static.legalsolutions.thomsonreuters.com/static/agreement/schedule-a-clear.pdf. Excluded Charges may change after 30 days written or online notice.

Auto Charge Credit Card/Electronic Funds Transfer Election Payment Terms. You may authorize us to automatically charge a credit card, debit card or electronic fund transfer to pay charges due. Contact Customer Service at 1-800-328-4880 for authorization procedures. If you are authorizing as part of this order, or have already authorized us to bill a credit card or debit card or make electronic fund transfer for West subscriptions on an ongoing basis, no further action is needed.

Returns and Refunds. You may return a print or CD-ROM/DVD product to us within 45 days of the original shipment date if you are not completely satisfied. Different policies apply to print products you receive as part of a program such as Assured Print Pricing, Library Savings Plan, West Complete, Library Maintenance Agreements, ePack and WestPack. Westlaw, CLEAR, Monitor Suite, ProView eBook, Software, West LegalEdcenter, Practice Solutions, TREWS and Serengeti charges are not refundable. Please see http://static.legalsolutions.thomsonreuters.com/static/returns-refunds.pdf or contact Customer Service at 1-800-328-4880 for additional details regarding our policies on returns and refunds.

Applicable Law. This Order Form will be interpreted under Minnesota state law. Any claim by one of us may be brought in the state or federal courts in Minnesota. If you are a state or local governmental entity, your state's law will apply and any claim may be brought in the state or federal courts located in your state. If you are a United States Federal Government subscriber, United States federal law will apply and any claim may be brought in any federal court.

The General Terms and Conditions, apply to all products ordered, except print and is located at http://static.legalsolutions.thomsonreuters.com/static/general-terms-conditions.pdf. The General Terms and Conditions for Federal Subscribers, is located at http://static.legalsolutions.thomsonreuters.com/static/federal-general-terms-conditions.pdf. In the event of a conflict between the General Terms and Conditions and this Order Form, the terms of this Order Form control. This Order Form is subject to our approval.

Banded Products Subscriptions The number of attorneys (partners, shareholders, associates, contract or staff attorneys, of counsel, and the like), corporate users, personnel or full-time-equivalent students for the banded products you ordered appear in the Quantity column above. Our pricing for banded products is made in reliance upon that number. If we learn that the actual number is greater, we reserve the right to increase your charges as applicable.

Subscriber certifies its understanding and acceptance of the security limits of CLEAR and responsibility for controlling product, Internet and network access.

Functionality of CLEAR cannot and does not limit access to non-West Internet sites. It is Subscriber's responsibility to control access to the Internet.

Subscriber will provide its own firewall, proxy servers or other security technologies as well as desktop security to limit access to the CLEAR URL.
Subscriber will design, configure and implement its own security configuration.
Subscriber will not use any Data nor distribute any Data to a third party for use, in a manner contrary to or in violation of any applicable federal, state, or local law, rule or regulation or in any manner inconsistent with the General Terms and Conditions.

Subscriber will maintain the most current version of the West software to access CD-ROM/DVD-ROM or West Reporter DVD-Archival products for security purposes.

Subscriber will only access CLEAR for administrative or internal business purposes. All use will fully comply with the following restrictions:

- In no event shall anyone other than Subscriber's approved employees be provided access to or control of any terminal with access to Westlaw or Westlaw data.
- Terminals with CLEAR access, access credentials, and CLEAR data will be in secured locations that do not provide inmate/detainee access.
- No access shall be outsourced or otherwise provided to third parties.
- Subscriber is solely responsible for ensuring that sensitive information is not made available beyond its stated permissible use.

Subscriber certifies that inmates, third parties on behalf of inmates and employees will be using the information product and will have direct access to or control of the terminal. Subscriber understands that if it provides direct inmate access Subscriber must subscribe to the Westlaw Correctional product. Westlaw Correctional is available to federal, state, county, municipal or privately operated correctional facilities. Access is limited to Subscriber's physical premises. Remote access is strictly prohibited.

Additional Bridge Terms

1. You will receive access to the West product(s) designated above for the Bridge Monthly Charges shown below beginning on the effective date of this Order Form and continuing for a "Bridge Period" of eight (8) complete calendar months for 41882302 at $206.17. The Bridge period(s) will not apply to any CLEAR transactional product. At the end of the Bridge Period, your rates and the Minimum Term will be as described in the above.

2. All other terms and conditions of the Order Form remain unchanged.

Additional Contract Information

____________ **Subscriber's Initials for Enterprise Law Enforcement Subscribers.** Subscriber has up to 85 sworn officers in its employ at the location identified above. If West learns that the actual number exceeds the banded range certified above, West reserves the right to increase Subscriber's charges as applicable.

For questions regarding this order, please contact West Customer Service at 1-800-328-4880.

Signature for Order ID: 865996

ACKNOWLEDGMENT

I have read all pages and attachments to this Order Form and I accept the terms on behalf of Subscriber. I warrant that I am authorized to sign this Order Form on behalf of Subscriber.

Signature of Authorized Representative for order	**Title**
Printed Name	**Date**

Payment and Shipping Information

Payment Method:
Payment Method: **WestAccount**
Account Number: **1004341705**

Shipping Information:
Shipping Method: **Ground Shipping - U.S. Only**

Additional Information

Created By: **0080247**
Order Source: **27**
Revenue Channel: **01**
Order Date: **1/26/2017 9:30:55 AM**
P.O. Number:
Additional Data B: **85**

Product and User Details

Banded Products for all users below

41882302 CLEAR for Law Enforcement Plus

User	Position	Email
Michael Shaffer	Clear Investigator	mshaffer@hollyhillfl.org

Account and IP Address Info for CLEAR Products

Technical Contact for CLEAR Products
Name: Michael Shaffer
Phone:
Email: mshaffer@hollyhillfl.org

IP Address Section - Only External IP Address(es) or Range(s) Must Be Provided

Valid External IP Addresses or IP Ranges belonging to your organization and meeting the following requirements must be provided for all CLEAR orders:

- **IP Addresses assigned to jurisdictions outside the United States or West approved U.S. Territories are prohibited.**
- **IP Addresses will not be accepted from the following ranges which are reserved by the Internet Assigned Numbers Authority for special use or private networks: 10.0.0.0 - 10.255.255.255, 127.0.0.0- 127.255.255.255, 172.16.0.0 - 172.31.255.255, 192.168.0.0 - 192.168.255.255, 169.254.0.0 - 169.254.255.255.**
- **All IP addresses must be IPv4 addresses.**

Permissible IP Address(es) will be those provided below as well as any previously provided IP Address(es) for this Subscriber

IP Addresses: 1.1.1.1 To 1.1.1.1

Subscriber's Internet Service Provider Name: same on file

All CLEAR Subscribers may receive roaming access to CLEAR by default. Roaming access permits users outside Subscriber's designated IP Address/Range. West may, at its option, block roaming access.

Order Contact Information

First Name	Last Name	Email Address	Contact Description	Contact Number
Stephen	Aldrich	saldrich@hollyhillfl.org	Order Confirmation Contact	28
Mike	Shaffer	mshaffer@hollyhillfl.org	Primary Password Contact	24

Mike	Shaffer	mshaffer@hollyhillfl.org	CLEAR ® Primary Account Contact	46
Mike	Shaffer	mshaffer@hollyhillfl.org	My Account Administrator	My Account
Mike	Shaffer	mshaffer@hollyhillfl.org	Quickview Contact	Quickview

Office Use Only

- Additional Contract Information included on Order. See below.
- Exception Approval Code:E550690
- OF Ver:https://ordermation.west.thomson.com/esigs/ofversion.aspx?pfv=true&ordergroupid=42b95d0574d945c192c13bff2acb93b4&isofview=yes

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: February 14, 2017
FROM: Valerie Manning
SUBJECT: Resolution 2017-R-16 A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Purchase and Sale Agreement and the Incentive Agreement with Fountainhead, LLC; Extending the Deadline for Final Approval of the MPUD Rezoning by the City Commission to March 15, 2017; and Providing for Severability; and Providing for an Effective Date.
NUMBER: (ID # 1583)
APPLICANT:
PLANNER:

DISCUSSION:

There was no quorum at the February 6, 2017 Planning and Appeals Board meeting. Therefore, city staff is requesting an extension to the MPUD rezoning by amending the purchase and sale agreement and the incentive agreement to reflect the new dates.

FISCAL ANALYSIS:

STAFF RECOMMENDATION:

Approve Resolution 2017-R-16.

COMMISSION GOAL:

MOTION:

APPROVE RESOLUTION 2017-R-16, AMENDING THE PURCHASE AND SALE AGREEMENT AND THE INCENTIVE AGREEMENT WITH FOUNTAINHEAD, LLC; EXTENDING THE DEADLINE FOR FINAL APPROVAL OF THE MPUD REZONING BY THE CITY COMMISSION TO MARCH 15, 2017 AND CONTINUING THE FIRST READING OF THE MPUD REZONING UNTIL FEBRUARY 28, 2017 AT 7:00 PM.

Resolution No. (ID # 1583)

RESOLUTION 2017-R-16 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE PURCHASE AND SALE AGREEMENT AND THE INCENTIVE AGREEMENT WITH FOUNTAINHEAD, LLC; EXTENDING THE DEADLINE FOR FINAL APPROVAL OF THE MPUD REZONING BY THE CITY COMMISSION TO MARCH 15, 2017; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2017-R-16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE PURCHASE AND SALE AGREEMENT AND THE INCENTIVE AGREEMENT WITH FOUNTAINHEAD, LLC; EXTENDING THE DEADLINE FOR FINAL APPROVAL OF THE MPUD REZONING BY THE CITY COMMISSION TO MARCH 15, 2017; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission and the Community Redevelopment Agency had approved a Purchase and Sale Agreement and an Incentive Agreement with Fountainhead, LLC on January 24, 2017, which provided for a deadline of February 28, 2017 for final approval of the MPUD rezoning; and

WHEREAS, to meet the February 28, 2017 deadline, the BOPA would have had to take action on the Fountainhead MPUD at February 6, 2017 regularly scheduled meeting, but the BOPA did not have a quorum to hear the Fountainhead MPUD rezoning; and

WHEREAS, the BOPA has set a special called meeting for February 22, 2017 to hear the Fountainhead MPUD rezoning; and

WHEREAS, the City Staff is requesting an extension of the deadline for the MPUD approval to March 15, 2017 as it is not possible for Fountainhead MPUD to be approved by the City Commission by February 28, 2017 due to the delay caused by the lack of quorum of BOPA on February 6, 2017.

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

SECTION 1. The City Commission hereby approves the amendment to the Purchase and Sale Agreement and the Incentive Agreement with Fountainhead LLC to extend the deadline for approval of the MPUD rezoning to March 15, 2017.

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

SECTION 3. **EFFECTIVE DATE** This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 14th day of FEBRUARY, 2017.

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **February 14, 2017**
FROM: **Mark Juliano**
SUBJECT: **Resolution 2017-R-17 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Enter into an Agreement with Quentin L. Hampton and Associates, Inc., to Provide Professional Services for the Electrical Design and Bidding Services for the Bold Landscaping Improvements to the Medians Along US1; and Providing for Severability; and Providing for an Effective Date.**
NUMBER: **(ID # 1578)**
APPLICANT:
PLANNER:

DISCUSSION:

In January of 2017, the Florida Department of Transportation (FDOT) approved a Joint Project Agreement (JPA) and an appropriation of $500,000.00 in funding for a Bold Landscaping Grant on US1 within the City Limits of Holly Hill. Plans have been submitted to FDOT for final review and authorization to bid the project.

In preparation of receiving authorization to proceed, the public works department is requesting authorization for Quentin L. Hampton and Associates, Inc., to perform electrical design and bidding services. While the landscaping design portion of the work is being conducted by the Stern Design Group, we have recently included providing electrical power to the medians for Gateway Signage. FDOT requires that this work be accomplished by an electrical engineer. QLH will also assist the City with:

- Assembly of bidding documents using City standard bidding documents.
- Distribution of documents to potential bidders/plan rooms.
- Preparation/Issuance of any addenda.
- Attend and preside over pre-bid meeting.
- Review received bids.
- Prepare bid tabulation.
- Investigate low bidder(s) qualifications.
- Prepare bid award recommendation letter.

FISCAL ANALYSIS:

Engineering fees are not reimbursable under the terms and conditions of the grant. However, funding for the work has been included in this year's fiscal budget.

STAFF RECOMMENDATION:

Under the terms and conditions of the Continuing Service Contract for Engineering Services, authorize the City Manager to enter into an agreement with Quentin L. Hampton and Associates Inc., to provide professional services for an amount not to exceed $9,275.00.

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.

Goal #3: Implement the CRA Master Plan with a focus on the best utilization of vacant properties and blighted properties in the city. Attention should also focus on infrastructure improvements within the district and strategies to encourage private investment and business retention.

MOTION:

UNDER THE TERMS AND CONDITIONS OF THE CONTINUING SERVICE CONTRACT, APPROVE RESOLUTION 2017-R-17, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH QUENTIN L. HAMPTON AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE ELECTRICAL DESIGN AND BIDDING PHASE FOR THE US1 BOLD LANDSCAPING IMPROVEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED $9,275.00.

ATTACHMENTS:

- US-1 Median Landscaping Design & Bidding Phase-Professional Engineering Service Fee Estimate (PDF)

Resolution No. (ID # 1578)

RESOLUTION 2017-R-17 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH QUENTIN L. HAMPTON AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE ELECTRICAL DESIGN AND BIDDING SERVICES FOR THE BOLD LANDSCAPING IMPROVEMENTS TO THE MEDIANS ALONG US1; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2017-R-17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH QUENTIN L. HAMPTON AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL SERVICES FOR ELECTRICAL DESIGN AND BIDDING SERVICES FOR THE BOLD LANDSCAPING IMPROVEMENTS TO THE MEDIANS ALONG US1; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City Commission of the City of Holly Hill has entered into a Joint Project Agreement with the Florida Department of Transportation for Bold Landscaping Improvements for US1 within the City Limits of Holly Hill; and

WHEREAS, The City has submitted full landscaping plans to FDOT for review; and

WHEREAS, In anticipation of approval from FDOT to bid the project, the City now wishes to contract with Quentin L. Hampton and Associates, Inc., for Electrical Design and Bidding services; and

WHEREAS, The City has a continuing services agreement with and has received a proposal from Quentin L. Hampton and Associates, Inc., to perform the requested engineering services.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby authorize the City Manager to enter into an agreement with Quentin L. Hampton and Associates, Inc., to provide professional services for electrical design and bidding services for the Bold Landscaping Project on US1 not to exceed $9,275.00.

<u>SECTION 2. SEVERABILITY</u>. 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.

<u>SECTION 3. EFFECTIVE DATE</u>. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED this <u>14th</u> day of <u>FEBRUARY</u>, 2017.

QLH
Quentin L. Hampton Associates

January 16, 2017

Mark Juliano
Public Works Director
City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, FL 32117

Email: mjuliano@hollyhillfl.org
Hard Copy Mailed Only on Request

RE: CITY OF HOLLY HILL - US1 MEDIAN LANDSCAPING DESIGN AND BIDDING PHASE - REVISED

Dear Mr. Juliano,

Per your request, Quentin L. Hampton Associates, Inc (QLH) is pleased to offer this revised professional engineering services fee estimate for this project. The work includes design, permitting and bidding assistance for the installation of landscaping in the US1 medians partially funded by an FDOT grant. This proposal has been revised to delete the Landscape Architect services for which the City is contracting separately. Construction contract administration and inspection services was addressed in a separate proposal.

The attached scope of services is in conformance with our professional services agreement. We look forward to serving the City of Hilly Hill on this and future projects. Please contact our office if you have any questions.

Sincerely,
QUENTIN L. HAMPTON ASSOCIATES, INC.

Kevin A. Lee, P.E.
Project Manager

David A. King, P.E.
Vice President

KAL/DAK:bf

Enclosure
cc: QLH files

P.O. Drawer 290247, Port Orange, FL 32129-0247
Phone (386) 761-6810 Fax (386) 761-3977
www.qlha.com

CITY OF HOLLY HILL
US1 MEDIAN LANDSCAPING
DESIGN AND BIDDING PHASE - REVISED
-SCOPE OF SERVICES-

General - The CITY has applied for an FDOT Bold Landscape Initiative Grant for the US1 medians within the City limits. The CITY desires QLH to assist in the design, permitting and bidding phases of the project.

SCOPE OF SERVICES: Provide design, permitting and bidding assistance as described below.

SCOPE OF WORK:

Design - The City has contracted with a landscape architect and will provide complete plans and specifications for the landscape within US-1 medians. Richard Kranz, P.E. will add details for two (2) welcome signs at the north and south City limits under this contract. QLH will have no active role in this phase and all Richard Kranz fees will be invoiced as a pass-through cost with no mark-up. Stern Design Group (SDG) will contract with the City directly for their efforts. The CITY will work directly with SDG and Richard Kranz in regards to design review and comment. QLH will not be considered the design consultant/designer-of-record and; therefore, be eligible to provide construction phase services in regards to FDOT's conflict of interest rules.

Permitting: SDG and Richard Kranz will coordinate review of the design by FDOT per the Grant which will supersede the need for an FDOT permit.

Bidding: QLH will assist the City in the public bidding of the project by completing the following work items:

- Assembly of bidding documents using City standard bidding documents
- Distribution of documents to potential bidders/plan rooms
- Preparation/Issuance of any addenda
- Addressing of all potential bidder questions via input from SDG/Estes
- Attend and preside over pre-bid meeting
- Review received bids
- Prepare bid tabulation
- Investigate low bidder(s) qualifications
- Prepare bid award recommendation letter

CITY'S PROPOSED PROJECT SCHEDULE:

QLH will strive to complete the project according to the following schedule:

Design	60 days
Permitting	Per FDOT
Bidding	Per City schedule

These timeframes do not include review times by the CITY and FDOT.

SCHEDULE OF PAYMENT AND FEE BASIS:

Work Description	Fee Basis	Fee
Richard Kranz Design	Pass Through	$2,500
QLH Coordination/Bidding Assistance	Lump Sum	$5,775
Printing Allowance	Allowance	$1,000
	TOTAL	**$9,275.00**

If sales tax becomes due on professional services the City shall reimburse QLH for any applicable sales tax cost. Any additional services shall be billed per the attached rate schedule.

PURSUANT TO FLORIDA STATUTE SECTION 558.0035, AN INDIVIDUAL EMPLOYEE OR AGENT OF QUENTIN L. HAMPTON ASSOCIATES INC. MAY NOT BE HELD INDIVIDUALLY LIABLE FOR NEGLIGENCE.

IF THE CONTRACTOR (QLH) HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S (QLH's) DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT (PROPOSAL), CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT CITY HALL, CITY OF HOLLY HILL, 1065 RIDGEWOOD AVENUE, HOLLY HILL, FL 32117, City Clerk, Valerie Manning, (386) 248-9441, vmanning@hollyhillfl.org.

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: February 14, 2017
FROM: Kurt Swartzlander
SUBJECT: RESOLUTION 2017-R-18 A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the Fiscal Year 2016-2017 Solid Waste Budget; and Providing for Severability; and Providing for an Effective Date.
NUMBER: (ID # 1580)
APPLICANT:
PLANNER:

DISCUSSION: On October 7th Hurricane Matthew caused damage throughout the city. Immediately following the storm both City employees and City contractors began the clean up process.

FISCAL ANALYSIS: Based on previous storm experience staff is recommending an additional budget amendment of $700,000.00 to cover the cost of storm related debris removal. There was an initial budget amendment of $2,000,000 based on current debris numbers at the time. These costs should be eligible for reimbursement through FEMA in the 75-85% reimbursement categories. This Amendment only covers storm debris removal. It does not cover any repairs to city property. Any funds not expended under this amendment will revert to the fund balance at the end of the fiscal year.

STAFF RECOMMENDATION: Amend the Budget an estimated $700,000.00 as per attached "Exhibit A".

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 Resolution 2017-R-18, amending the Solid Waste Budget for the purposes of Storm Debris Removal.

ATTACHMENTS:

- BA Request - Aditional Debris Funding $700k (XLSX)

Resolution No. (ID # 1580)

RESOLUTION 2017-R-18 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 SOLID WASTE BUDGET; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2017-R-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2016-2017 SOLID WASTE BUDGET; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On October 7, 2016 the City suffered citywide damage from Hurricane Matthew; and

WHEREAS, In order to maintain public health and safety, the City immediately began the debris removal process; and

WHEREAS, the City requires all expenditures to be fully budgeted and requires a budget amendment to address these storm related costs.

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

SECTION 1. The City hereby amends the budget as per the attached “Exhibit A”.

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

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED on this 14TH day of FEBRUARY, 2017.

CITY OF HOLLY HILL
Budget Amendment Request
Fiscal Year 2016-17

Requesting Department		Date
Solid Waste		2/14/201

TAKE FUNDS FROM ACCOUNT NUMBER:	ACCOUNT DESCRIPTION:	AMOUNT:
495-0000-380-10-00	Appropriated Fund Balance	700,000.0
	Total	700,000.0

ADD FUNDS TO ACCOUNT NUMBER:		
495-3040-534-34-00	Other contractual Services	700,000.0
	Total	700,000.0

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

For commission Approval February 14th, 2017
To appropriate additional funds for Hurricane Matthew Debris Removal based on final estimates from both Ash-Britt ar
Tetra-Tech.

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 -------------------

Step 1: Finance Review

Finance Director Signature ____________ Date ____________

Step 2: Budget Adjustment Entry

Funds are available for this request? Yes No

HTE Group # ____________

Employee Signature ____________ Date ____________

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE:	**February 14, 2017**
FROM:	**Thomas Harowski**
SUBJECT:	**Marina Grande MPUD 6Th Amendment SIXTH AMENDMENT TO MARINA GRANDE RESIDENTIAL BASED MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) DEVELOPMENT AGREEMENT**
NUMBER:	**(ID # 1559)**
APPLICANT:	**Robert Merrill, Cobb & Cole**
PLANNER:	**Thomas Harowski**

INTRODUCTION: The City has received an application to amend the MPUD agreement for Marina Grande to provide a signage plan for real estate sales. The application was heard by the Board of Planning and Appeals on September 19, 2016 and sent forward to the City Commission without a recommendation. The City Commission held a hearing on the request at the end of September, but no action was taken at that time. The proposal was deferred to a future meeting. The applicant has modified the request since September and is again asking for approval of the amendment.

BACKGROUND: In 2005 the City Commission approved Ordinance 2714 which approved a mixed use planned unit development agreement for the property which has become known as Marina Grande. Over the years the initial MPUD agreement has been amended several times to address modifications to the plan and to address some procedural issues.

The current agreement includes a plan for signage including project identification signs and signage for the retail spaces. The agreement does not address real estate signage to be used for the sale and rental of residential and commercial units. Under the terms of the MPUD agreement, the regulations for real estate signage defer to the standard city code. Over time the applicants have found the standard city codes for real estate signage to be too limiting in their efforts to complete sales of the residential units and lease the commercial space. As a large project with multiple sales objectives and a project that is unique in the city, the applicant is seeking approval to include in the adopted MPUD agreement a plan for real estate signage that would replace the standard real estate signage as regulated by the City code.

DISCUSSION: The applicants have modified their initial proposal to eliminate the two proposed signs on the seawall. The applicant is now proposing a signage plan that includes the following elements (refer to photographs offered as the amendment to Exhibit E for signage details and locations):

1. Three two-panel signs located along the Riverside Drive frontage north of the park entrance, at the main project entrance, and across from Third Street.

2. Three flutter flag signs located on the dock.

3. One banner sign located on the south tower, south side approximately 100 feet long

4. Removal of two non-conforming signs at the Third Street entrance.

The requested sign sizes are as follows:

South Panel Sign	4' 8" x 15'
Central Panel Sign	4' x 5'
North Panel Sign	3' x 18'
Seawall Signs	3' x 48'
Flutter Flags	33" x 152"
Banner Sign	3' 6" x 60'

The applicants are requesting a three-year time frame for the temporary sign program, and this time limit is reflected in paragraph five of the proposed amendment. The south panel sign could advertise the commercial space for sale or lease.

The real estate signs located along Riverside Drive are of reasonable size and the number is appropriate given the project frontage. The signs on the dock are attempting to take advantage of an advertising opportunity that is available for very few properties in the city and not clearly addressed in the city codes. The banner sign requested is similar to the banner sign that had been displayed on the south tower in prior years. Removal of the signs that remain from prior uses will complete a process that should have been done with the original demolition.

When considering provisions under a planned unit development format, the process allows for establishment of regulatory provisions that are appropriate to the project which may not be appropriate throughout the community as a whole. In terms of regulatory intent, the city has significant leeway with some aspects of signage such as the size, location and number of signs permitted. Given the overall size of the structures and the Marina Grande project as a whole, the number and size of the signs requested are generally appropriate to the size of the project.

The large banner sign on the south tower will replace a temporary sign of similar size that has previously been displayed on that tower. Whether a sign of this size and location is appropriate for the project, is really a policy decision of the city rather than an issue of debatable planning merit. The comprehensive plan Future Land Use Element includes one policy which addresses signage. The policy reads as follows:

> ***Policy 1.2.8*** *- Such regulations shall ensure that new and replacement signs shall adhere to the community standard for aesthetics and minimize confusion that results from visual disarray, while allowing reasonable identification and promotion of businesses.*

This policy references the city's land development regulations, but does not include specific measurable standards that can be applied to the proposed banner sign or to any of the proposed signage. The City Commission is left to its judgment as to whether the proposed signage program adheres to community standards for aesthetics; minimizes confusion from visual disarray; and allows reasonable identification and promotion of business.

During the BOPA public hearing and the previous City Commission hearing a number of residents spoke about the signage proposal and a number of other issues. The main points are summarized as follows:

1. The owners in the building spoke of the volume of rentals occurring in the building. This issue is not specifically related to the request and not prohibited by city regulations, but it did lead to the voluntary commitment from the applicant on limiting the wording on some of the signage.

2. The speakers were in support of increased sales and owner occupancy. Some opposed the signage program in its entirety, but most objected to the banner sign as "tacky" while generally accepting of the other signage.

FISCAL ANALYSIS: There is no fiscal impact from this request.

RECOMMENDATION: The City Commission should approve the proposed amendment to the MPUD agreement if the Commission, in its opinion, finds the proposed signage program consistent with Policy 1.2.8 of the Future Land Use Element. This approval should be conditioned upon the inclusion of the time limit language and the voluntary limitation on wording regarding sales.

- Revised Marina Grande MPUD Amendment Exhibit E 1.11.17 (PDF)

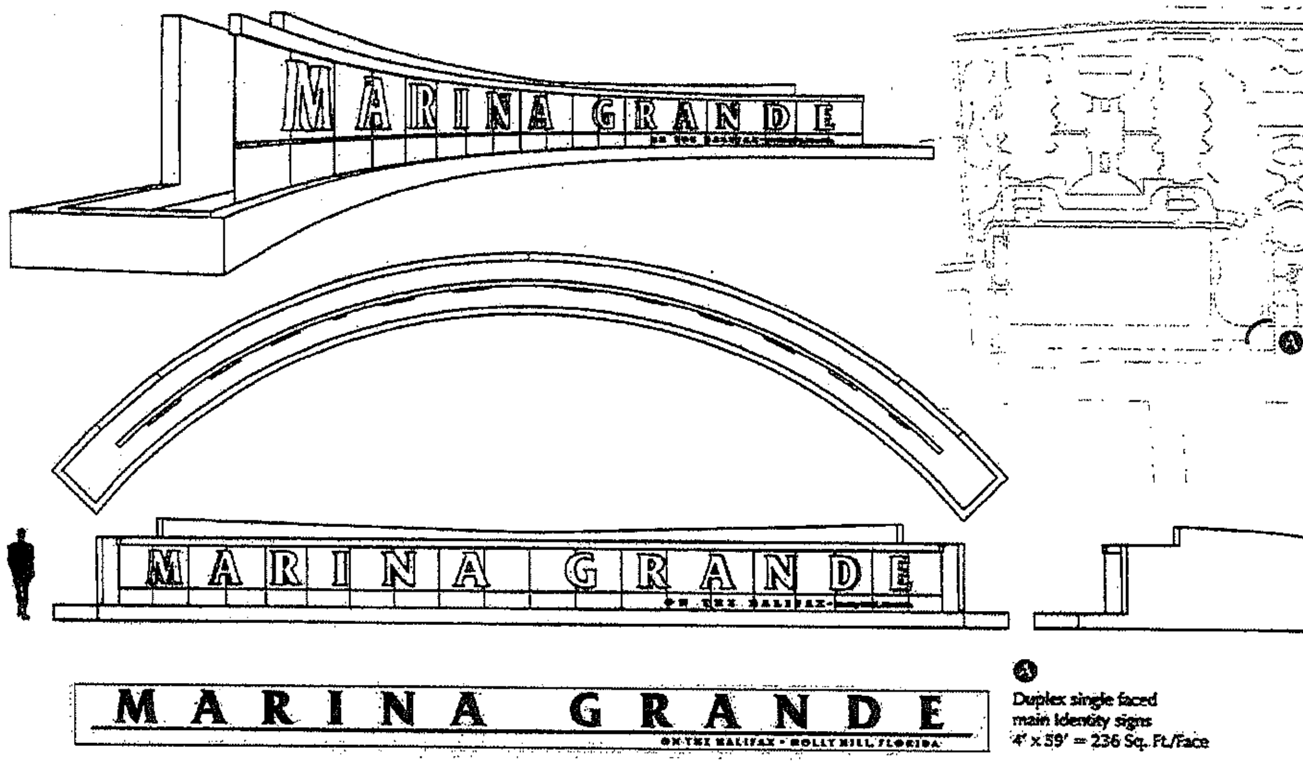
HISTORY:

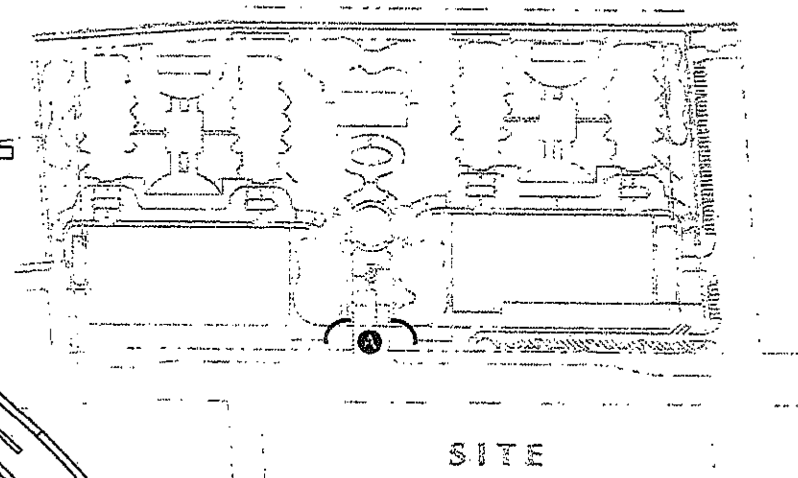
01/24/17 **City Commission** **TABLED**
Next: 02/14/17

EXHIBIT "E"

SIGN PLAN

Instrument# 2011-013275 # 32
Book: 6557
Page: 4291





Architectural Graphic Design

Prepared for:
Marina Grande

Project phase:
Signage Area Studies

Project Number:
104206

Sheet Description:
Sign Area Main ID

Sheet Status:
☒ 1st Draft ☐ 2nd Draft ☐ 3rd Draft
☐ Bid Document-Not for Construction

Sheet Issue Date:
11/12/04

Production Team:

Design Direction	JG
Design	MC
Production Management	SH
Checked by	MC

1

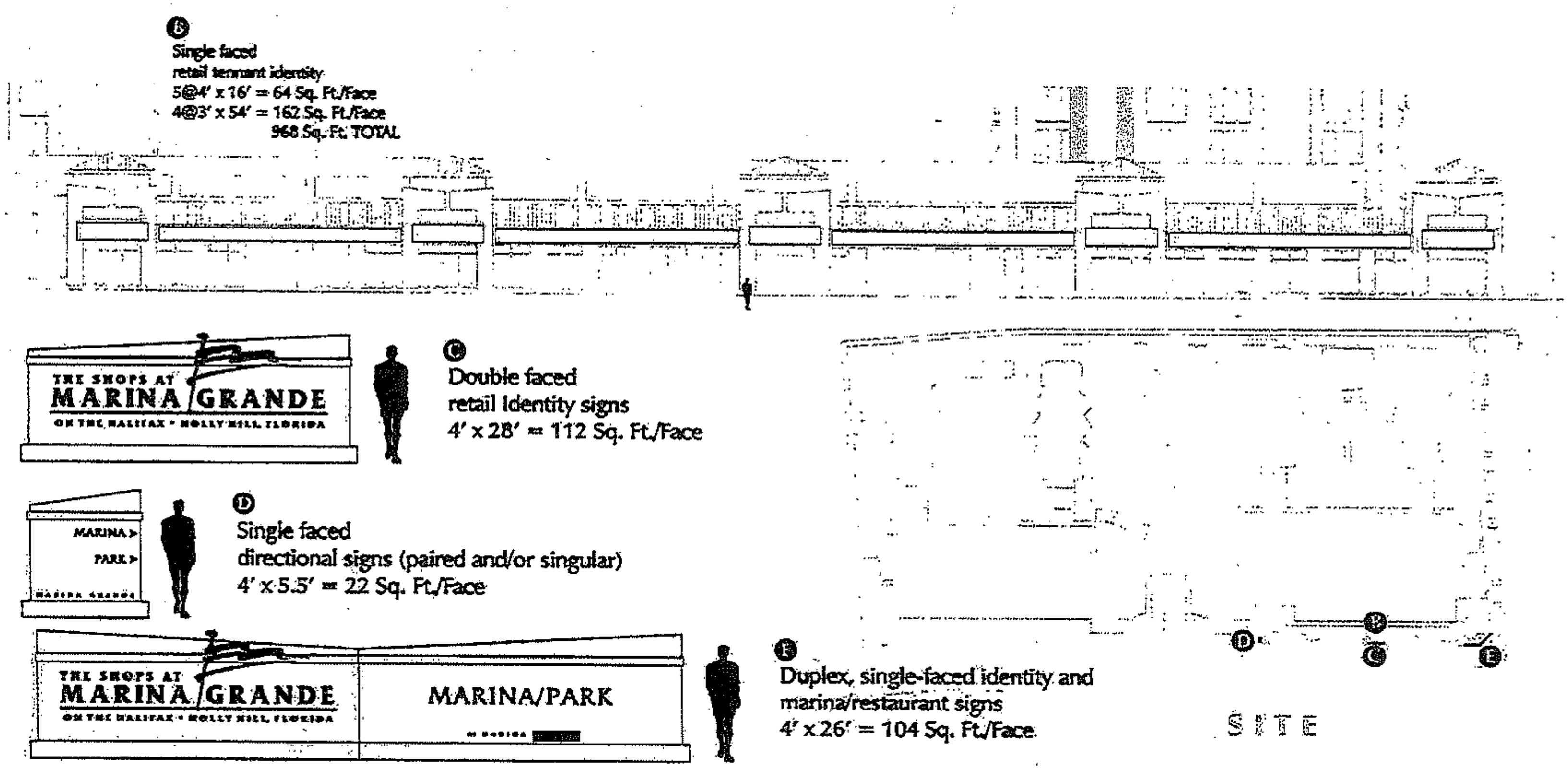
[redacted]

EDSA
Edward D. Stone, Jr. and Associates
Planning
Landscape Architecture
Urban Design
Graphic Design

1512 East Broward Blvd., Suite 110
Fort Lauderdale, FL 33301
Phone 954.524.3330 • [redacted]177

Exhibit "E" page 1

Instrument# 2011-013275 # 33
Book: 6557
Page: 4292



Architectural Graphic Design

Prepared for:
Marina Grande

Project phase:
Signage Area Studies

Project Number:
104205

Sheet Description:
Retail Area ID and Directional

Sheet Status:
☒ 1st Draft ☐ 2nd Draft ☐ 3rd Draft
☐ Bid Document-Not for Construction

Sheet Issue Date:
11/12/04

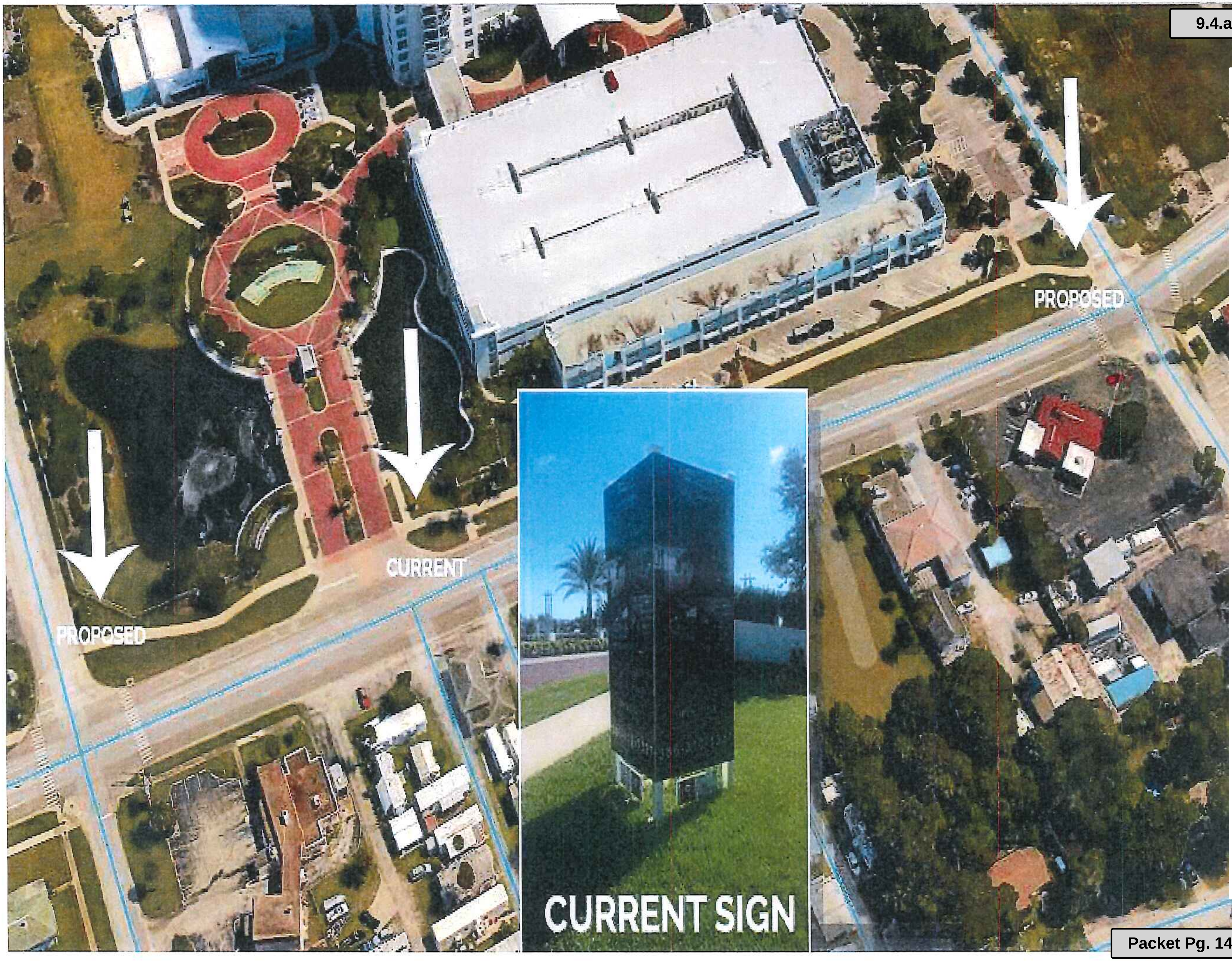
Production Team:

Design Direction	JG
Design	MC
Production Management	SH
Checked by	MC

2

EDSA
Edward D. Stone, Jr. and Associates
Planning
Landscape Architecture
Urban Design
Graphic Design
1512 East Broward Blvd., Suite 110
Fort Lauderdale, FL 33301
Phone 954.524.3330 • Fax 954.524.0177

Exhibit "E" page 2


PROPOSED
CURRENT
PROPOSED
CURRENT SIGN


NOW SELLING
386-310-1337
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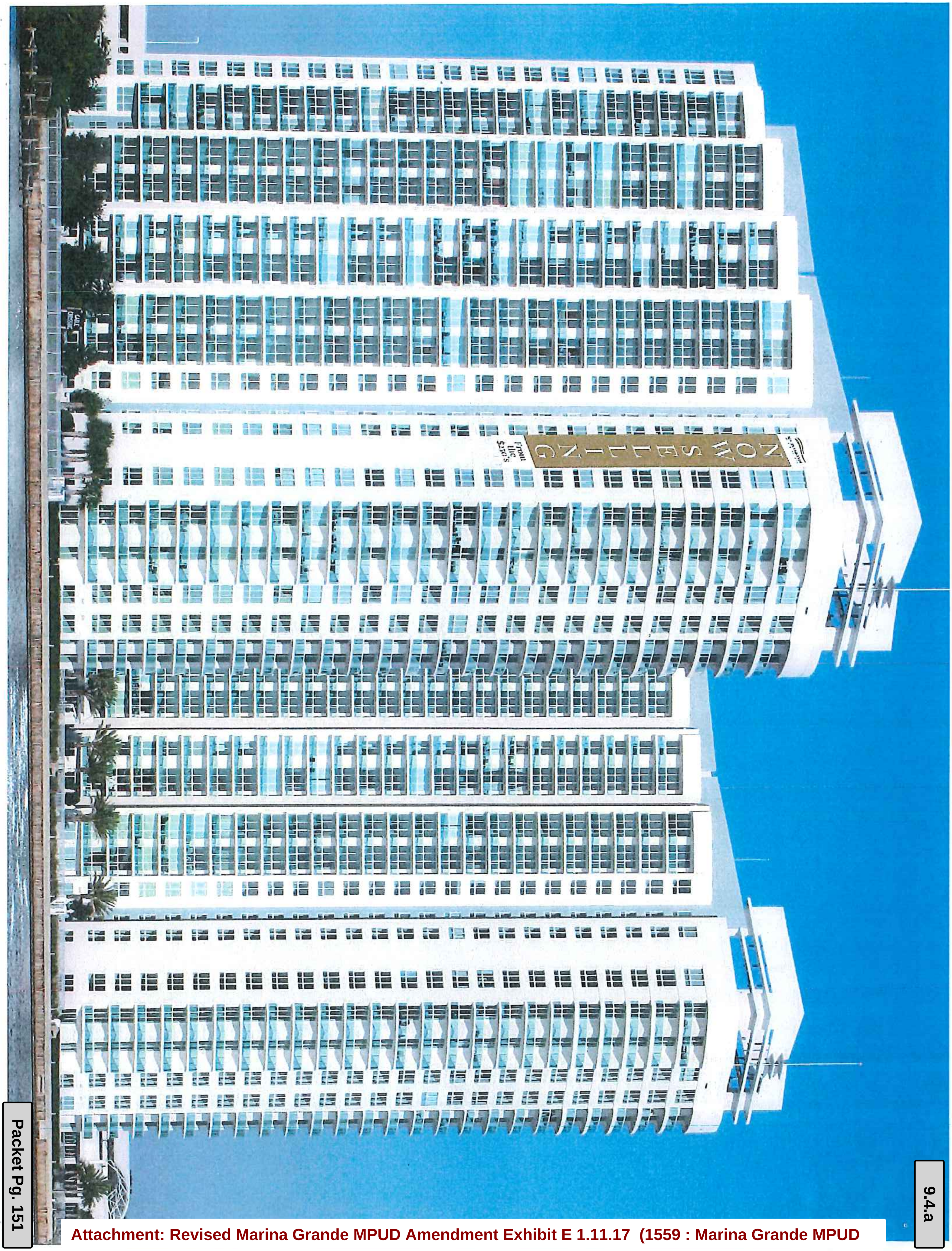
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