CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA ● MARCH 10, 2020

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

HOLLY HILL
FLORIDA

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

CITY COMMISSION MEMBERS

Mayor
Chris Via

District 1 - Commissioner
John Penny

District 2 - Commissioner
Penny Currie

District 3 - Commissioner
John C. Danio

District 4 - Commissioner
Roy Johnson

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

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

2. PRESENTATION

1. April is Holly Hill Arts Festival Month

   (Requested by Valerie Manning, City Clerk)

3. PUBLIC COMMENTS

4. APPROVAL OF MINUTES

1. Minutes - February 11, 2020 - Regular City Commission Meeting and February 25, 2020 Workshop

   (Requested by Valerie Manning, City Clerk)

5. CONSENT AGENDA - ITEMS (1 - 3)

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 –2020-R-10 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2019-2020; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Stella Gurnee, Finance)

2. Resolution –2020-R-11 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Comprehensive City Wide Adopted Fee Schedule for the City of Holly Hill for the Fiscal Year 2019-2020; and Providing for Severability; and Providing for an Effective Date.

   (Requested by Stella Gurnee, Finance)

3. Resolution –2020-R-12 A Resolution by the City Commission of the City of Holly Hill, Florida, Establishing Rules for City Parks; Providing for Severability; Providing for Conflicting Resolutions; and Providing for an Effective Date.

   (Requested by Valerie Manning, City Clerk)

6. REGULAR AGENDA - NONE

7. PUBLIC HEARING

1. Ordinance –2020-O-3024 SECOND READING - an Ordinance of the City of Holly Hill, Florida, Regulating Mobile Food Vehicles; Amending Section 114-904 of the City Code to Add Definitions; Update Permitting Requirements, Restrictions, Operating Requirements and Establish Enforcement Procedures; Providing for Codification; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

   (Requested by Brian Walker, City Planner)

8. COMMUNICATIONS

A. City Manager & Staff Comments

   a. Traffic Signal Maintenance and Compensation Agreement - Contract No. ARY79 and Task Work Order 19-20

      (Requested by Valerie Manning, City Clerk)

B. City Attorney Comments
C. City Commission Comments
D. Mayor's Comments

   1. Appointment of a River to Sea Transportation Planning Organization (TPO) Representative

      (Requested by Valerie Manning, City Clerk)

9. 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.

HOLLY HILL
FLORIDA

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

SCHEDULED

Meeting: 03/10/20 07:00 PM
Department: City Clerk
Category: Proclamation
Prepared By: Valerie Manning
Initiator: Valerie Manning
Sponsors:
DOC ID: 2850

PRESENTATION (ID # 2850)

April is Holly Hill Arts Festival Month

HOLLY HILL
FLORIDA

PROCLAMATION

BY THE MAYOR OF THE CITY OF HOLLY HILL, FLORIDA

DECLARING

APRIL IS HOLLY HILL ARTS FESTIVAL MONTH

WHEREAS, this is the 2nd Annual Holly Hill Arts Festival being held on Saturday, April 18 – 19, 2020 at Sunrise Park; and

WHEREAS, the Holly Hill Arts Festival will host over 80 juried local and regional fine artists and fine crafters at the beautiful Sunrise Park located between Riverside Drive and the intercoastal Halifax River; and

WHEREAS, the Holly Hill Arts Festival is free to the public with plenty of free parking and it offers affordable art for the established, as well as, the beginning collector with music and several food trucks from which to choose from; and

WHEREAS, the Holly Hill Arts Festival is presented by the City of Holly Hill and *Helping Hands Thru Arts*; and

WHREAS, donations will be made again this year to the two Holly Hill schools – Holly Hill K-8 School and United Brethren in Christ for their arts and music departments.

Now, Therefore, I, Chris Via, Mayor of the City of Holly Hill, Florida and on behalf of the City Commission, do hereby proclaim that **APRIL IS HOLLY HILL ARTS FESTIVAL MONTH.**

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City to be affixed this 10th day of March, 2020.

City of Holly Hill, Florida

_____
Chris Via, Mayor

Attachment: Proclamation - Holly Hill Arts Festival - April 2020 (2850 : April is Holly Hill Arts Festival Month)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Agenda Item

MEETING DATE: **March 10, 2020**
FROM: **Valerie Manning**
SUBJECT: **Minutes - February 11, 2020 - Regular City Commission Meeting and February 25, 2020 Workshop**
NUMBER: **(ID # 2839)**
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from the February 11, 2020 regular City Commission meeting and February 25, 2020 workshop.

MOTION:

Approve both sets of minutes as submitted by staff.

- Minutes - February 11, 2020 - Regular City Commission meeting (PDF)
- Minutes - February 25, 2020 - Workshop (PDF)

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● FEBRUARY 11, 2020

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

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation by City Commissioner John Penny

Commissioner Penny stated that he would like to read a prayer that is often read at a Jewish funeral in honor of Walt Smyser, the city's Deputy Public Works Director, who passed away this week on Monday, February 10th unexpectedly. He will be missed by all of his co-workers, friends and family and encouraged everyone to keep his family and loved ones in their prayers. The poem is entitled, *"When All That's Left Is Love",* by Rabbi Maller.

"When I die, if you need to weep, cry for someone walking the street beside you. You can love me most by letting hands touch hands and souls touch souls. You can love me most by sharing your Simchas (goodness) and multiplying your Mitzvot (acts of kindness). You can love me most by letting me live in your eyes and not in your mind."

c. Pledge of Allegiance

Mayor Via led the Pledge of Allegiance to the Flag.

2. PRESENTATION

1.

2020 Holly Hill Arts Festival Presentation

(Requested by Valerie Manning, City Clerk)
Pam Fields, Artist Contact and Pat Masotti-Abernathy, Marketing from the Holly Hill Artist Festival, showed a PowerPoint presentation to the Mayor and City Commissioners for the upcoming festival being held at Sunrise Park, April 18-19, 2020 at Sunrise Park. The hours of the Arts Festival will be Saturday from 9:00 AM until 5:00 PM and on

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Sunday from 10:00 AM until 4:00 PM. More information is available on their website - www.HollyHillArtsFestival.com <http://www.HollyHillArtsFestival.com>.

Ms. Fields and Ms. Masotti-Abernathy informed the Mayor and Commissioners that part of the proceeds from the festival will be donated to the two Holly Hill schools - Holly Hill K-8 School and United Brethren in Christ for their arts and music departments.

Ms. Masotti-Abernathy asked the Mayor and City Commissioners for help with the festival for this year and the next two years so that next year they should be self-sustaining.

Mr. Forte stated what they are looking for is, obviously, there's no rental fee for the use of the park. Staff hasn't assigned any police officers, specifically, to work the detail but the city will have some that will be there. They will be using some of the Police Explorers and an officer for traffic on Riverside Drive and they might need an officer overnight for security. Staff was thinking that they might even allow some people to be in there overnight to do their own onsite security. He wants to provide some custodial workers to make sure that the trash receptacle's are emptied if they're filled up throughout the day. Mr. Forte mentioned he doesn't have an estimated cost of what that would be. The city supported the project last year on the front lawn of City Hall and this year they would like to try it over at Sunrise Park, which he thinks would be a much nicer venue, weather permitting. He thinks it will be wonderful. Mr. Forte asked Ms. Masotti-Abernathy if they think they would be self-sustaining the following year or the year after?

Ms. Masotti-Abernathy stated they were thinking that in 2023 they would truly be self-sustaining but again, they would ask every year.

Mr. Forte stated this year and next year they are looking for help like they do with the car show. They are looking for the city's support to get this thing kicked off. Now, keep in mind that Ms. Fields and Ms. Masotti-Abernathy make a donation to the two schools here in Holly Hill. The Holly Hill K-8 School and United Brethren in Christ Academy. This year they were fortunate to…our arts show was bumped in 2020. The city had a date set and then the Speedway had decided to get into the art business and their date conflicted with the city's date. So, the city had to gracefully negotiate a change so that our date, which we did, which is going to provide the city some assistance in how the city is going to support our two local schools. So, that actually, turned out to be a good thing.

Ms. Masotti-Abernathy stated she was saying, she would like to ask the city to help them until 2023.

Mr. Forte stated for three (3) years is what they are asking for but each year they will come back and the city will know more specifically based on this new venue on what the city had to put into it and what the costs are and they will have a dollar figure, specifically but they don't have that dollar figure based on its new location and what it is they are going to be looking for. It's not in the Community Redevelopment Area (CRA) so it's not CRA funded. It's the General Fund that would support it.

Mayor Via asked if Mr. Forte had a cost estimate of what it cost the city last year? He knows it's a different location.

Mr. Forte stated he doesn't think so. If they want to put something into a motion that says something like, "not to exceed $2,000 for this year and each year until 2023 when they will be self-sustaining."

Commissioner Penny stated everybody got this flyer; it's happening.

Ms. Masotti-Abernathy stated since this is a test year at the new venue, the only resistance she's received is from the consumers, the artful shoppers as to where are they going to park. They have spoken to Tony Cassata and they believe they are going to get a

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van, they've talked to their sponsor Riviera Assisted Living Facility and they are checking with their corporate office if they can get a van and her response has been, "have you been to Mt. Dora?" When you go to the Mt. Dora show everybody parks in all the neighborhoods. She feels like it's going to be the best one ever. She really does. She thinks it's going to be great.

Commissioner Penny made a motion to ***APPROVE UP TO $2,000 THIS YEAR AND PLEDGE SUPPORT FOR THE NEXT TWO YEARS****, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

PASSED, 5-0.

RESULT:	**NO VOTE NEEDED**

3. PUBLIC COMMENTS

No one spoke.

Mayor Via stated that he would like to call forward two very special young men who are currently Cub Scouts; Zachery and Shawn. They have two Cub Scouts here tonight and in order for them to receive their next badge and then become Boy Scouts, one of the badges is to ask questions of their elected officials. Someone reached out to the city and asked if they can do this so they are here to ask the elected officials a few questions.

4. APPROVAL OF MINUTES

1.

Minutes - January 28, 2020 - Workshop, LPGA Widening Discussion and January 28, 2020 - Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

Mayor Via opened public participation. No one spoke.

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

Enacted and approved this 11th day of February, 2020, in Holly Hill

5. CONSENT AGENDA - ITEMS (1 - 3)

Mayor Via asked if there was anyone in the audience who wishes to speak on any item on the Consent Agenda?

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Heidi Heller, Holly Hill, came forward and spoke in opposition of *Consent Agenda Item #1, Resolution 2020-R-8, Amending Section 3.12 (Disposition of Surplus Property).*

There was no other audience participation. Mayor Via closed public participation.

Mayor Via asked that they remove ***Consent Agenda Item #1, Resolution 2020-R-8*** for further discussion amongst staff.

*Commissioner Johnson made a motion to **APPROVE RESOLUTION 2020-R-8**, seconded by Commissioner Danio.*

PASSED, 5-0.

1. –2020-R-8 Resolution

A Resolution of the City of Holly Hill, Florida, Amending Section 3.12 (Disposition of Surplus Property) of the Purchasing Policy Manual Inserting a Provision for Selling Surplus Real Property; Providing for Severability; Providing for Conflicting Resolutions; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

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

RESOLUTION
2020-R-8
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 3.12 (DISPOSITION OF SURPLUS PROPERTY) OF THE PURCHASING POLICY MANUAL INSERTING A PROVISION FOR SELLING SURPLUS REAL PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING SECTION 3.12 (DISPOSITION OF SURPLUS PROPERTY) OF THE PURCHASING POLICY MANUAL INSERTING A PROVISION FOR SELLING SURPLUS REAL PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 30-56 (Purchasing Policy and Procedures) provides that the City's purchasing regulations shall be established by Resolution; and

WHEREAS, the City Commission desires to provide specific procedure for the sale of surplus real property.

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

SECTION 1. The City Commission of the City of Holly Hill hereby amends Section 3.12 (Disposition of Surplus Property) to insert the following paragraph:

The City Commission shall have the authority to dispose of any surplus real property in any manner determined to be in the City's best interest, including but not limited to, selling the real property to the highest and best bidder, by retaining a realtor to sell the real property, by selling the real property buy owner or by donating the real property.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all resolutions made in conflict with this Resolution are hereby repealed.

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

APPROVED AND AUTHENTICATED on this 11th day of FEBRUARY, 2020.

Enacted and approved this 11th day of February, 2020, in Holly Hill

2. -2020-R-9 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Modify the Agreement with Mead and Hunt, Inc., to Provide Professional Services for the Project Lift Station #9 Rehabilitation (20Ww02) Not to Exceed the Amount of $50,906.00; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

RESOLUTION
2020-R-9
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO MODIFY THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #9 REHABILITATION (20WW02) NOT TO EXCEED THE AMOUNT OF $50,906.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO MODIFY THE AGREEMENT WITH MEAD AND HUNT, INC., TO PROVIDE PROFESSIONAL SERVICES FOR THE PROJECT LIFT STATION #9 REHABILITATION (20WW02) TO A NOT TO EXCEED AMOUNT OF $50,906.00; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill approved the proposed capital project as part of the fiscal year 2019-20 budget; and

WHEREAS, the City has a continuing services agreement with and has received a proposal from Mead and Hunt, Inc., to perform the engineering services for this project; and

WHEREAS, the project was designed to be included with two other projects for economy of scale; and

WHEREAS, Volusia CDBG did not approve this approach as only LS #9 was eligible to receive CDBG funding; and

WHEREAS, The City has requested Mead & Hunt provide separate bid documents for the subject project so that CDBG funding will be received for LS #9; and

WHEREAS, Mead & Hunt has requested additional compensation for the additional work of $5,410.00.

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

SECTION 1. That the City Commission of the City of Holly Hill does hereby

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authorize the City Manager to modify the agreement with Mead and Hunt, Inc., to provide professional services for the project Lift Station #9 Rehabilitation, increasing it by $5,410.00 to a not to exceed price of $50,906.00.

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

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

APPROVED AND AUTHENTICATED on this 11th day of FEBRUARY, 2020.

Enacted and approved this 11th day of February, 2020, in Holly Hill

3.

Surplus Items

(Requested by Antoine Khoury, Public Works)

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

6. REGULAR AGENDA - NONE

None.

7. PUBLIC HEARING

1. 2020-O-3024 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Regulating Mobile Food Vehicles; Amending Section 114-904 of the City Code to Add Definitions; Update Permitting Requirements, Restrictions, Operating Requirements and Establish Enforcement Procedures; Providing for Codification; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.

(Requested by Brian Walker, City Planner)
Brian Walker, City Planner, briefly discussed the various changes that were made and recommended by the City Commission at the first reading held on Tuesday, January 28, 2020. There was discussion amongst the Mayor, Commissioners, Attorney Simpson and staff for the second reading of Ordinance 3024.
Commissioner Danio shared his opposition to this Ordinance and mentioned that he will

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not be in favor of voting for this.

Mayor Via opened public participation.

Pat Johnson, Cornerstone Foods, Winter Park, (owner of Little Caesars in Holly Hill) shared his concerns regarding this Ordinance and asked that the City Commission do not give any leniency on this; spoke in opposition of this Ordinance.

Mayor Via closed public participation.

COMMISSIONER CURRIE MADE A MOTION TO TABLE THIS AGENDA ITEM, ORDINANCE 3024, TO A DATE CERTAIN TUESDAY, MARCH 10, 2020 AT 7:00 PM AND TO HOLD A WORKSHOP TO FURTHER DISCUSS THIS ITEM ON FEBRUARY 25, 2020 AT 6:00 PM, SECONDED BY COMMISSIONER PENNY.

(for full discussion of this agenda item, the motions that were withdrawn and failed can be found on the audio that is available online www.hollyhillfl.org or a CD is available upon request in the City Clerk's Office).

RESULT:	**CONTINUED TO A DATE CERTAIN [UNANIMOUS] Next: 3/10/2020 7:00 PM**
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	John Penny, District 1 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

8. COMMUNICATIONS

A. City Manager & Staff Comments

Mr. Forte stated last year he got permission from the Commission to hire a gentleman who is working part-time in the Finance Department and he's been helping them out during their period of short staffing. He's limited to the amount of hours he can work in a year because he is retired earning social security. He is still needed and is needed more. They use him for 16 hours a week but once he reaches a certain number of hours he needs to stop because he earns too much. Mr. Forte stated he would like to pay him the difference that he would lose in his social security to keep him working more "weeks" at 16 hours in order for the city to maintain the operations in the Finance Department. They are short staff still and they are short staff, technically, 3 full-time positions. They do have two temps; one of those temps may be offered a full-time job but they are short. He wanted to make the Commissioners aware of that. They will use their LAP salaries to fund that position. If anybody has an objection to that let him know, otherwise, staff will go ahead and proceed.

Mayor Via stated he has no objection.

Mr. Forte stated a couple of years ago, the city passed an ordinance to piggyback a contract with ProChamps and it was for two reasons. One, was for foreclosed properties to get them registered and know who the responsible parties are and the other reason was for the vacant property registration. The city started that back at the end of last year in November. As staff is going through this they are finding that there's more problems than they thought. There are more property owners that are snowbirds that have part-time

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homes in Holly Hill, they have some people that own vacant properties but they're in good conditions and the city is charging them $300 and in some cases late fees and when they ask the city, "why are we paying $300 just because I have a vacant property?", he really doesn't have a good answer anymore. The answer was, "we're trying to take care of these vacant, dilapidated properties." Mr. Forte stated that's not what staff is finding most of these vacant properties are. Most of these vacant properties are in good condition. He wanted to get the Commission's position on his recommendation for the city to "not" create a vacant property registry and to seek, go back to ProChamps and figure out how the city may be able to refund those monies that the city did collect over the last three months because he just doesn't see it making sense. The foreclosures, that's working. They got a lot of foreclosed properties and they need to identify the managers and property owners but the vacant properties are just…after they implemented, they are finding out that it just doesn't make sense.

Mayor Via stated he is welcome to seeing how the city can refund that.

Mr. Forte stated he doesn't know yet because he has to get with ProChamps because they get a piece of that action and he doesn't know how they would be willing or not willing to refund that.

Commissioner Penny made a motion to ***give staff direction to research what it takes to delete the vacant properties program with ProChamps****, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

PASSED, 5-0.

Mr. Forte stated when he got here in 2014 there was this bus bench/bus stop ADA issue and it's kind of just been sitting there so he tried to address it again this week and the city's bus stops are not ADA compliant and it's very difficult to make them ADA compliant. He met with Waverly Media about the bus benches to see if the city can't, somehow, get more benches to these amenities for people waiting for a bus here in the city. He learned that, and he didn't know this until last Friday, that Waverly Media actually poured fifteen pads between the sidewalk and curb. The City Manager at that time, although it was a good thing to do, but then the City Manager was given direction by this Commission to remove those benches because the benches were placed in the middle of the sidewalk or on the sidewalk in order for them to take the ramp to the curb. The Commission said take all the benches off the sidewalk. There's no other place to put the bench except on the backside of the sidewalk and you need to get the property owners permission to do that. A lot of property owners aren't going to give the city that permission. He was hoping by tonight he would have a recommendation on what to do. He met with Votran to get their understanding and maybe we start a program…Votran is looking at ways to use inmate services to help pour the cement and frame it up and get some of these bus stops ADA compliant. The city isn't compliant now. Some of these bus benches are in bad spots. They're on the grass, on a hills, 3rd Street and Ridgewood by ACE Hardware is a good example of one that's in bad shape. He doesn't have a recommendation right now. Staff is looking at it. They are working on it and he's not quite sure what direction they are going to go in but it's becoming more problematic;

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these bus stops, in how they are going to handle them. The lawsuits have been basically dismissed without prejudice so they can bring it back at some point. He is still working with the County and Votran to see if there's any programs they are funding where the city can start to make some of the benches compliant and just over time, maybe the city will get there. The city certainly doesn't have a funding mechanism to do them all. Mr. Forte mentioned that over the next couple of days he will be talking with Antoine and they are going to figure out how they can "internally" do some kind of a recognition for Walt, whether it's a lunch, they'll get some catered food, something rather inexpensive but he thinks it would be appropriate that staff takes some time and some closure, we're going to need that. Walt will be missed. He really will be. The staff did a great job trying to help Walt, trying to save his life again. Antoine, Shawn, Beth and Steve, it hit them. They had a hard time yesterday, they had a hard time today. It's getting a little bit easier. Walt had his quirks but he was good for the city.

Commissioner Penny, Mayor Via and the other Commissioners wanted to make sure that there is counseling available for them.

Mr. Forte stated he checked on them yesterday, he checked on them this morning and he spoke to Antoine and Steve. Help is available for them if they need it. Those of us in public safety have seen it before, it doesn't affect us the same way it does…for people who have not seen that on a regular basis and to witness a co-worker and now to try and save a co-worker, there's some level of guilt there and he knows there's level of guilt. You feel like you didn't do enough. He's been there. This was God's plan in his opinion and the staff did a wonderful job trying to do what they could to save him.

Mayor Via stated Joe and Antione have probably already have but encourage those employees to get help if they need it.

Mr. Forte stated Walt was a friend. He knew a lot of stuff. We're going to miss him. Staff will get some dates for closure. He's going to be missed. He deserves that respect.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Danio appreciates the Commission who has insight and passion and consideration to hear him out tonight on the Mobile Food Truck and tabling it until maybe they get a better understanding of the situation. It's important to the city and he appreciates it. He is sorry to hear about Walt.

Commissioner Johnson mentioned he knows how it is for businesses to make it and you have to have feelings for both sides. He's experienced loosing people he's worked with but the main thing is, we know we're not going to be here forever, just know where you're going to go when you do leave here. He believes everybody here is doing a good job and has compassion.

Commissioner Penny mentioned he is proud of this Commission and how open minded they are. There's no doubt in his mind that the Commission and the staff have a major passion for their city and they only want the best for their city. He gave a brief update on

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the trip to Tallahassee with Commissioner Currie last week and lobbied their Legislatures; they have a great delegation. They are accessible to them.

Commissioner Currie spoke of the trip to Tallahassee and was appreciative of being able to go. It was a great experience for her first time attending. Expressed her condolences to Walt and his family. He will be greatly missed. To the city staff, she knows they're all like family. Each of them have the availability to reach out and get help. She knows that Mr. Forte is keeping an eye out for them but get help if they need it. She misses Walt but she knows he's in a much better place. She appreciates this Commission and the good discussions they always have.

D. Mayor's Comments

Mayor Via carried on the sentiment about Walt. He applauded the staff and mentioned how the city has the best City Manager in Volusia County and they have the best staff. Mr. Forte is a big part of that by bringing on all of these people that are so competent in what they do. They have the best staff and the Commissioners rely on that and Walt was one of those guys. He knows that he could always trust Walt and that he was always telling the God's honest truth and he wasn't going to sugarcoat things and he's going to be very well missed. What a very brilliant, brilliant guy that the city is going to be missing. He wants to extend his applause and thanks to Antoine and staff, Mr. Forte, Chief Aldrich, Chief Bland and the Fire Department for working so hard on Walt. He knows that Antoine will encourage all of his workers to get help if they need it. Walt will be missed; God rest his soul. A couple of positive notes, there was a lot of important conversations here tonight; applaused Commissioner Danio in expressing how he felt. Super cool about the Cub Scouts coming tonight. Mayor Via mentioned the gymnastics center on Nova Road and the billboard sign.

Commissioner Penny mentioned that through the leadership and hard work of Mr. Forte and staff, Pictona was ranked No. 1 for ECHO funding; a $400,000 grant to the city.

9. ADJOURNMENT

The meeting adjourned approximately at 9:10 PM.

Attachment: Minutes - February 11, 2020 - Regular City Commission meeting (2839 : Minutes)

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● FEBRUARY 25, 2020

City Commission Chamber **Work Session** **5:00 PM**

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

c. Invocation - Mayor Via

2. HVAC FOR CITY PROPERTIES

1.

HVAC for City Properties

(Requested by Valerie Manning, City Clerk)
Rob Duncan, Municipal Account Executive for ABM Industries shared a PowerPoint presentation to the Mayor, Commissioners, and staff pertaining to HVAC for city-owned properties and the challenges that the city faces. The following information was discussed during his presentation: city fiscal conditions, Holly Hill's deferred maintenance needs for City Hall's HVAC and various needs in other city facilities, went over the existing City Hall HVAC issues and shared several pictures of the current conditions, budgetary guidance for City Hall HVAC only was shared (informing the Mayor and Commissioners that additional engineering will be required to establish budgetary numbers for alternative cooling solutions like Chiller, variable refrigerant flow, etc., air gaps and negative building pressure was discussed for City Hall. The City Hall's summary from Mr. Duncan's presentation was as follows: significant investment in HVAC upcoming - proactive or reactive determination is needed; corrective actions are needed, and future savings opportunity for the city if the HVAC is properly designed, installed and maintained. Mr. Duncan briefed the Mayor, Commissioners and staff on the other city facilities: approximately $200,000 in current HVAC needs in other city facilities - units currently being used are beyond useful life; they witnessed (with pictures shown) multiple reactive and work around solutions to air quality problems observed in city facilities; there are currently poor workmanship on HVAC replacements; and various

Attachment: Minutes - February 25, 2020 - Workshop (2839 : Minutes)

energy efficiency opportunities. There are outdated HVAC units not just at City Hall but in other city facilities that need attention. Mr. Duncan showed pictures of multiple reactive and work around solutions to air quality problems that was done. ABM staff noticed installation deficiencies with the new unit that was put in a few years ago. Referring to some pictures, Mr. Duncan mentioned that there are things that should have been done better for the long term preservation of city assets to the HVAC units when installed. Mr. Duncan shared an example of quantifying the funding potential for HVAC. Florida Statute 489.145 was discussed. The next steps were mentioned and discussed. They were as follows:

- Commission Authorize Preliminary Study
- Analyze Facilities and Build Base Program +/- 10%
  - Deploy Data Loggers
  - Energy Savings Calculations
  - Other Savings Costs / Calculations
  - Construction Costs (HVAC Options)
  - Financial Pro-forma
- Review Findings with Staff & Commission (Go / No-Go)
- Competitive Process Begins
- Selection Authorized by Commission
- Investment Grade Audit
- Selection of Scope / Contract

Mr. Duncan informed the Mayor, Commissioners, and staff that there will be **NO CHARGE** to the city for ABM Industries to move forward to the next step which would be to analyze a facilities and build base program as listed above. There was ***consensus*** from the Mayor and Commissioners for ABM Industries to conduct a preliminary study and have Mr. Duncan come back with the findings/results and discuss those with the City Commission.

3. MOBILE FOOD TRUCK ORDINANCE

1.

Mobile Food Truck Ordinance

(Requested by Valerie Manning, City Clerk)
The Mayor and City Commissioners made the following changes to the Mobile Food Truck Ordinance:

1. Class 1 - only needs permit
2. The same address, site or overall property is prohibited from hosting a mobile food vehicle for more than **3 days** in any calendar week, meaning Sunday through Saturday.
3. Cannot be on abutting property
4. Annual fee for property owner will be $25.00
5. Eliminating the $5.00 fee for property owner
6. In Class 3, the last sentence, *"A mobile food vehicle permit is not required"*, will also be added to Class 2.

Attachment: Minutes - February 25, 2020 - Workshop (2839 : Minutes)

These changes will be referenced in the Ordinance on Tuesday, March 10, 2020 at the City Commission meeting for another second reading.

4. PARK RULES, OVERNIGHT PARKING

1.

Park Rules, Overnight Parking

(Requested by Valerie Manning, City Clerk)
Mr. Forte briefly explained what this Resolution will do and that will be to establish park rules for the city parks. He went through the Resolution that was attached. Mr. Forte wanted to update a sentence within the body of the Resolution to read as follows, *"no overnight parking of any vehicles in any of the city parks parking lots."* There was ***consensus*** from the Mayor and Commissioners to move forward with that. Mr. Forte will bring this Resolution to the Commission on March 10, 2020 at the regular City Commission meeting for consideration and adoption.

5. LPGA - SEEKING DIRECTION

1.

LPGA - Seeking Direction

(Requested by Valerie Manning, City Clerk)
There was some discussion amongst the Mayor and Commissioners about LPGA and what they would like to see or not see done with that road. Mr. Forte informed them that he was seeking direction from them as to whether or not to move forward with anything at this time since their last discussion on this. There was firm ***consensus*** that the Commission ***does not*** want to eminent domain anyone along LPGA. Several suggestions were discussed and mentioned and one of those suggestions was to ask Mr. Forte to contact the County Manager and see if there is any possibility of receiving help from the County for LPGA. Mr. Forte will follow up with the Commission once he has some information.

Mayor Via opened public participation since the regular City Commission meeting was cancelled last week, he wanted to give those attending who may not be aware that it was cancelled, an opportunity to speak. The following individuals spoke to the Mayor and City Commissioners: Heidi Heller, Holly Hill; Jose Huerta, Holly Hill; Jim Schultz, Ormond Beach; and Ned Wolfarth, Holly Hill.

Attachment: Minutes - February 25, 2020 - Workshop (2839 : Minutes)

6. ADJOURNMENT

Closing comments from the Commission:

Commissioner Penny mentioned the short-term rental bill and the Senate Rules Committee will be meeting on March 3, 2020 and the Volusia League of Cities has hired Kathy Till who is the VLC advocate and she will be there and if any of the elected officials would like to go, they can let her know. Commissioner Penny also suggested that the city invite Governor DeSantis to the Grand Opening of Pictona. They thought that would be a good idea.

Commissioner Currie stated they had some good discussion tonight. She informed the Commission that earlier this evening, she sent an email to the City Clerk and Mr. Forte about her resigning from the TPO as a city representative effective immediately. As she stated earlier in the discussion about LPGA, she cannot support something that she's not passionate about as well. She cannot support the four lanes on LPGA. She will attend her last meeting with the TPO but that's only because she can't move forward to support the issue on LPGA. She feels it's best to have someone there that fully supports that idea.

Commissioner Danio appreciates the Commission in their discussions earlier tonight.

Commissioner Johnson mentioned that he would be interested in serving on the TPO since he is already the alternate. *(Mayor Via let them know they will discuss appointing someone at their next meeting).*

The workshop adjourned at approximately 7:55 PM.

Attachment: Minutes - February 25, 2020 - Workshop (2839 : Minutes)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **March 10, 2020**
FROM: **Stella Gurnee**
SUBJECT: **A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2019-2020; and Providing for Severability; and Providing for an Effective Date.**
NUMBER: **2020-R-10**
APPLICANT:
PLANNER:

DISCUSSION:

The City received a grant award from the Daytona Beach Racing & Recreational Facilities in the amount of $43,750 to be used for the Pickleball facility construction.

Also, the City received an insurance reimbursement in the amount of $7,430 for damages to the Public Works yard gate.

FISCAL ANALYSIS:

The DBRRF grant funds are paid in advance. The insurance reimbursement has been received. This Resolution will provide increase to the revenue budget for these revenue sources and budget the corresponding expenses.

STAFF RECOMMENDATION:

Recommend approval.

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 AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020.

ATTACHMENTS:

- EXHIBIT A-BUDGET RESOLUTION 3 10 2020 (PDF)
- DBRRF Grant (PDF)

Resolution No. 2020-10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill, by Resolution 2019-R-57, adopted an operating budget for Fiscal Year 2019-2020; and

WHEREAS, The City of Holly Hill, Resolution 2019-R-87, Resolution 2019-R-91 and Resolution 2020-R-5 amended the operating budget for Fiscal Year 2019-2020; and

WHEREAS, the budget adjustment increase revenues and expenditures in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein; and

WHEREAS, the budget adjustments will allow the City of Holly Hill to adjust the Fiscal Year 2019-2020 budget.

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

SECTION 1. AMENDED BUDGET. The City Commission of the City of Holly Hill amends the Fiscal Year 2019-2020 budget by revising the budget in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein.

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 become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of MARCH, 2020.

Exhibit "A"

FY 2019 - 2020 BUDGET ADMENDMENT

REVENUES AND EXPENSES FY 2019 - 2020	REVENUE	EXPENSE
001-GENERAL FUND	$ 7,430	$ 7,430
130-CRA FUND	$ 43,750	$ 43,750
TOTAL ALL FUNDS	**$ 51,180**	**$ 51,180**

Attachment: EXHIBIT A-BUDGET RESOLUTION 3 10 2020 (2020-R-10 : FY 19-20 Budget Amendment - Revenues and Expenses)

CASH ONLY IF ALL *CheckLock*™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

16169

Daytona Beach Racing & Recreational
Facilities District
335 Bill France Blvd
Daytona Beach, FL 32114

Intracoastal Bank
2140 LPGA Blvd
Daytona Beach, FL 32117
63-1656/631

7/16/2019

PAY TO THE ORDER OF City of Holly Hill

$ **43,750.00

Forty-Three Thousand Seven Hundred Fifty and 00/100**********

DOLLARS

PROTECTED AGAINST FRAUD

City of Holly Hill
1065 Ridgewood Ave
Holly Hill, FL 32117

George E Burden

MEMO

⑈016169⑈ ⑆063116562⑆ 1008804⑈

16169

City of Holly Hill	7/16/2019	43,750.00

Code: 99
CR: 130-0000-366-9000

PKLBLL-DBRRF Grant

Comment: DBRRF Grant for Pickle Ball Senior Center Outdoor Construction.

Intracoastal Bank Ope	130-0000-366.9000	43,750.00

PAID

AUG 08 2019

Attachment: DBRRF Grant (2020-R-10 : FY 19-20 Budget Amendment - Revenues and Expenses)

The City of Holly Hill

Stella Gurnee <sgurnee@hollyhillfl.org>

Daytona Beach Racing and Recreational Facilities District Notice of Grant Award

1 message

Joe Forte <jforte@hollyhillfl.org> Thu, Jul 18, 2019 at 3:38 PM
To: Stella Gurnee <sgurnee@hollyhillfl.org>
Cc: Rainer Martens <Rainer@hkusa.com>, Teresa Rand <tmaxrand@gmail.com>

Stella,
Attached is a scanned copy of the Daytona Beach Racing and Recreational Facilities District Notice of Grant Award.

This is to be applied to the Pickleball project as a reimbursement expense for the construction of the senior center outdoor activities. This does not come from the city's portion of the funding but a credit to the developer. Typically, we will receive a check in a few weeks.

Thanks
Joe

Joseph A. Forte, City Manager
City of Holly Hill,
1065 Ridgewood Ave.
Holly Hill, FL. 32117
386-248-9425
386-248-9448
jforte@hollyhillfl.org
www.hollyhillfl.org

HOLLY HILL
FLORIDA

Racing & Rec Grant award letter.pdf
79K

Comment - DBRRF Grant for Pickleball Senior Center outdoor construction

Attachment: DBRRF Grant (2020-R-10 : FY 19-20 Budget Amendment - Revenues and Expenses)

DAYTONA BEACH RACING & RECREATIONAL FACILITIES DISTRICT

July 31, 2018

Mr. Joseph Forte
The City of Holly Hill
1065 Ridgewood Avenue
Holly Hill, FL 32117

Re: Daytona Beach Racing and Recreational Facilities District Notice of Grant Award

Dear Mr. Forte:

I am happy to report that, on July 9, 2019 the Daytona Beach Racing and Recreational Facilities District (the "District") approved the grant requests of The City of Holly Hill ("Recipient"), for The Pickleball & Senior Center, in the amount of $43,750.00 ("Awarded Projects") pursuant to Recipient's grant requests dated June 18, 2019.

Based on the amount of the Awarded Funds for the Pickleball & Senior Center, the District will pay the Awarded Funds in one lump sum. The check, in the amount of $43,750, will be delivered to the address above, upon receipt of your original signature below (unless you would like to schedule a time to drop off your original signature and pick-up the check).

All payments of Awarded Funds from the District are expressly subject to the District's ability to make payments from then-existing available funds without use of reserve funds. If the District's available cash proceeds are not sufficient to pay all annual payments for previously-awarded grants for all recipients (including awards of other recipients), the District will use reasonable efforts to pay a pro rata amount of each annual payment for each award based on the total due for all awards in that year, until the District has sufficient funds to pay all awards in full.

Please note that the Recipient is responsible for notifying the District, in writing, if the Recipient's address changes. The District has no duty to send any check to any address except for the address above or such other address change provided in writing to the District. The District's award and all current and future payment obligations, if any, will expire six (6) months from the Award Date unless the Recipient deposits the District's check by such deadline (or 18 months from the Award Date for the second annual payment if any or 30 months from the Award Date for the third annual payment if any). If a District check(s) is not deposited by the Recipient, for any reason, prior to such deadline unless the District provides for an extension of such deadline in writing, the District's award to the Recipient will lapse without further notice, and the Recipient will have no right to receipt of that payment or any future payments for the Awarded Project.

The Recipient is responsible for using the Awarded Funds in a manner which is consistent with the scope of the Awarded Project as outlined in the Recipient's grant request identified above and as approved by the District. Recipient agrees to notify the District in writing of any changes to the use of the Awarded Funds and the scope of the Awarded Project. The District may elect, in its sole and absolute discretion, to prohibit the Recipient from requesting future grants from the District, if the Recipient breaches its obligation to notify the District of any changes or its obligation to return any payments upon demand.

If there is a material change in the Awarded Project, as determined by the District commission in their sole and absolute discretion, the Recipient agrees to return any Awarded Funds already paid upon demand, which the District may require in its sole and absolute discretion, and agrees that the District has no obligation to pay any remaining Awarded Funds, which the District may require in its sole and absolute discretion.

335 Bill France Boulevard, Daytona Beach, FL 32114
Phone 386-255-7355 Fax 386-255-5755
www.daytonaracingdistrict.com

Attachment: DBRRF Grant (2020-R-10 : FY 19-20 Budget Amendment - Revenues and Expenses)

The District may, at any time, elect to delay any payment of Awarded Funds until receipt, satisfactory to the District, of the Recipient's material compliance with scope of the Awarded Project.

Also, along with the award, comes the responsibility of the recipient to provide an update, or updates, along with photos, of reasonable milestones of the Awarded Project. The update(s) and photos can be sent via USPS to the address below or via email to info@daytonaracingdistrict.com. Prior to receiving a second or third annual payment of Awarded Funds, if applicable, the Recipient is required to provide the District with an update of the Awarded Project and a statement that the Recipient continues to comply with the scope of the Awarded Project without material change.

To receive the check for your Awarded Funds, please sign below agreeing to the obligations and limitations above.

Again, congratulations on the District's funding of your Grant Request. We look forward to seeing the Awarded Project come to fruition. Please do not hesitate to email or call me with any questions.

Best regards,

Barbara Kelly
Executive Director

I, as Joseph Forte of the City of Holly Hill, which is the recipient of a grant award from the Daytona Beach Racing and Recreational Facilities District, have read and understand the foregoing. I have the authority to bind the Recipient and by signing below hereby agree, on behalf of the Recipient, to abide by the foregoing terms and conditions and agree to the limitations and restrictions provided herein.

Signature

Attachment: DBRRF Grant (2020-R-10 : FY 19-20 Budget Amendment - Revenues and Expenses)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **March 10, 2020**
FROM: **Stella Gurnee**
SUBJECT: **A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Comprehensive City Wide Adopted Fee Schedule for the City of Holly Hill for the Fiscal Year 2019-2020; and Providing for Severability; and Providing for an Effective Date.**
NUMBER: **2020-R-11**
APPLICANT:
PLANNER:

DISCUSSION:

The City Commission adopted a comprehensive city wide fee schedule for fiscal year 2019/2020 on Resolution 2019-R-47 on August 13, 2019. This resolution amends Resolution 2019-R-47 to change the fee for the business use of Food Truck to an annual fee of $25.00.

It also corrects the Solid Waste Roll-Off to require a 2 pull a month minimum as previously adopted in Fiscal year 2017-2018.

FISCAL ANALYSIS:

The recommend changes do not have a material fiscal impact.

STAFF RECOMMENDATION:

Recommend approval.

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 AMENDING THE COMPREHENSIVE CITY WIDE ADOPTED FEE SCHEDULE FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020.

ATTACHMENTS:

- EXHIBIT A-Amended FEE Schedule FY2019-2020 03 10 2020 (PDF)

Resolution No. 2020-11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE CITY WIDE ADOPTED FEE SCHEDULE FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE COMPREHENSIVE CITY WIDE ADOPTED FEE SCHEDULE FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2019-2020; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill, by Resolution 2019-R-47, adopted an comprehensive City wide fee schedule for Fiscal Year 2019-2020; and

WHEREAS, The Citywide Fee Schedule has been modified to incorporate recent recommended changes in the fees; and

WHEREAS, The Schedule of Fines, Fees, Costs and/or Penalties (which is attached hereto and incorporated herein as "Attachment "A") is being modified to reflect the changes that have been incorporated herein.

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

SECTION 1. Notice of the public meeting and public hearing at which this Resolution was considered was properly given, and all oral and written presentations made to and heard by the City Commission were properly considered.

SECTION 2. There is a reasonable relationship between the fees to be collected for the provision of various City services and the City's costs in providing those services.

SECTION 3. The fees which are newly created, increased, decreased, and unchanged- as set forth in the amended FY 2019-2020 Proposed Citywide Fee Schedule (Attachment "A"):

1. Do not exceed the actual or estimated reasonable costs to the City of providing the services to which the fees relate;

2. Are reasonable and necessary to enable the City to provide the benefit or privilege, service or product, license or permit, use or rental, fine or penalty, or property development to which

they relate;

3. Have been allocated in a manner such that the costs to a payor bear a fair and reasonable relationship to the payor's burden on, or benefits received, from the City; and

SECTION 4. The City Commission hereby approves and adopts:

1. The amended FY 2019-2020 Proposed Citywide Fee Schedule (Attachment "A") which:

A. Creates, increases, decreases, or removes some fees.

SECTION 5. Any fee, rate, charge, penalty, fine, table, or schedule contained in the FY 2019-2020 Proposed Citywide Fee Schedule (Attachment "A"), as adopted in this Resolution, will prevail and apply in the event of a conflict with any other fee, rate, charge, penalty, fine, table, or schedule.

SECTION 6. The newly created fees, unchanged fees, decreased fees and increased fees listed in this Resolution and set forth in the FY 2019-2020 Proposed Citywide Fee Schedule (Attachment "A") become effective on March 10, 2020.

APPROVED AND AUTHENTICATED on this 10th day of MARCH, 2020.

EXHIBIT A

City Wide Fee Schedule - Fiscal Year 2019-2020

FEE TYPE	FY2019-20 CURRENT	FY2019-20 PROPOSED	CHANGE
MISC. BUILDING & ZONING FEES			
BUSINESS USE OF FOOD TRUCK	5.00/Day	**25.00/Annual**	**25.00/Annual**
ROLL-OFF RESIDENTIAL/COMMERICAL (PER PULL) 2 PULLS PER MONTH MINIMUM			
20 YARD (DISPOSAL COST NOT INCLUDED)/PULL	258.19	258.19	-
30 YARD (DISPOSAL COST NOT INCLUDED)/PULL	258.19	258.19	-
40 YARD (DISPOSAL COST NOT INCLUDED)/PULL	258.19	258.19	-
DISPOSAL COST	Actual	Actual	
DISPOSAL COST - GREEN	Actual	Actual	
DISPOSAL COST - C&D	Actual	Actual	
DISPOSAL COST - MIXED DEBRIS	Actual	Actual	

Attachment: EXHIBIT A-Amended FEE Schedule FY2019-2020 03 10 2020 (2020-R-11 : Amending Fee Resolution 2019-R-47)

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: **March 10, 2020**
FROM: **Valerie Manning**
SUBJECT: **A Resolution by the City Commission of the City of Holly Hill, Florida, Establishing Rules for City Parks; Providing for Severability; Providing for Conflicting Resolutions; and Providing for an Effective Date.**
NUMBER: **2020-R-12**
APPLICANT:
PLANNER:

DISCUSSION:

At the February 25, 2020 workshop, there was consensus from the Mayor and City Commissioners to establish park rules for city parks. This Resolution establishes those rules.

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve Resolution as submitted by staff.

COMMISSION GOAL:

Goal #5: Promote a small town city "branding" that focuses on the city's accessible staff and interactive use of technologies (i.e. city website), the city's business friendly approach to attract and retain business, and the city's available open space, parks, and waterfront amenities that enhance the quality of life for citizens.

MOTION:

APPROVE THE RESOLUTION BY ESTABLISHING RULES FOR CITY PARKS.

Resolution No. 2020-12

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING RULES FOR CITY PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING RULES FOR CITY PARKS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holly Hill desires to establish rules for city parks; and

WHEREAS, the following prohibited uses for city parks are as follows: no moon walks, pony rides and other rented games/amusements, no use of city electricity, portable generators or amplified music, no smoking in any park, no alcohol consumption shall be allowed in any park, no skateboards, scooters or bicycles on the exercise walking path in Sunrise North, no dogs in Hollyland Park, all dogs must be kept leashed at all times at any park where allowed and owners must carry litter bags, no overnight parking of any vehicles in any of the city parks parking lots; however, boaters with a vehicle connected to a boat trailer will be allowed to park overnight at Sunrise South while boating on the River; and

WHEREAS, all park hours of operation are from 6:00 AM to 10:00 PM with the exception of Sunrise South, which will be open 24 hours a day to boaters and fishers.

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

SECTION 1. The City Commission of the City of Holly Hill hereby designates and establishes park rules for city parks.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or application hereof, is for any reason held invalid or unconstitutional by any Court, such portion or application shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions or application hereof.

SECTION 3. That all resolutions made in conflict with this Resolution are hereby repealed.

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

APPROVED AND AUTHENTICATED on this 10th day of MARCH, 2020.

HOLLY HILL
FLORIDA

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Ordinance

MEETING DATE: **March 10, 2020**
FROM: **Brian Walker**
SUBJECT: **SECOND READING - an Ordinance of the City of Holly Hill, Florida, Regulating Mobile Food Vehicles; Amending Section 114-904 of the City Code to Add Definitions; Update Permitting Requirements, Restrictions, Operating Requirements and Establish Enforcement Procedures; Providing for Codification; Providing for Conflicting Ordinances; Providing for Severability; and Providing an Effective Date.**
NUMBER: **2020-O-3024**
APPLICANT: **Brian Walker**
PLANNER:

INTRODUCTION:

This proposed Ordinance would amend Section 114-904 of the Land Development Regulations titled, Food Truck Services.

BACKGROUND:

On October 25, 2016, in response to the growing popularity of the mobile food market, the city adopted Ordinance 2981. That Ordinance created section 114-904 of the city code, to establish permitting and operating procedures for mobile food vending within the city. A review of mobile food vending activity shows that since the adoption of Ordinance 2981 over three years ago, there have been 8 mobile food vendors that have registered with the city. Staff is not aware of any problems that have been created by their presence within the city.

DISCUSSION:

Since mobile food vending has been permitted to operate in the city for approximately three years, we have had the opportunity to reflect on the activity's effect on the city and whether or not any updates to the current regulations would be appropriate.

Thus far, there have been no known negative impacts on the city from mobile food vending. However, neither does it appear to be having a large effect in terms of increased human and economic activity. Based on comments from mobile food vendors, as well as property owners hosting such activity, the city may benefit from refining the current regulations. That is the purpose of this Ordinance.

While much of the current ordinance is preserved in the proposed Ordinance, there are some key changes proposed. Perhaps the largest change has to do with the number of days that a site can host a mobile food vendor. Current regulations state that "no site may host food trucks for more

than one day per week." Part of the reasoning for such a restriction has to do with maintaining and promoting the temporary nature of a mobile food vendor. However, some vendors have stated that not being able to be at one location for more than one day per week, makes it very hard for their business to become known and establish a reliable client base. Something that may contribute to generating more local human and economic activity.

A review of the literature on mobile food vending, shows that the number of days per week municipalities around the country, permit a site to host a mobile food vendor, varies widely - from one day per week, to no limitation at all. In response to requests from mobile food vendors and their hosting site owners, this Ordinance proposes to extend the time permitted for a site to host a mobile food vendor, from one day a week, to a maximum of three (3) days within a calendar week.

The proposed ordinance also prohibits a mobile food vendor from locating on a property that abuts a property with an active restaurant, unless written permission is granted by the restaurant owner to locate closer.

Additionally, the ordinance permits a mobile food vendor to locate in a residential zone when providing catering services for a private event.

The proposed Ordinance defines what is meant by catering, a commissary, mobile food vehicle, mobile food rally, and mobile food vendor. These terms are currently not defined in our regulations.

While the current regulations do not specifically address the issue of enforcement, the proposed Ordinance does not allow a property with active code violations to host a mobile food vendor, and it specifically addresses the issue of enforcement of the regulations.

FISCAL ANALYSIS:

Adopting the Ordinance will have minimal fiscal impact on the City.

BOARD OF PLANNING AND APPEALS RECOMMENDATION:

At its meeting on January 6, 2020, the Board of Planning and Appeals unanimously recommended adoption of the proposed ordinance.

STAFF RECOMMENDATION:

Staff recommends that the City Commission adopt an Ordinance of the City of Holly Hill, Florida, regulating mobile food vehicles; amending section 114-904 of the city code to add definitions; update permitting requirements, restrictions, operating requirements and establish enforcement procedures; providing for codification; providing for conflicting ordinances; providing for severability; and providing an effective date.

ATTACHMENTS:

- Sec. 114-904 - Food Trucks (PDF)
- Permitted Mobile Food Vending Units (PDF)

HISTORY:

01/28/20 City Commission APPROVED AT 1ST READING
Next: 02/11/20

Brian Walker, City Planner, briefly discussed the staff report that was in the agenda packet pertaining to first reading of Ordinance 3024. After a lengthy discussion amongst the Mayor, Commissioners, Attorney Simpson and Mr. Forte, there were several amendments that were made to the Ordinance for first reading. *(the full recording of this agenda item is online or a copy of the CD is available upon request).*

Mayor Via opened public participation.

The following individuals spoke to the Mayor and City Commissioners: Heidi Heller, Holly Hill; Jose W., Holly Hill; Gilles Blais, Holly Hill.

Mayor Via closed public participation.

At this time the Mayor and Commissioners went through the first reading of the Ordinance with staff and made several amendments to what was presented. Staff noted the changes and those changes will be made for the second reading on February 11, 2020 within the Ordinance. There were several amendments to the original motion. Those are as follows:

Commissioner Penny made a motion to ***AMEND his original motion to include the six (6) changes he referenced 2(d),3(i),(k), 4(a),(d),(i)****, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

Commissioner Danio mentioned he would like to go on record only because there is a second reading because he has a little bit of heartburn about this. His concern is the city works so hard to fill the vacant places and he's not saying that the gentleman here tonight is going to park across the street the new guy but let's just say the landlord of the next place…he's had a rivalry for 30 years; "I'm still at it." What happens if the neighbor of some new place wants to get a food truck "in spite"? The city isn't protecting the brick and mortar buildings. It's not to say it's going to happen but he thinks if the city is going to make it so convenient for the food trucks, we need to protect our brick and mortar buildings a little bit more. That's his only concern. Right now, maybe it's just for the brewery but what happens if somebody comes in and they open up a little seafood place down the street and the neighbor has a problem because he's allergic or doesn't like the smell. He wants to put this guy out of business, four (4) days a week could do it, then the city ends up with more empty buildings. That's not the city's intent. He really has a hard time with this until he can process this and he's not saying anything to the guy who's here tonight. He has no problem with competition; he has 32 years with competition. To him, competition is healthy but the city has struggled to fill up places with businesses and now they're kind of moving in the direction…he doesn't want to hinder or kind of obstruct any of this forward momentum with places that have been here or places that are looking to come in.

Commissioner Penny discussed Business Tax Receipt with staff and suggested that they should have a current BTR if they are going to have a food truck on site. That it should be required.

Commissioner Penny made a motion to ***AMEND his AMENDMENT that a current BTR is required for a food truck to be on any business site****, seconded by Commissioner Currie.*

Mayor Via opened public participation. No one spoke.

PASSED, 5-0.

The Mayor and Commissioners voted on this amendment: *Commissioner Penny made a motion to **AMEND his original motion to include the six (6) changes he referenced 2(d),3(i),(k), 4(a),(d),(i)**, seconded by Commissioner Currie.*

PASSED, 5-0.

A vote was made on the **original motion** now for first reading of Ordinance 3024:

PASSED, 5-0.

02/11/20 City Commission CONTINUED TO A DATE CERTAIN

Brian Walker, City Planner, briefly discussed the various changes that were made and recommended by the City Commission at the first reading held on Tuesday, January 28, 2020. There was discussion amongst the Mayor, Commissioners, Attorney Simpson and staff for the second reading of Ordinance 3024.

Commissioner Danio shared his opposition to this Ordinance and mentioned that he will not be in favor of voting for this.

Mayor Via opened public participation.

Pat Johnson, Cornerstone Foods, Winter Park, (owner of Little Caesars in Holly Hill) shared his concerns regarding this Ordinance and asked that the City Commission do not give any leniency on this; spoke in opposition of this Ordinance.

Mayor Via closed public participation.

COMMISSIONER CURRIE MADE A MOTION TO TABLE THIS AGENDA ITEM, ORDINANCE 3024, TO A DATE CERTAIN TUESDAY, MARCH 10, 2020 AT 7:00 PM AND TO HOLD A WORKSHOP TO FURTHER DISCUSS THIS ITEM ON FEBRUARY 25, 2020 AT 6:00 PM, SECONDED BY COMMISSIONER PENNY.

(for full discussion of this agenda item, the motions that were withdrawn and failed can be found on the audio that is available online www.hollyhillfl.org or a CD is available upon request in the City Clerk's Office).

Ordinance No. 2020-3024

SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REGULATING MOBILE FOOD VEHICLES; AMENDING SECTION 114-904 OF THE CITY CODE TO ADD DEFINITIONS; UPDATE PERMITTING REQUIREMENTS, RESTRICTIONS, OPERATING REQUIREMENTS AND ESTABLISH ENFORCEMENT PROCEDURES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, REGULATING MOBILE FOOD VEHICLES; AMENDING SECTION 114-904 OF THE CITY CODE TO ADD DEFINITIONS; UPDATE PERMITTING REQUIREMENTS, RESTRICTIONS, OPERATING REQUIREMENTS AND ESTABLISH ENFORCEMENT PROCEDURES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that food service from mobile food vehicles has become a popular food service venue; and

WHEREAS, mobile food vehicles can be a source of business development and provide dining options for residents and visitors; and

WHEREAS, the City Commission desires to clearly define mobile food vehicles, mobile food vendors, and related terms, and adopt regulations addressing their allowed operations within the city; and

WHEREAS, the City Commission recognizes the need for reasonable regulations intended to provide economic development and entrepreneurial opportunities for mobile food vendors protecting and promoting the health, welfare, and safety of the citizens of and visitors to the City of Holly Hill by properly regulating the location and operation of mobile food vehicles.

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

SECTION 1. Incorporation of Recitals. The above recitals are incorporated

herein by reference and form an integral part of the Ordinance.

SECTION 2. That the entire language of Section 114-904 is repealed and replaced with the following:

114-904 - Mobile Food Vehicle and Vendor Regulations

1. DEFINITIONS

Catering is the business of providing food for a private event, as a professional service, for a fee.

Commissary is a licensed or permitted food service establishment that provides required services to a mobile food vehicle (MFV). A commissary may provide anything from a source for obtaining potable water and disposing of wastewater; storage for food and supplies; or cooking facilities to prepare the food for sale and consumption. A commissary provides the necessary support for the MFV to operate in a safe and sanitary manner.

Hosting Site is the property upon which a mobile food vehicle is parked and operating.

Hosting Site Property Owner is the owner of the property upon which the mobile food vehicle is located and operating.

Mobile Food Vehicle is a truck, or van, including an enclosed food concession trailer, but excluding food carts and kiosk, that are approved to vend food and non-alcoholic beverage products and are classified as follows:

Class I-Mobile kitchens. In addition to the vending of products allowed for Class II and Class III mobile food vehicles, these vehicles may cook, prepare and assemble food items in the unit and serve a full menu. Such vehicles have a relationship with a commissary. A mobile food vehicle permit is required for Class I mobile food vehicles.

Class II-Canteen trucks. These vehicles vend fruits, vegetables, hot dogs, pre-cooked foods, pre-packaged foods and pre-packaged drinks. No preparation or assembly of foods or beverages may take place on or in the vehicle, however, the heating of pre-cooked foods is allowed. A cooking apparatus or grill top for the heating of pre-cooked foods is permitted so long as it complies with state regulations. A mobile food vehicle permit is not required.

Class III-Ice cream trucks. These vehicles vend only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand-dipped frozen dairy products or frozen water-based food products and pre-packaged beverages. These vehicles operate exclusively within public rights of way and do not park or stand at one location except when approved to do so as part of a special event. A mobile food vehicle permit is not required.

Mobile Food Vehicle Rally is where two or more mobile vehicles congregate to offer food or beverages for sale to the public, functioning as a single business and may provide restrooms, tables, play areas, a structure for alcohol sales, and other outdoor entertainment open to the customers of all vendors. These events must receive a special event permit or they can be approved as part of a city sponsored event.

Mobile Food Vendor is a person who prepares, dispenses, or otherwise sells food from a mobile food vehicle.

2. LICENSING AND PERMITTING REQUIREMENTS

(a) Prior to setting up at a location, a Class I mobile food vendor must provide the following to the city:
1. A mobile food vendor must register with the city and receive a Mobile Food Vendor Certificate. Mobile Food Vendor Certificates expire on September 29th and must be renewed each year. The fee will be prorated on a quarterly basis.
2. A copy of the Mobile Food Dispensing Vehicle License from the Florida Division of Hotels and Restaurants.
3. A completed indemnification statement for city files. To be updated annually.
4. A copy of the operator's driver license and photos of the mobile food vehicle including the license plate.
5. A copy of the city approved permit from the property owner, or authorized tenant, to operate at the proposed location.

(b) Mobile food vehicles must be inspected by the city's Fire Marshall or Fire Chief or their designee, and comply with all city safety regulations.

(c) The mobile food vendor must permanently display to the public in a clearly visible area, their Mobile Food Vendor Certificate.

(d) The hosting site property owner, or authorized tenant, shall obtain a permit from the city at least 5 days prior to hosting the mobile food vendor. The permit application shall be on a form issued by the city and contain at a minimum the following information:
1. Location address and hosting dates
2. A signed indemnification statement
3. A sketch plan showing the subject property and the proposed location of the mobile food vehicle
4. Owner contact information
5. Vendor contact information
6. The Mobile Food Vehicle's MFDV #

(e) The hosting site property owner shall pay a fee as established by the City Commission. All permits expire on September 29th of each year and must be renewed.

(f) The hosting site property owner must have an active Business Tax Receipt.

3. PROHIBITIONS AND RESTRICTIONS

(a) It is prohibited and unlawful for a mobile food vendor to create a nuisance condition to include, but not be limited to, loud noises, shouting or amplified music or sound. Any noise generated shall comply with the city's standard noise ordinance.

(b) The mobile food vendor shall not cause or allow any grease or liquid wastes used in the operation to be discharged from the mobile food vehicle.

(c) The mobile food vendor shall not sell anything other than food and non-alcoholic beverages.

(d) The hosting site property owner, tenant, and mobile food vendor, must not conduct business in such a manner that would restrict or interfere with proper ingress and egress for vehicles and pedestrians or constitute a traffic hazard.

(e) Except with permission of the city, mobile food vendors may not operate between the hours of 1:00 a.m. and 7:00 a.m.

(f) Overnight parking of mobile food vehicles on the hosting site or sidewalk is prohibited. Overnight parking and storage of the mobile food vehicle shall be in compliance with all applicable laws and regulations.

(g) A mobile food vehicle may not be located on private property upon which uncorrected code violations exist, or where there exist unpaid fines, fees or citations, or which is under citation for code violations.

(h) No mobile food vehicle may be located on a vacant lot, provided however this restriction shall not apply to an approved mobile food vehicle rally, also known as food truck courts or truck rallies, approved as a special event.

(i) Mobile food vehicles are not allowed in residential areas or the residential portion of a mixed-use PUD and may not locate any closer than 100 feet from a residentially zoned area. This restriction shall not apply when the mobile food vendor is hired to cater a private event in a residential zone.

(j) The mobile food vehicle, or its seating areas, may not occupy more than 20 percent of the vehicular use area or disrupt parking area operation. Mobile food vehicles may not be located in landscaped areas or designated public safety lanes.

(k) The same address, site or overall property, is prohibited from hosting a mobile food vehicle for more than 3 days in any calendar week, meaning Sunday through Saturday. Food truck operations approved as part of a city-sponsored special event or under a special event permit will not count against the day limitations of this section. A multiple tenant location is considered one property for purposes of this code provision.

(l) A hosting site property owner shall not permit a mobile food vehicle that does not meet all of the requirements of this section, to operate on property they own, nor shall they allow a mobile food vendor to set up on property they own without first having obtained a permit.

(m) A site may not host a mobile food vehicle for more than 4 hours within a permitted calendar day, unless operating with a special event permit specifically stating otherwise.

4. <u>OPERATING REQUIREMENTS</u>

(a) Zoning requirements. Except as otherwise stated in the previous section, the property on which the mobile food vehicle and vendor propose to locate, must be business, commercial, or industrially zoned. If the property is zoned as a PUD, the mobile food

vehicle shall be located only in the nonresidential portion of the PUD. Churches and civic organizations in residential areas may host a mobile food vendor by obtaining a special event permit.

(b) Mobile food vending is an accessory use and shall only be allowed on properties that are developed with active permitted uses.

(c) Mobile food vehicles shall be equipped with a suitable trash container readily accessible to the public, in which the mobile food vendor's customers may deposit any litter, trash or waste. Prior to moving a mobile food vehicle from a sales location, the mobile food vendor shall pick up and remove all litter, trash and waste related to the mobile vendor's sales and within an area encompassing a radius of fifty feet (50') from the sales area.

(d) Property owners hosting a mobile food vendor for more than 1 hour must provide readily accessible restroom facilities.

(e) All mobile food vehicles must park on a hard stabilized surface such as a paved or asphalt surface.

(f) Signage on the mobile food vehicle must be mounted flat against the vehicle and cannot project from the vehicle. However, the mobile food vendor shall be permitted to place one sign, not to exceed 6 square feet on the subject property where the mobile food vendor is conducting business.

(g) All exterior body work of any mobile food vehicle, shall be maintained in good and clean condition and free of substantial scratches, chips, rust, dents, abrasions, or excessive wear or damage, as determined by the city.

(h) A mobile food vendor may not locate on any property that abuts a property with an active restaurant. Except that the mobile food vendor may locate closer, with the written approval of the restaurant owner.

(i) Mobile food vehicles must be self-contained when operating including all utilities, power, water, and cooking fuel sources. Class I mobile food vendors must be associated with a commissary.

5. ENFORCEMENT

Failure of a hosting site property owner or tenant, to comply with the provisions of this section shall be grounds for denial or revocation of a permit. Violations of these regulations, including operating without a permit, or allowing a mobile food vendor to operate without a mobile food vendor certificate, shall be grounds to bring code enforcement action, including a citation, or civil action against the hosting property owner or tenant or both. Upon imposition of a mobile food vendor's third offense, the mobile food vendor will not be permitted to operate within the city for a period of 90 days. The special magistrate will have jurisdiction to enforce these provisions pursuant to F.S. Ch. 162, and any person determined to be in violation will be subject to penalties and remedies available as provided by law.

SECTION 6. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. CONFLICTS. All ordinances or part of ordinances in conflict with this Ordinance are hereby repealed consistent, however, with the provisions of this Ordinance relative to the transitional application of the land development regulations.

SECTION 8. EFFECTIVE DATE. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 10th day of MARCH, 2020 for second reading.

Sec. 114-904. - Food truck services.

Non-residential locations may apply for temporary permits to allow food truck operations subject to compliance with the following conditions. Vacant lots may not host food trucks and food trucks may not serve from public streets and rights-of-way.

(1) All food truck units shall comply with state requirements for food service and display certification of compliance.

(2) No discharge of grease or other cooking waste is permitted.

(3) The property owner is responsible for the provision of trash receptacles and the cleanliness of the service and dining area.

(4) The property owner is responsible for the provision of restroom facilities.

(5) No site may host food trucks for more than one day per week. Food truck operations approved as part of a city-sponsored special event or under a special use permit issued per section 114-902 shall not count against the day limitations of this section. (A multiple tenant location is considered one property for purposes of this code provision.)

(6) Food trucks may not occupy more than 20 percent of the vehicular use area or disrupt parking area operation. Food trucks may not be parked in landscaped areas.

(7) Temporary dining areas may be provided in association with the food truck operations. The temporary dining area may be located in landscaped areas exclusive of planting beds and landscaped buffers.

(8) Any music provided shall comply with the city's standard noise ordinance.

(9) Food trucks may place one supplemental A-frame or similar temporary sign not to exceed six square feet of area.

(10) Each food truck location shall obtain a permit from the city at least seven days prior to opening for business. A single permit may include multiple business dates. The permit application shall be on a form issued by the city and contain at a minimum the following information:

a. Location address.

b. Property owner approval.

c. Dimensioned sketch of the proposed location showing compliance with the requirements set forth above.

d. Proposed date(s) and hours of operation.

e. Owner contact information.

f. Vendor contact information.

g. Photo of the vendor and food truck.

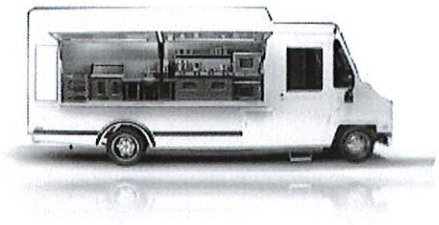
h. Fees as established by the city commission.

(Ord. No. 2981, § 1, 10-25-16)

Attachment: Sec. 114-904 - Food Trucks (2020-O-3024 : Mobile Food Vendors)

PERMITTED MOBILE FOOD VENDING UNITS

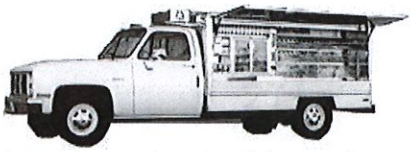
Class I
Mobile Kitchen, (most commonly referred to as a "food truck")



A mobile kitchen typically operates on private property with service to the general public. Mobile kitchens generally include a full-service, commercial kitchen accommodating the production of specialized and gourmet cuisine in large quantities. The food is cooked, prepared and then distributed directly from the vehicle through a side-access window. Unlike an ice-cream truck, which is constantly in motion and responds to customers waiting along the side of a public right-of-way, mobile kitchens are typically stationary through the meal period and advertise their daily location using social networking services, such as Facebook and Twitter.

Mobile Food Vending Trailer

Class II
Mobile Canteen Truck



A mobile canteen truck is a self-propelled vehicle that typically sells products on private property, to employees of a private client or contracted business. Food sales are conducted from the exterior of the vehicle.

Attachment: Permitted Mobile Food Vending Units (2020-O-3024 : Mobile Food Vendors)

Class III
Mobile Ice Cream Truck

A mobile ice cream truck is a vehicle serving only pre-packaged frozen dairy or frozen water-based food products, soft serve or hand dipped frozen dairy products and pre-packaged beverages.

TYPES OF MOBILE FOOD VENDING VEHICLES NOT PERMITTED IN THE CITY

Pushcarts

A pushcart is small in scale, designed for manual operation and restricted to a specific list of items including flowers, plants, fruits, vegetables, beverages, hot dogs and other prepared and prepackaged food including sandwiches, ice cream and snack-type edibles.

Open trailers, smokers, or grills

Attachment: Permitted Mobile Food Vending Units (2020-O-3024 : Mobile Food Vendors)

HOLLY HILL
FLORIDA

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

SCHEDULED

Meeting: 03/10/20 07:00 PM
Department: City Clerk
Category: City Manager Comments
Prepared By: Valerie Manning
Initiator: Valerie Manning
Sponsors:
DOC ID: 2857

CITY MANAGER COMMENTS (ID # 2857)

Traffic Signal Maintenance and Compensation Agreement - Contract No. ARY79 and Task Work Order 19-20

Each year the city enters into an agreement with the FDOT for the maintenance of the traffic signals and all other devices. See attached letter from FDOT for Fiscal Years 2019-2020 and FY 2020-2021.

Each Exhibit "A" references the traffic signals and all other devices referenced for that particular FY.

In FY 2020-2021 the Exhibit "A" lists all signalization equipment the city has agreed to maintain and it also reflects the reimbursable amount of $39,984.00 for FY 2020-2021.

Florida Department of Transportation

RON DESANTIS
GOVERNOR

719 S. Woodland Boulevard
DeLand, Florida 32720-6834

KEVIN J. THIBAULT, P.E.
SECRETARY

February 14, 2020

Mr. Joe Forte
City Manager
CITY OF HOLLY HILL
1065 Ridgewood Avenue
Holly Hill, Florida 32117

RE: TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT
CONTRACT NO.: ARY79, TASK WORK ORDER 19-20
AUTHORIZED AMOUNT: $39,008.00

Dear Mr. Forte:

The Traffic Signal Maintenance and Compensation Agreement executed by your agency and the Florida Department of Transportation allows the Department to reimburse local governments for a portion of the cost to maintain and operate signalization equipment on the state highway system. The purpose of this letter is twofold.

First, your agency may now submit an invoice for the current Fiscal Year (FY) 2019-2020 (July 1, 2019 to June 30, 2020). When you submit your invoice, please include the following information, as well as the annual report (attached) that is required per the agreement:

Maintaining Agency:	CITY OF HOLLY HILL
TWO:	19-20
Contract No.:	ARY79
Invoice No.:	_____
Invoice Amount:	$39,008.00
Financial Project No.:	413019-98807
Service period:	July 1, 2019 to June 30, 2020

Second, attached is Exhibit A for next fiscal year. The Exhibit A lists all signalization equipment your agency has agreed to maintain. It also reflects the reimbursable amount for next FY 2020-2021 (July 1, 2020 to June 30, 2021). Please sign as your certification that the signalization equipment will be maintained according to the Agreement. New signalization equipment installed after June 30, 2020 will be reflected on an updated Exhibit A sent before July 2021.

Your invoice, annual report, and signed Exhibit A should be mailed to the Florida Department of Transportation, Traffic Operations, 719 S. Woodland Blvd., M.S. #562, DeLand, FL 32720-6834 no later than May 1, 2020. All invoices will be processed after June 20, 2020.

If you prefer, you can email these documents to Cindy Sharp at cindy.sharp@dot.state.fl.us.

Sincerely,

James S. Stroz, Jr., P.E.
District Traffic Operations Engineer
District 5

JSS:jw:cas
Attachments

cc: Financial Services

Attachment: FDOT Letter - Traffic Signal Maintenance and Compensation Agreement FY 19-20 and FY 20-21 (2857 : Traffic Signal Maintenance

File

State of Florida Department of Transportation

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

EXHIBIT A

Compensation for Maintaining Traffic Signals and all other Devices for FY 20/21

Effective Date: July 1, 2020 To: June 30, 2021

Maintaining Agency: City of Holly Hill

Section	MP	SR No.	Intersection	Location	Conf.	FY 20/21
79030	1.192	5	SR 430 (Mason Ave.)	Holly Hill	IMTS	$4,998.00
79030	1.390	5	2nd St.	Holly Hill	IMTS	$4,998.00
79030	1.567	5	3rd St.	Holly Hill	IMTS	$4,998.00
79030	1.916	5	6th St.	Holly Hill	IMTS	$4,998.00
79030	2.167	5	8th St.	Holly Hill	IMTS	$4,998.00
79030	2.916	5	Walker St.	Holly Hill	IMTS	$4,998.00
79030	3.849	5	Calle Grande St.	Holly Hill	IMTS	$4,998.00
79190	11.425	5A	15th St.	Holly Hill	IMTS	$4,998.00

* Amount paid shall be the Total Lump Sum ***(minus any retainage or forfeiture).***

Total Lump Sum*:	$39,984.00

I certify that the above Traffic Signals and Devices will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of:

$39,984.00

Maintaining Agency — Date: 2-25-2020

District Traffic Operations Engineer — Date: 2/25/2020

Attachment: Exhibit A - FY 20-21 - Traffic Signal Maint. and Compensation Agreement (2857 : Traffic Signal Maintenance and Compensation

State of Florida Department of Transportation

TRAFFIC SIGNAL MAINTENANCE AND COMPENSATION AGREEMENT

EXHIBIT A

Compensation for Maintaining Traffic Signals and all other Devices for FY 19/20

Effective Date: July 1, 2019 To: June 30, 2020

Maintaining Agency: City of Holly Hill

Section	MP	SR No.	Intersection	Agency	Conf.	fy 19/20
79030	1.192	5	SR 430 (Mason Ave.)	Holly Hill	IMTS	$4,876.00
79030	1.390	5	2nd St.	Holly Hill	IMTS	$4,876.00
79030	1.567	5	3rd St.	Holly Hill	IMTS	$4,876.00
79030	1.916	5	6th St.	Holly Hill	IMTS	$4,876.00
79030	2.167	5	8th St.	Holly Hill	IMTS	$4,876.00
79030	2.916	5	Walker St.	Holly Hill	IMTS	$4,876.00
79030	3.849	5	Calle Grande St.	Holly Hill	IMTS	$4,876.00
79190	11.425	5A	15th St.	Holly Hill	IMTS	$4,876.00

* Amount paid shall be the Total Lump Sum ***(minus any retainage or forfeiture).***

Total Lump Sum*:	$39,008.00

I certify that the above Traffic Signals and Devices will be maintained and operated in accordance with the requirements of the Traffic Signal Maintenance and Compensation Agreement. For satisfactory completion of all services detailed in this Agreement for this time period, the Department will pay the Maintaining Agency a Total Lump Sum (minus any retainage or forfeiture) of:

$39,008.00

3·3·2020
Maintaining Agency — Date

3/4/2020
District Traffic Operations Engineer — Date

Attachment: Exhibit A - FY 19-20 - Traffic Signal Maint. and Compensation Agreement (2857 : Traffic Signal Maintenance and Compensation

City Commission
1065 Ridgewood Ave
Holly Hill, FL 32117

Meeting: 03/10/20 07:00 PM
Department: City Clerk
Category: Action Required
Prepared By: Valerie Manning

SCHEDULED

Initiator: Valerie Manning
Sponsors:

MAYOR'S COMMENTS (ID # 2849)

DOC ID: 2849

Appointment of a River to Sea Transportation Planning Organization (TPO) Representative

At the February 25, 2020 workshop, Commissioner Penny Currie announced her resignation from the TPO board as the city's representative.

At this time, a representative from the city will be needed.