CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES ● MARCH 8, 2022

City Commission Chamber	**Regular City Commission Meeting**	**6:00 PM**

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

a. Roll Call

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

b. Invocation by Commissioner Penny Currie
Commissioner Currie led the invocation.

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

2. PRESENTATION

1.

Holly Hill Arts Festival - "March is Holly Hill Arts Festival Month"

(Requested by Valerie Manning, City Clerk)
Mayor Via mentioned that the Holly Hill Arts Festival Proclamation will be entered into the records.

RESULT:	**NO VOTE NEEDED**

3. PUBLIC COMMENTS

The following individual spoke during public participation:

Bob Ruckerad, Holly Hill.

4. APPROVAL OF MINUTES

1.

Minutes - February 22, 2022 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:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

Enacted and approved this 8th day of March, 2022, in Holly Hill

5. CONSENT AGENDA - ITEMS (1 - 3)

Mayor Via asked if any member of the audience wished to speak on any item on the Consent Agenda and if any member of the Commission wished to further discuss an item. There was no one.

1. –2022-R-19 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Establishing Participation in the Senior Management Service Class; Providing for Authority to the City Manager for Implementing Administrative Actions; Providing for Scrivener's Errors and Conflicts; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

RESOLUTION
2022-R-19
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, ESTABLISHING PARTICIPATION IN THE SENIOR MANAGEMENT SERVICE CLASS; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR SCRIVENER'S ERRORS AND CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF HOLLY HILL, FLORIDA, ESTABLISHING PARTICIPATION IN THE SENIOR MANAGEMENT SERVICE CLASS; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR SCRIVENER'S ERRORS AND

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

WHEREAS, the Florida State Legislature has established a separate class of membership within the Florida Retirement System to be known as the "Senior Management Service Class"; and

WHEREAS, participation in the Senior Management Service Class shall be designated by the City Commission of the City of Holly Hill, Florida as indicated in the Florida Statute Chapter 121; and

WHEREAS, the City Commission of the City of Holly Hill had previously designated the City Manager, Finance Director, Public Works Director/City Engineer, Community Development Director/City Planner and Human Resources Manager as part of the Senior Management Service Class as indicated in the Florida Statute Chapter 121; and

WHEREAS, the City Commission of the City of Holly Hill now designates the additional position of the Assistant City Manager as part of the Senior Management Service Class as indicated in the Florida Statute Chapter 121.

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

SECTION 1. LEGISLATIVE FINDINGS AND INTENT. The City Commission of the City of Holly Hill designates the following positions as the Senior Management Service Class: City Manager, Finance Director, Public Works Director/City Engineer, Community Development Director/City Planner, Human Resources Manager, and Assistant City Manager.

SECTION 2. COMMISSION APPROVAL. The City may designate the position of Assistant City Manager for inclusion in the Senior Management Service Class of the

Florida Retirement System, provided that the intent to designate the position for inclusion in the class shall be published once a week for two (2) consecutive weeks in the local newspaper of jurisdiction. For this position now designated, it would be for all service performed effective April 1, 2022.

SECTION 3. IMPLEMENTING ADMINISTRATIVE ACTIONS. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution.

SECTION 4. SCRIVENER'S ERRORS. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 5. CONFLICTS. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. 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 7. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

2. –2022-R-20 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving an Increase of $30,000 to an Agreement with All Daytona Septic Tank Service, Inc., for a

Total Amount Not to Exceed $50,000 and Authorizing the City Manager to Execute the Same; Providing for Severability; and Providing an Effective Date.

(Requested by Steve Juengst, Public Works)

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

RESOLUTION
2022-R-20
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE OF $30,000 TO AN AGREEMENT WITH ALL DAYTONA SEPTIC TANK SERVICE, INC., FOR A TOTAL AMOUNT NOT TO EXCEED $50,000 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING AN INCREASE OF $30,000 TO AN AGREEMENT WITH ALL DAYTONA SEPTIC TANK SERVICE, INC., FOR A TOTAL AMOUNT NOT TO EXCEED $50,000, WAIVING FORMAL BIDDING REQUIREMENTS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, repairs to the lime thickener at the water plant are taking longer than expected; and

WHEREAS, the City must continue to pump out lime softening waste product and have it properly disposed; and

WHEREAS, the City currently has an active purchase order with All Daytona Septic Tank Service, Inc., to provide pumping out and disposal of lime softening waste; and

WHEREAS, additional expenditures will be required in order to continue pumping prior to the completion of the repair of the lime thickener.

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

SECTION 1. That the City Commission of the City of Holly Hill approve an increase of $30,000 to an agreement with All Daytona Septic Tank Service, Inc., for a total amount not to exceed $50,000, waives formal bidding requirements to prevent interruption of essential government services and authorizes the City Manager to execute the same.

SECTION 2. SEVERABILITY. If any section or portion of a section of this

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

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

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

3. –DOC-2022-1

Third Amendment to Interlocal Agreement for Fire And/Or Rescue Mutual Aid Within Volusia County

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 8th day of March, 2022, in Holly Hill

6. REGULAR AGENDA

1. –2022-R-15 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2021-2022 Annual Operating Budget, Appropriating Pledge Donation Funds; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)
Mayor Via opened public participation. No one spoke.

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

RESOLUTION
2022-R-15
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET, APPROPRIATING PLEDGE DONATION FUNDS; SETTING FORTH REVENUES AND

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

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING BUDGET; APPROPRIATING PLEDGED DONATIONS; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2021-R-73 approving the Annual Operating Budget for Fiscal Year 2021-2022; and

WHEREAS, the City of Holly Hill, by Resolution 2021-R-91, Resolution 2021-R-94, Resolution 2021-R-100, Resolution 2021-R-106 Resolution 2021-R-110, and Resolution 2022-R-3 amended the operating budget for Fiscal Year 2021-2022; and

WHEREAS, The Holly Hill Community Redevelopment Agency has allocated and $7,500.00 toward the purchase of a sign match; and

WHEREAS, the City of Holly Hill has accepted a donation pledge from the YMCA in the amount of $4,500 for the purchase of a sign; and

WHEREAS, the City of Holly Hill has accepted a donation pledge from the Boys and Girls Club in the amount of $3,000 for the purchase of a sign; and

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

WHEREAS, the City of Holly Hill City Commission desires to accept the pledge donations and appropriate the necessary funds for the completion of the project and to set forth and appropriate certain revenues and expenses.

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

SECTION 1. BUDGET AMENDMENT. The project funds are hereby appropriated as set forth in Composite Exhibit "A" attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 2021-2022 budget.

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

SECTION 3. EFFECTIVE DATE. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2021 through September 30, 2022. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

2. –2022-R-16 Resolution

A Resolution of the City of Holly Hill, Florida, Amending the Fiscal Year 2021-2022 Annual Operating and Capital Budget, Appropriating Operating and Capital Projects the Fiscal Year 2021-2022 Budget; Setting Forth Revenues and Expenditures; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

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

RESOLUTION
2022-R-16
A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL OPERATING AND CAPITAL BUDGET, APPROPRIATING OPERATING AND CAPITAL PROJECTS THE FISCAL YEAR 2021-2022 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE FISCAL YEAR 2021-2022 ANNUAL CAPITAL AND OPERATING BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill City Commission adopted Resolution 2021-R-73 approving the Annual Operating Budget for Fiscal Year 2021-2022; and

WHEREAS, the City of Holly Hill, by Resolution 2021-R-91, Resolution 2021-R-94, Resolution 2021-R-100, Resolution 2021-R-106 Resolution 2021-R-110, Resolution 2022-R-3, and Resolution 2022-R-15 amended the operating budget for Fiscal Year 2021-2022; and

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

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

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

SECTION 1. BUDGET AMENDMENT. The operating and capital improvement project funds are hereby appropriated as set forth in Composite Exhibit "A" attached hereto, which reflects revenues and corresponding expenditures for the designated projects for fiscal year 2021-2022 budget.

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

SECTION 3. EFFECTIVE DATE. The Budget item adopted in the preceding section shall govern the expenditures relating to operations and projects for the City during the current fiscal year effective October 1, 2021 through September 30, 2022. This Resolution shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

3. –2022-R-17 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Amending the City of Holly Hill's Purchasing Policy, Which was Approved in Resolution 2018-R-30; Providing for Legislative Findings and Intent; Repealing All Resolutions in Conflict Herewith; Providing for Authority to the City Manager for Implementing Administrative Actions; and Providing for Scrivener's Errors, Conflicts Severability; and Providing an Effective Date.

(Requested by Stella Gurnee, Finance)

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

RESOLUTION
2022-R-17
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING THE CITY OF HOLLY HILL'S PURCHASING POLICY, WHICH WAS APPROVED IN RESOLUTION 2018-R-30; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; AND

PROVIDING FOR SCRIVENER'S ERRORS, CONFLICTS SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF HOLLY HILL, FLORIDA, AMENDING THE CITY OF HOLLY HILL'S PURCHASING POLICY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; AND PROVIDING FOR SCRIVENER'S ERRORS, CONFLICTS SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in an effort to be consistent with current laws, policies and practices, City Commission wishes for the City of Holly Hill to update/modify the existing City of Holly Hill Purchasing Policy; and

WHEREAS, a review recommended an update to the Purchasing Policy to strengthen procurement standards for federally funded grant projects.

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

SECTION 1. **Legislative Findings and Intent**. The City Commission of the City of Holly Hill has complied with all requirements and procedures of Florida Law in processing this Resolution. The above recitals are hereby adopted.

SECTION 2. **Commission Approval**. The City Commission of the City of Holly Hill, Florida, hereby deems it necessary to amend the Purchasing Policy incorporated herein as Exhibit "A".

SECTION 3. **Implementing Administrative Actions**. The City Manager is hereby authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution. The City Manager may, as deemed appropriate, necessary and convenient, delegate the powers of implementation as herein set forth to such City employees as deemed effectual and prudent.

SECTION 4. **Scrivener's Errors**. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the City Clerk and City Attorney, may be corrected.

SECTION 5. **Conflicts**. All Resolutions or parts of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

SECTION 6. **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 7. Effective Date. This Resolution shall become effective retroactively to October 1, 2021 upon its passage and adoption.

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

4. 2022-R-18 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving Piggybacking the Osceloa County Agreement with ZHA, Inc., for the Purchase of Construction Management/Owners Representative Services for Community Development Projects and Authorize the City Manager to Execute Any Necessary Price Agreements; Providing for Severability; and Providing for an Effective Date.

(Requested by Stella Gurnee, Finance)

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

RESOLUTION
2022-R-18
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGYBACKING THE OSCELOA COUNTY AGREEMENT WITH ZHA, INC., FOR THE PURCHASE OF CONSTRUCTION MANAGEMENT/OWNERS REPRESENTATIVE SERVICES FOR COMMUNITY DEVELOPMENT PROJECTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING PIGGYBACKING THE COUNTY OF OSCEOLA AGREEMENT WITH ZHA, INC. FOR THE PURCHASE OF CONSTRUCTION MANAGEMENT/OWNER REPRESENTATIVE SERVICES FOR CITY CAPITAL PROJECTS AND AUTHORIZE THE CITY MANAGER TO EXECUTE ANY NECESSARY PRICE AGREEMENTS; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill is in need of construction management/owner representative services for City Capital projects; and

WHEREAS, the County of Osceola has secured an agreement with ZHA, Inc.;

and

WHEREAS, City staff would like to piggyback the agreement the County of Osceola has secured an agreement with ZHA, Inc.; and

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

WHEREAS, the City Commission authorized the piggybacking of the agreement with the County of Osceola with ZHA,Inc., for construction management/owner representative services for City Capital projects.

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

SECTION 1. That the City Commission does hereby approve piggybacking the County of Osceola's agreement with ZHA, Inc., for the purchase of construction management/owner representative services for City Capital projects and authorizes City Manager to execute any necessary agreements.

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 8th day of MARCH, 2022.

Enacted and approved this 8th day of March, 2022, in Holly Hill

7. PUBLIC HEARINGS

1. –2021-O-3038 Ordinance

SECOND READING - an Ordinance Adopting Large Scale Comprehensive Plan Amendments in Accordance with Ch. 163, Part II, Florida Statutes; Amending the Coastal Management Element to Add Objectives and Policies for Flood Risk Planning in Accordance with Florida Statutes Section 163.3178(2)(F); Repealing All Ordinances and Parts of Ordinances in Conflict Herewith; and Providing an Effective Date.

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

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

ORDINANCE
2021-O-3038
SECOND READING - AN ORDINANCE ADOPTING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(F); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

AN ORDINANCE ADOPTING A LARGE-SCALE COMPREHENSIVE PLAN AMENDMENT IN ACCORDANCE WITH CH. 163, PART II, FLORIDA STATUTES; AMENDING THE COASTAL MANAGEMENT ELEMENT TO ADD OBJECTIVES AND POLICIES FOR FLOOD RISK PLANNING IN ACCORDANCE WITH FLORIDA STATUTES SECTION 163.3178(2)(f); REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes (2018), provides for the amendment of a comprehensive plan; and

WHEREAS, amendments have been proposed to the Coast Management Element of the City of Holly Hill's Comprehensive Plan, to add objectives and policies for flood risk planning in compliance with §163.3178(2)(f), Florida Statutes; and

WHEREAS, the City Manager has transmitted the proposed amendments and any supporting data and analyses to the Florida Department of Economic Opportunity and provided a copy of the proposed amendments to the Regional Planning Council, the St. Johns Water Management District, the County of Volusia , the Florida Departments of State, Transportation, and Environmental Protection, and to any requesting agency, within 10 days of the first reading in accordance with the requirements of § 163.3184(3)(b), Florida Statutes; and

WHEREAS, the City has reviewed the comments provided by the above referenced agencies; and

WHEREAS, the Board of Planning and Appeals, in accordance with Section 163.3174(4)(a), Florida Statutes, has held one or more public hearings with public notice, has solicited public participation in the preparation and consideration of the proposed amendments and recommends approval; and

WHEREAS, the City Manager supports the Board of Planning and Appeals recommendation.

NOW, THEREFORE, BE IT ENACTED BY THE PEOPLE OF THE CITY OF HOLLY HILL, FLORIDA:

SECTION 1. The Coastal Management Element of the City's Comprehensive Plan is hereby amended as shown in the attached Exhibit "A".

SECTION 2. It is hereby found that the proposed amendments meet the requirements of Ch. 163, part II, Florida Statutes.

SECTION 3. Public Hearings at 6:00 p.m., Monday, April 5, 2021, and Tuesday, April 13, 2021, in Commission Chambers, City Hall, 1065 Ridgewood Avenue , Holly Hill, Florida, after notice published in accordance with§163.3184(11), Florida Statutes, are deemed to comply with law.

SECTION 4. Within 10 working days after the adoption of this ordinance , the City Manager shall submit a transmittal letter to the Department of Economic Opportunity and any other agency that provided timely comments, with information and attachments, in accordance with §163.3184(3)(c)2, Florida Statutes.

SECTION 5. The effective date of these plan amendments shall be in accordance with §163.3184(3) (c) 4, Florida Statutes, and Volusia Growth Management Commission's issuance of a Certificate of Consistency.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 7. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

EXHIBIT "A"

Red underlined text has been added.

~~Strike-thru is being deleted.~~

GOAL 3 - REDUCE THE EXPOSURE OF LIFE AND PROPERTY TO THE HAZARDS OF

EROSION, ~~AND~~ FLOODING, SEA LEVEL RISE, AND STORM SURGE, BY ELIMINATING INAPPROPRIATE AND UNSAFE DEVELOPMENT, AND MITIGATING FLOOD RISK TO EXISTING AND FUTURE DEVELOPMENT IN THE COASTAL AREAS THAT ARE OF HIGH RISK OF FLOODING DUE TO STORM SURGE, HIGH TIDE EVENTS, FLASH FLOOD, STORMWATER RUNOFF AND SEA LEVEL RISE AS OPPORTUNITIES ARISE.

Policy 3.1.1 - Uses and structures permitted in the coastal high-hazard area ~~should~~ will as much as is feasible, include only those able to withstand a Category 3-5 storm without serious damage.

~~**Objective 3.2: Provide for the conservation and protection of wildlife, fisheries and their habitats:**~~

~~**Policy 3.2.1: Based upon data and research contained in the Volusia County Manatee Protection Plan, the City shall not allow more than 595 motorized boat slips to exist along the Halifax River shoreline, including both existing and future slips.**~~

~~**Policy 3.2.2: Single-family residential lots with Halifax River frontage shall be guaranteed their riparian rights to have a maximum of one motorized boat slip per lot.**~~

~~**Policy 3.2.3: The City shall prohibit boating service or storage operations which provide commercial “dry storage” for motorized boats along the Halifax River shoreline.**~~

Policy 3.5.9 - The City shall require redevelopment be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R., Part 60, as amended.

Policy 3.5.10 - The City shall require that any construction activities seaward of the coastal construction control lines established pursuant to F S 161 053 be consistent with Chapter 161, as amended.

Policy 3.5.11 - The City shall continue to participate in the Community Rating System (CRS) administered by the Federal Emergency Management Agency (FEMA) to achieve flood insurance premium discounts for residents.

Objective 3.6 - The Coastal storm area shall include the following areas:

- The Coastal High Hazard Area (CHHA) and
- Areas of the City projected to be inundated by sea-level rise as early as 2040 through 2100 based on maps developed by the East Central Florida Regional Planning Commission.

Objective 3.7 - The City shall continue to include development and redevelopment principles, strategies, and engineering solutions, that reduce the flood risk in coastal areas which result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise.

Policy 3.7.1 - Implement as opportunities arise, the recommendations of East Central Florida Regional Resiliency Action Plan - as adopted by the Volusia council in July

2019.

Policy 3.7.2 - Implement as opportunities arise, the approaches outlined in Resilient Volusia County 2017 of Accommodation, Protection, and Retreat, when considering options in addressing vulnerabilities and risk in planning for sea level rise. Incorporate strategies shown in Table 14 of the USACE Technical Letter 1100-21-1 into the City's flood management plan.

Policy 3.7.3 - The City will coordinate with FDOT or the River to Sea Transportation Planning Organization, in relation to identifying and addressing vulnerable/at risk transportation infrastructure using the best available data and tools to assist FDOT to implement the goal of providing an agile, resilient and quality transportation infrastructure system.

Policy 3.7.4 - The City shall review its Land Development Regulations and update as necessary to include elevated grade surfaces, elevated structures, floodable development, increased buffers and setbacks, higher floor elevations and incorporation of natural infrastructure for increased resilience.

Policy 3.7.5 - The City will coordinate with Volusia County or The East Central Florida Regional Planning Commission, to review the need to designate Adaptation Action Areas (AAAs) within the City, per Florida State Law, in order to: a. Identify areas of significance that are vulnerable to the impacts of rising sea level; b. Identify and implement adaptation policies to increase community resilience; and c. Enhance the funding potential of infrastructure adaptation projects.

Policy 3.7.6 - The City will coordinate and participate with Volusia County on updates to climate related policies and maps, which will be updated at a minimum every 5 years based on best available data.

Policy 3.7.7 - The City will implement as needed, and continue to implement, adaptation strategies such as:

- Continue to move forward with plans to repair/replace existing stormwater piping and building new stormwater infrastructure.

- The City will implement a backflow prevention system along the Intracoastal area on Riverside Drive where an analysis indicates regular flooding of the road along the Intracoastal Waterway.

- The City will continue with the design and construction of a stormwater drainage system on Flomich Street and Alabama Avenue.

- The City will continue to implement its annual pipelining program to reline pipes as needed in order to improve the City's stormwater flow.

Policy 3.7.8 - The City shall continue to upgrade its stormwater infrastructure through drainage improvements, installation of tidal backflow preventers, and seawall repair in addition to sustainable flood management actions such as use of pervious pavement and maintenance of natural preservation areas.

Policy 3.7.9 - In the Coastal Storm Area and areas inundated by a Category 2 hurricane as depicted by the SLOSH model, the City shall not allow variances that are feasibly avoidable when such variances will contribute to flood risk.

Policy 3.7.10 - The City shall continue to consider, whenever feasible, purchasing properties in areas most vulnerable to destructive storm surges for recreation uses and open space.

Policy 3.7.11 - As updates are made to the City's comprehensive plan, flood policy will be dispersed throughout its plan elements as appropriate.

Policy 3.7.12 - Support local and regional mapping, modeling and monitoring programs to assure the most current and locally-specific data on climate change vulnerability and sea-level rise is available.

Policy 3.7.13 - The City will implement as opportunities arise, Volusia County's FEMA-approved Local Mitigation Strategy to reduce damage in areas of repetitive loss due to flooding.

Policy 3.7.14 - Available flood elevation certificates shall continue to be made available to the public.

Policy 3.7.15 - The City will continue to implement its Stormwater Management Master Plan as updated in January 2015, which provides guidance for the reduction of flooding and increased water quality as a result of stormwater runoff.

Policy 3.7.16 - The City shall provide adequate funding to continue to implement City projects and programs funded by Stormwater Utility Fees to reduce hazards associated with flooding.

Policy 3.7.17 - The City shall continue its Drainage System Maintenance Program which involves storm drain cleaning, mowing of City rights-of-way, swale areas, street sweeping and cleaning clogged drainage systems.

Policy 3.7.18 - The City shall continue flood inspections which are used to prioritize various drainage projects being designed for construction improvements.

Policy 3.7.19 - The City shall encourage the design and construction of Capital Improvement Projects that require the use of proven methods in the design of drainage systems that will provide flood protection, add water quality improvements to the system, and to reduce pollution found in stormwater runoff.

Policy 3.7.20 - As part of the development application review process, the City engineer shall review the stormwater management designs of private developers.

Policy 3.7.21 - The City shall continue to work with local, state and federal partners, to target repetitive loss properties for possible acquisition or mitigation of flood hazard through hard and soft structural, and non-structural adaptation strategies including elevating existing structures.

Policy 3.7.22 - If feasible, no public buildings shall be constructed within the 100-year flood with the exception of minor structures including public restrooms and picnic shelters which are customarily provided to support recreation and open space activities, and pedestrian access facilities.

Policy 3.7.23 - The City shall collaborate with stakeholders at least every 5-years, or earlier, to analyze the best available data and maintain efforts to identify and understand the risks, vulnerabilities, and opportunities for resiliency strategies within the updated planning horizons.

Objective 3.8 - The city shall encourage the use of best management practices, development and redevelopment principles, strategies, and engineering solutions, that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency (FEMA).

Policy 3.8.1 - To gradually remove real property from flood zone designations, the City shall encourage where feasible, the strategic relocation of such properties to safer areas and direct new development away from vulnerable areas.

Policy 3.8.2 - Where possible the City will consider the acquisition of severe repetitive loss properties, which have sustained repeated flood losses for use as public open space.

Policy 3.8.3 - The City shall continue to use the Future Land Use Map and best available data mapping tools provided by such agencies as the National Oceanic and Atmospheric Administration (NOAA), as the basis for development and redevelopment in areas of the City that are at high risk for high-tide events, storm surges, flash floods, storm water runoff and sea level rise.

Objective 3.9 - The City shall continue to identify site development techniques and best management practices that may reduce losses due to flooding and claims made under flood insurance policies issued in the state.

Policy 3.9.1 - The City shall continue to work with local, state and federal partners to target repetitive loss properties for possible acquisition or mitigation of flood hazard through hard and soft structural, and non-structural adaptation strategies including elevating existing structures.

Policy 3.9.2 - Site plan review criteria shall consider location, site design, land use types, density and intensity of uses, landscaping, and building design for impacts or potential mitigation effects from sea-level rise and other future flood hazard scenarios.

Policy 3.9.3 - Strongly discourage plan amendments that would place additional residential and non-residential development at risk of flooding from sea-level rise and promote where feasible the clustering of development and the transfer of density/intensity of uses to increase contiguous pervious surface, in order to address flood impacts.

Policy 3.10.4 - The City shall require that new development and redevelopment in areas that are of high risk of flooding due to storm surge, high tide events, flash flood, stormwater runoff, and sea level rise incorporate building design specifications, engineering solutions, site development techniques, and management practices that reduce risk and losses due to flooding.

Policy 3.9.5 - The City shall prohibit the location of critical infrastructure when feasible in the Coastal Storm Area and the area inundated by a Category 2 hurricane as depicted by the SLOSH model.

Policy 3.9.6 - The floodplain administrator/building official shall review all permit applications to determine whether proposed development sites will be reasonably safe from flooding. If a proposed development site is in a flood hazard area, all site development activities, new construction, and substantial improvements shall be designed and constructed with methods, practices and materials, that minimize flood damage.

Policy 3.9.7 - The City will continue to require the use of erosion and sediment control during construction and project development activities.

Policy 3.9.8 - In order to reduce losses due to flooding and claims made under flood insurance policies, the City will use site development techniques and best management practices such as:

- Low impact development
- Use of native vegetation
- Pervious surfaces
- Land Development Code updates
- Comprehensive Plan updates
- Encourage the removal of impervious surfaces as opportunities arise
- Principles, strategies, and engineering solutions to reduce flood risk in coastal areas
- Utilize vegetation and natural features to minimize surface runoff and reduce flood risks
- Open space preservation
- Increased setbacks and buffers
- Landscape retention areas

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022 for second and final reading.

Enacted and approved this 8th day of March, 2022, in Holly Hill

2. –2022-O-3047 Ordinance

SECOND READING - an Ordinance of the City of Holly Hill, Florida, Amending Chapter 2, Administration, Article II., City Commission to Create Section 2-32, City Commission Badges; Providing for Conflicting Ordinances; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

ORDINANCE
2022-O-3047
SECOND READING - AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II., CITY COMMISSION TO CREATE SECTION 2-32, CITY COMMISSION BADGES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II., CITY COMMISSION TO CREATE SECTION 2-32, CITY COMMISSION BADGES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, this Ordinance does not change the amount of compensation being paid to the City Commission members; and

WHEREAS, the City Clerk shall be responsible for purchasing and record-keeping related to badges issued to elected officials. The City Clerk shall utilize such forms and procedures as deemed necessary and appropriate to satisfy the responsibilities assigned to that Office under this subsection; and

WHEREAS, the bade is the property of the City of Holly Hill until re-issued as a termination badge as set forth in this Ordinance.

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

SECTION 1. - ISSUANCE OF BADGES.

A. The City Manager is authorized to issue to each member of the City Commission a city badge designating the member as the Mayor or a member of the City Commission. No member of the City Commission shall have more than two badges at any time during such member's term of office consisting of a wallet badge and a lapel badge.

B. Each badge issued shall have a unique identification and the City Clerk shall maintain records containing the identification of each badge, the date of issuance, and the name and address of the member of the City Commission to whom the badge was issued.

C. Loss of the badge shall be reported immediately to the City Clerk in writing, with replacement at the expense of the person to whom the badge was issued.

D. Each member of the City Commission, to whom a badge is issued, shall reimburse the City for the cost to replace the badge in the event the badge is destroyed through the members negligence or if the badge is lost for any reason.

SECTION 2. - PRESENTATION OF BADGE UPON TERMINATION OF SERVICE.

A. Notwithstanding any other provision of the City of Holly Hill Code of Ordinances, the city may present to the member of the City Commission the member's badge(s) (including if applicable a Mayor badge) upon the termination of the members service, in excess of four (4) years, as a member of the City Commission. Prior to such presentation, the City Clerk shall cause the badge(s) to be affixed permanently to a plaque, within a frame, or otherwise presented in a manner that will effectively improper the use of the badge.

B. No person shall remove a badge presented from the plaque, frame or other presentation material, or wear such badge, or otherwise display the badge unless the badge is displayed in or on a presentation material.

SECTION 3. - UNLAWFUL USE OF CITY COMMISSION BADGE.

A. The badge may be used only during activities related to the responsibilities of the City Commission.

B. It shall be a violation of the city's policy for any member of the City Commission to use the badge for any purpose except as reasonably necessary for identification when acting in an official capacity as a member of the City Commission or as the Mayor. In addition, it shall be a violation of the city's policy for any person to wear, exhibit or use the badge with the intent of fraudulently impersonating a City Official or fraudulently inducing the belief that the person is a City Official at the time the badge is worn, displayed, or used.

C. Any member or former member of the City Commission found to be misusing the privilege of possession of the badge, at the discretion of the City Commission, shall forfeit the badge immediately.

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

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. That this Ordinance shall become effective immediately upon its adoption.

APPROVED AND AUTHENTICATED on this 8th day of MARCH, 2022 for second and final reading.

Enacted and approved this 8th day of March, 2022, in Holly Hill

8. COMMUNICATIONS

A. City Manager & Staff Comments
Mr. Forte distributed to the City Commission their badges and lapel badges.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Penny mentioned he had the opportunity to be a judge at the 5th Grade Science Fair at the Holly Hill school; Volusia League of Mayors Call this year; reminded everyone that the Car Show is coming up on March 19th and the following weekend is the Arts Festival with both events at City Hall.

Commissioner Currie thanked everyone for their prayers and continued prayers for her husband.

Commissioner Danio is getting a lot of good comments about Holly Hill and the things that are happening.

Commissioner Johnson mentioned the upcoming American Legion dinner awards on March 24th; Holly Hill is looking good; a lot of great things taking place in Holly Hill.

D. Mayor's Comments

Mayor Via thanked everyone who participated in Movie With A Cop last Friday; drone program; welcomed Ormond Beach City Commissioner Rob Littleton from Zone 4 for attending the meeting tonight along with Jim Cameron; asked the City Clerk if she could find out about this year's Government Week and see if the schools (HHK-8 and UBIC) would be interested in coming.

9. ADJOURNMENT

The meeting adjourned at approximately 6:50 PM.

Valerie Manning

Valerie Manning, City Clerk,CMC 3/8/2022

Chris Via, Mayor 3/8/2022