

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA • JUNE 9, 2015

City Commission Chamber

Regular City Commission Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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



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

CITY COMMISSION MEMBERS

Mayor
John Penny

District 1 - Commissioner
Arthur J. Byrnes

District 3 - Commissioner
John F. Capers

District 2 - Commissioner
Penny Currie

District 4 - Commissioner
Elizabeth Albert

CITY MANAGER
Joseph Forte

CITY CLERK
Valerie Manning

1. CALL TO ORDER

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

2. PUBLIC PARTICIPATION

Pursuant to Florida Law, the public has a right to be heard on all propositions, except when the City Commission is acting on ministerial or emergency matters, or conducting a meeting exempt from Section 286.011, Florida Statutes. Public comment time on propositions shall be five (5) minutes. The public will be provided the opportunity to be heard on non-agenda matters at the end of the meeting only if the 45 minute allotted time at the beginning of the meeting has come to a close. Proper decorum will be observed.

3. APPROVAL OF MINUTES

- 1. Minutes - May 26, 2015 - Regular City Commission Meeting
(Requested by Valerie Manning, City Clerk)

4. CONSENT AGENDA - ITEMS (1 - 2)

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. FDOT State Highway Lighting, Maintenance, and Compensation Agreement Fiscal Year 2015/2016 Work Order
(Requested by Jacki Maswary, Public Works)
- 2. Resolution Purchase of Replacement Forklift for Water Department
(Requested by Jacki Maswary, Public Works)

5. REGULAR AGENDA

- 1. Resolution Fiscal Year 2015/2016 Community Development Block Grant Allocation Estimate and Annual Application
(Requested by Jacki Maswary, Public Works)

6. PUBLIC HEARING

- 1. Ordinance An Ordinance Establishing the Ballot Questions for Changes to the City Charter as Recommended by the Charter Review Committee Changes
(Requested by Valerie Manning, City Clerk)

7. PUBLIC PARTICIPATION - AS NEEDED**8. COMMUNICATIONS**

- a. City Manager & Staff Reports
- b. City Attorney
- c. Mayor's Report
- d. District Commissioners Reports

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.



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

**City Commission
Agenda Item**

MEETING DATE: June 9, 2015
FROM: Valerie Manning
SUBJECT: Minutes - May 26, 2015 - Regular City Commission Meeting
NUMBER: (ID # 1083)
APPLICANT:
PLANNER:

DISCUSSION:

Minutes from the May 26, 2015 - Regular City Commission meeting

FISCAL ANALYSIS:

N/A

STAFF RECOMMENDATION:

Approve the minutes

COMMISSION GOAL:

N/A

MOTION:

AS DETERMINED BY THE CITY COMMISSION

- Minutes - May 26, 2015 - Regular City Commission meeting (PDF)



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

REVISED MINUTES • MAY 26, 2015

City Commission Chamber

Regular City Commission Meeting

7:00 PM

CITY HALL
1065 RIDGEWOOD AVENUE
HOLLY HILL, FL 32117

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

1. CALL TO ORDER

A. Roll Call

Attendee Name	Title	Status	Arrived
Arthur J. Byrnes	District 1 - Commissioner	Present	
Penny Currie	District 2 - Commissioner	Present	
John F. Capers	District 3 - Commissioner	Present	
Elizabeth Albert	District 4 - Commissioner	Present	
John Penny	Mayor	Present	

B. Invocation

Pastor Joshua McKeown from United Brethren in Christ, Holly Hill.

C. Pledge of Allegiance to the Flag

2. PRESENTATION

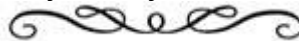
1.

Team Volusia Presentation

(Requested by Lynn Dehlinger, Economic Development)

RESULT: PRESENTATION

Enacted and approved this 26th day of May, 2015, in Holly Hill



3. RECESS THE CITY COMMISSION MEETING & CONVENE AS THE CRA

4. PUBLIC PARTICIPATION

No one spoke.

5. CRA AGENDA

1. -DOC-2015-27

Attachment: Minutes - May 26, 2015 - Regular City Commission meeting (1083 : Minutes)

Professional Engineering Services for Overhead to Underground Utility Conversion Project

(Requested by Jacki Maswary, Public Works)

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

Enacted and approved this 26th day of May, 2015, in Holly Hill



6. **ADJOURN AS THE CRA & RECONVENE THE CITY COMMISSION MEETING**

7. **APPROVAL OF MINUTES**

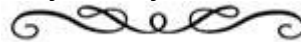
1. -DOC-2015-22

Minutes - May 12, 2015 - Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



8. **CONSENT AGENDA - ITEMS (1 - 3)**

1. -DOC-2015-23

Request to Rescind Resolution 2013-R-12

(Requested by Joseph Forte, City Manager)

Mayor Penny opened public participation.

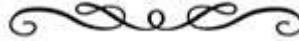
The following individual spoke to the Mayor and City Commission: Gilles Blais, 710 Magnolia, Holly Hill.

Mayor Penny closed public participation.

Commissioner Albert asked to pull Consent Agenda item Rescinding Resolution 2013-R-12 for further discussion.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Arthur J. Byrnes, District 1 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Penny
NAYS:	Albert

Enacted and approved this 26th day of May, 2015, in Holly Hill



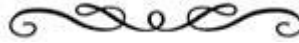
2. -DOC-2015-28

Florida Fish and Wildlife Conservation Commission Grant - Sunrise Park South
Dredging and Boat Ramp Improvements

(Requested by Jacki Maswary, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



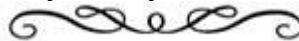
3. -DOC-2015-29

FDLE/DEA Central Storage Letter of Agreement (MOU) - for Participation in the
Methamphetamine Clandestine Drug Laboratory Hazardous Waste Central Storage
Container Program

(Requested by Steve Aldrich, Police)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Arthur J. Byrnes, District 1 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



9. **REGULAR AGENDA**

1. CRA PROFESSIONAL SERVICES

1. **Motion:** Motion - vote needed

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	John F. Capers, District 3 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

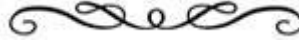
2. -DOC-2015-24

Extension of Continuing Services Contract RFQ-ENG-10-01

(Requested by Jacki Maswary, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



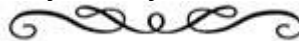
3. -DOC-2015-25

Sunrise Park South Access Channel and Boat Ramp Improvements Grant Applications and Administration for Construction

(Requested by Jacki Maswary, Public Works)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



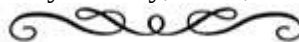
4. -DOC-2015-26

An Ordinance Establishing the Ballot Questions for Changes to the City Charter as Recommended by the Charter Review Committee Changes

(Requested by Joseph Forte, City Manager)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Elizabeth Albert, District 4 - Commissioner
SECONDER:	Penny Currie, District 2 - Commissioner
AYES:	Byrnes, Currie, Capers, Albert, Penny

Enacted and approved this 26th day of May, 2015, in Holly Hill



10. PUBLIC HEARINGS

None.

11. PUBLIC PARTICIPATION - AS NEEDED

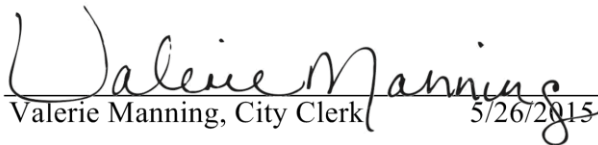
None.

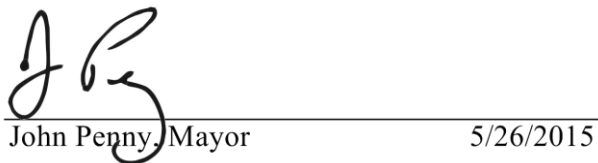
12. COMMUNICATIONS

- a. City Manager & Staff Reports
- b. City Attorney
- c. Mayor's Report
- d. District Commissioners Reports

13. ADJOURNMENT

The meeting adjourned approximately at 8:00 PM.


Valerie Manning, City Clerk 5/26/2015


John Penny, Mayor 5/26/2015



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

**City Commission
Agenda Item**

MEETING DATE: June 9, 2015
FROM: Jacki Maswary
SUBJECT: FDOT State Highway Lighting, Maintenance, and Compensation Agreement Fiscal Year 2015/2016 Work Order
NUMBER: (ID # 1085)
APPLICANT:
PLANNER:

DISCUSSION:

The City of Holly Hill has an agreement with the Florida Department of Transportation, State Highway Lighting, Maintenance, and Compensation Agreement AOR-06, to maintain the street lights located along US 1 and Nova Road. FDOT compensates the City on an annual basis for this maintenance.

With the exception of certain lights on Nova Road, the maintenance is completed by FP&L. On Nova Road, from Flomich Street to approximately Golf Avenue, the street lights are maintained by the City per FDOT agreement 240719-1-52-01.

For the (federal) Fiscal Year of 2015 -2016 Work Order which begins July 1, 2015 and ends June 30, 2016, FDOT will issue compensation in the amount of \$47,760.

FISCAL ANALYSIS:

The FY 15/16 Work Order represents a 3% increase over the FY 14/15 compensation amount.

STAFF RECOMMENDATION:

Approve the State Highway Lighting, Maintenance, and Compensation Agreement Work Order (FY 15/16) and authorize the City Manager to execute the same.

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 THE STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT WORK ORDER (FY 15/16) AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE SAME.

- State Highway Lighting, Maintenance and Compensation Agreement - FY 15-16 Work Order(PDF)
- State Highway Lighting, Maintenance and Compensation Agreement - AOR-06 (PDF)



Florida Department of Transportation

RICK SCOTT
GOVERNOR

1650 North Kepler Road
DeLand, FL 32724

Jim Boxold
SECRETARY

May 6, 2015

Dr. James A. McCroskey
City Manager
1065 Ridgewood Ave.
Holly Hill, Florida 32117

Re: **State Highway Lighting, Maintenance, and Compensation Agreement Work Order (FY 15/16)**
 Financial Project ID: 413615-8-78-06
 Contract Number: AOR-06
 FEID No.: VF-596000337-012
 Work Order for Fiscal Year 15/16
 Resolution No.: 2007-R-38

Dear Mr. McCroskey:

You are hereby authorized to perform maintenance of the State Highway Lighting Systems within your jurisdiction in accordance with the terms and conditions of the State Highway Lighting, Maintenance, and Compensation Agreement.

The total compensation for Fiscal Year 15/16 paid under this **Work Order is \$47,760.00**. This amount reflects a 3% increase per unit cost from the previous year. The compensation period for this work order will begin from **July 1, 2015**, and **expire June 30, 2016**.

Please execute and/or return the following documents directly to this office in the enclosed self-addressed envelope. In order to guarantee availability of funds, these documents must be returned to this office no later than June 7, 2015.

- Sign this original work order confirming receipt and agreement of the compensation terms listed above and return.
- Sign and have notarized, the enclosed State Highway Lighting, Maintenance, and Compensation Agreement Certification and return.
- If the Resolution referenced above is no longer current, return a copy of your current Resolution.

State Highway Lighting, Maintenance and Compensation Agreement Work Order (FY 15/16)
 Contract Number: **AOR-06**
 Page Two

If you wish to receive payment for the Fiscal Year 14/15 Work Order, please submit an invoice to this office anytime after May 19, 2015. Invoices for Fiscal Year 14/15 must be received no later than December 27, 2015. Per the State Highway Lighting, Maintenance, and Compensation Agreement paragraph 2.c. which states: "Invoices may be submitted anytime after May 19th of the fiscal year in which the services were provided, but no later than 180 days after the end of the fiscal year. Payment shall be made in one lump sum as provided in paragraph 4 hereof."

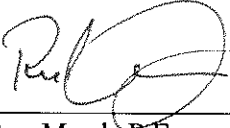
A sample invoice is attached for your information. Please verify that all information contained on the sample invoice is included on your invoice.

If you have any questions, please contact: Jerry K Harville at (386) 740-3425.

Attachments: State Highway Lighting, Maintenance, and Compensation Agreement Certification
 Sample Invoice

MAINTAINING AGENCY

FLORIDA DEPARTMENT OF TRANSPORTATION


 Ron Meade P.E.,
 Deland Operations Engineer

Concurrence By: _____

Typed Name: _____

Title: _____

Phone: _____

Date: ____/____/____

STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT CERTIFICATION

I, _____, _____,
(Name) (Title)

_____, hereby certify that State Highway Lighting
(Local Maintaining Agency)

Facilities for Financial Project ID: _____, Contract No. _____

In _____ County (Counties)

were performed to keep all Facilities fully operating, properly functioning, with a minimum of 90% of the lights burning for any lighting type (ex. high mast, standard, underdeck, sign) on the roadway system at all times for their normal expected useful life in accordance with the original design thereof, whether necessitated by normal wear and tear, accidental or intentional damage, or acts of nature.

All maintenance was performed in accordance with Agreement terms and according to the Manual of Uniform Traffic Control Devices; and, all other applicable local, state, or federal laws, rules, resolutions, or ordinances, and FDOT procedures.

(SIGNATURE)

(DATE)

State of Florida

County of _____

Sworn to and subscribed to before me this day _____ of _____,

_____, Notary Public, State of _____ at large.

My Commission expires _____



FDOT

719 So. Woodland Blvd.
DeLand, FL 32720-6834
386/943-5283 fax 386/736-5098

Invoice No.

INVOICE

Customer

Name City of
Address
City State FL ZIP
Phone

Date
Fiscal Year
County Volusia

Qty	Description	Unit Price	TOTAL
	Lumanaires Lump Sum FM:	\$	\$
	State Highway Lighting, Maintenance, and Compensation Agreement Certification must accompany this invoice.		

Payment Details

Please check VF, below;
and address, above.
Please note needed corrections.

Name City of
VF#

SubTotal	\$
Shipping & Handling	\$0.00
Taxes	\$0.00
TOTAL	\$

Office Use Only

Highway Lighting , Maintenance, and Compensation Agreement

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION
AGREEMENT # AOR 06

Form No 710-010-30,
 Utilities
 10/04

THIS AGREEMENT, entered into this 28th day of August, year of 2007, by and between the **STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as the "FDOT", and The City of Holly Hill, hereinafter referred to as the "MAINTAINING AGENCY";

WITNESSETH:

WHEREAS, the **MAINTAINING AGENCY** has the authority to enter into this Agreement and to undertake the maintenance and operation of lighting on the State Highway System, and the **FDOT** is authorized under Sections 334.044, Florida Statutes and 335.055, Florida Statutes to enter into this Agreement; and

WHEREAS, the **MAINTAINING AGENCY** has authorized its undersigned officers to enter into and execute this Agreement;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the **FDOT** and the **MAINTAINING AGENCY** hereby agree as follows:

1. Maintenance of Facilities

- a. The **MAINTAINING AGENCY** shall maintain all the lighting now or hereafter located on the State Highway System within the jurisdictional boundaries of the **MAINTAINING AGENCY**, hereinafter referred to as the "Facilities," throughout its expected useful life. For the purposes of this Agreement, the term Facilities shall be deemed to include, but not necessarily be limited to, lighting for roadways, as well as park and ride, pedestrian overpasses, and recreational areas owned by or located on the property of the **FDOT**, but shall exclude those systems listed in Exhibit "A" attached hereto and by this reference made a part hereof, and shall exclude lighting located in weigh stations, rest areas, or on Interstate highways.
- b. In maintaining the Facilities, the **MAINTAINING AGENCY** shall perform all activities necessary to keep the Facilities fully operating, properly functioning, with a minimum of 90% of the lights burning for any lighting type (ex. high mast, standard, underdeck, sign) or roadway system at all times for their normal expected useful life in accordance with the original design thereof, whether necessitated by normal wear and tear, accidental or intentional damage, or acts of nature. Said maintenance shall include, but shall not be limited to, providing electrical power and paying all charges associated therewith, routine inspection and testing, preventative maintenance, emergency maintenance, replacement of any component parts of the Facilities (including the poles and any and all other component parts installed as part of the Facilities), and locating (both vertically and horizontally) the Facilities, as may be necessary.
- c. All maintenance shall be in accordance with the provisions of the following:
 - (1) Manual of Uniform Traffic Control Devices; and,
 - (2) All other applicable local, state, or federal laws, rules, resolutions, or ordinances, and **FDOT** procedures.
- d. For lighting installed as part of an **FDOT** project, the **MAINTAINING AGENCY's** obligation to maintain shall commence upon the **MAINTAINING AGENCY's** receipt of notification from the **FDOT** that the **FDOT** has finally accepted the project, except for the obligation to provide for electrical power, which obligation to provide for electrical power shall commence at such time as the lighting system is ready to be energized; provided, however, that the **MAINTAINING AGENCY** shall not be required to perform any activities which are the responsibilities of **FDOT's** contractor.

Prior to any acceptance by the **FDOT**, the **MAINTAINING AGENCY** shall have the opportunity to inspect and request modifications/corrections to the installation(s) and the **FDOT** agrees to undertake

STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT

those prior to acceptance so long as the modifications/corrections comply with the contract and specifications previously approved by both the **FDOT** and the **MAINTAINING AGENCY**

- e. The continuing obligations under this paragraph 1 beyond the first fiscal year hereof are subject to the voluntary negotiation of the amount to be paid as set forth in subparagraph 2b hereof.

2. Compensation and Payment

- a. The **FDOT** agrees to pay to the **MAINTAINING AGENCY** a lump sum of \$ 17,685.63 for the fiscal year in which this Agreement is signed (fiscal year as referenced in this Agreement shall be **FDOT's** fiscal year).
- b. For each future fiscal year, the **FDOT** and the **MAINTAINING AGENCY** shall agree on the amount to be paid prior to the fiscal year beginning. The **FDOT** will issue a work order confirming the amount and authorizing the performance of maintenance for each new fiscal year. The Work Order shall be an **FDOT** signed letter of authorization to the **MAINTAINING AGENCY** with a subject line containing the terms "State Highway Lighting, Maintenance, And Compensation Agreement Work Order." The Work Order shall reflect the contract number, financial project number, FEID No. of the **MAINTAINING AGENCY**, the fiscal year, and the lump sum amount to be paid for the fiscal year indicated. The Work Order shall be signed by the **MAINTAINING AGENCY** and returned to **FDOT**. No payment will be made on Work Orders which are not properly signed and returned to **FDOT** prior to performing services.
- c. Invoices may be submitted anytime after May 19th of the fiscal year in which the services were provided, but no later than 180 days after the end of said fiscal year. Payment shall be made in one lump sum as provided in paragraph 4 hereof.
- d. Payment shall be made in accordance with Section 215.422, Florida Statutes.
- e. Bills for fees or other compensation for services or expenses shall be submitted in a format acceptable to the **FDOT** and in detail sufficient for a proper pre-audit and post-audit thereof.

3. Record Keeping

The **MAINTAINING AGENCY** shall keep records of all activities performed pursuant to this Agreement. The records shall be kept in a format approved by the **FDOT**.

Records shall be maintained and made available upon request to the **FDOT** at all times during the period of this Agreement and for three (3) years after final payment for the work pursuant to this Agreement is made. Copies of these documents and records shall be furnished to the **FDOT** upon request.

4. Invoicing

Upon receipt, the **FDOT** has five (5) working days to inspect and approve the goods and services. The **FDOT** has twenty (20) days to deliver a request for payment (voucher) to the Department of Financial Services. The twenty (20) days are measured from the latter of the date the invoice is received or the goods or services are received, inspected, and approved.

If a payment is not available within forty (40) days, a separate interest penalty at a rate as established pursuant to Section 215.422, Florida Statutes, shall be due and payable, in addition to the invoice amount, to the **MAINTAINING AGENCY**. Interest penalties of less than one (1) dollar shall not be enforced unless the **MAINTAINING AGENCY** requests payment. Invoices returned to a **MAINTAINING AGENCY** because of **MAINTAINING AGENCY** preparation errors shall result in a delay in the payment. The invoice payment requirements do not start until a properly completed invoice is provided to the **FDOT**.

STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT

A Vendor Ombudsman has been established within the Department of Financial Services. The duties of this individual include acting as an advocate for contractors/vendors who may be experiencing problems in obtaining timely payment(s) from a state agency. The Vendor Ombudsman may be contacted at (850) 410-9724 or by calling the Chief Financial Officer's Hotline, 1-800-848-3792.

The State of Florida's performance and obligation to pay under this Agreement is contingent upon an annual appropriation by the Legislature. In the event this Agreement is in excess of \$25,000 and has a term for a period of more than one (1) year, the provisions of Section 339.135(6)(a), Florida Statutes, are hereby incorporated:

The **FDOT**, during any fiscal year, shall not expend money, incur any liability, or enter into any contract which, by its terms, involves the expenditure of money in excess of the amounts budgeted as available for expenditure during such fiscal year. Any contract, verbal or written, made in violation of this subsection shall be null and void, and no money may be paid on such contract. The **FDOT** shall require a statement from the Comptroller of the **FDOT** that funds are available prior to entering into any such contract or other binding commitment of funds. Nothing herein contained shall prevent the making of contracts for periods exceeding one (1) year, but any contract so made shall be executory only for the value of the services to be rendered or agreed to be paid for in succeeding fiscal years, and this paragraph shall be incorporated verbatim in all contracts of the **FDOT** which are for an amount in excess of \$25,000 and which have a term for a period of more than one (1) year.

The **FDOT** will provide a copy of the statement referenced above to the **MAINTAINING AGENCY**.

5. Default

In the event that the **MAINTAINING AGENCY** breaches any provision of this Agreement, then in addition to any other remedies which are otherwise provided for in this Agreement, the **FDOT** may exercise one or more of the following options, provided that at no time shall the **FDOT** be entitled to receive double recovery of damages:

- a. Pursue a claim for damages suffered by the **FDOT** or the public.
- b. Pursue any other remedies legally available.
- c. As to any work not performed by the **MAINTAINING AGENCY**, perform such work with its own forces or through contractors and seek reimbursement for the cost thereof from the **MAINTAINING AGENCY** if the **MAINTAINING AGENCY** fails to cure the non-performance within fourteen (14) days after written notice from the **FDOT** of the non-performance; provided, however, that advance notice and cure shall not be preconditions in the event of an emergency.

6. Force Majeure

Neither the **MAINTAINING AGENCY** nor the **FDOT** shall be liable to the other for any failure to perform under this Agreement to the extent such performance is prevented by an act of God, war, riots, natural catastrophe, or other event beyond the control of the non-performing party and which could not have been avoided or overcome by the exercise of due diligence; provided that the party claiming the excuse from performance has (a) promptly notified the other party of the occurrence and its estimate duration, (b) promptly remedied or mitigated the effect of the occurrence to the extent possible, and (c) resumed performance as soon as possible.

7. Miscellaneous

- a. The **FDOT** shall consider the employment by any contractor of unauthorized aliens a violation of Section 274A(e) of the Immigration and Nationality Act. If the contractor knowingly employs unauthorized aliens, such violation shall be cause for unilateral cancellation of this Agreement.

STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT

- b. The **MAINTAINING AGENCY** shall allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the **MAINTAINING AGENCY** in conjunction with this Agreement. Failure by the **MAINTAINING AGENCY** to grant such public access shall be grounds for immediate unilateral cancellation of this Agreement by the **FDOT**.
- c. This Agreement constitutes the complete and final expression of the parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, or negotiations with respect thereto.
- d. This Agreement shall be governed by the laws of the State of Florida. Any provision hereof found to be unlawful or unenforceable shall be severable and shall not affect the validity of the remaining provisions hereof.
- e. Time is of the essence in the performance of all obligations under this Agreement.
- f. All notices required pursuant to the terms hereof may be sent by first class United States Mail, facsimile transmission, hand delivery, or express mail and shall be deemed to have been received by the end of five (5) business days from the proper sending thereof unless proof of prior actual receipt is provided. The **MAINTAINING AGENCY** shall have a continuing obligation to notify each District of the **FDOT** of the appropriate persons for notices to be sent pursuant to this Agreement. Unless otherwise notified in writing, notices shall be sent to the following addresses:

MAINTAINING AGENCY:

The City of Holly Hill
Mr. Chris Hurst
1065 Ridgewood Ave.
Holly Hill, Florida 32117

FDOT:

District Operations/Contract Office
Attn: Jerry K Harville MS-506
719 S. Woodland Blvd.
DeLand, Florida 32720

- g. **PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for **CATEGORY TWO** for a period of thirty six (36) months from the date of being placed on the convicted vendor list.
- h. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.
- i. Nothing herein shall be construed as a waiver of either party's sovereign immunity.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
**STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION
 AGREEMENT**

Form No 710-010-30.
 Utilities
 10/04

8. Certification

This document is a printout of an **FDOT** form maintained in an electronic format and all revisions thereto by the **MAINTAINING AGENCY** in the form of additions, deletions or substitutions are reflected only in an Appendix entitled "Changes To Form Document" and no change is made in the text of the document itself. Hand notations on affected portions of this document may refer to changes reflected in the above-named Appendix but are for reference purposes only and do not change the terms of the document. By signing this document, the **MAINTAINING AGENCY** hereby represents that no change has been made to the text of this document except through the terms of the Appendix entitled "Changes to Form Document."

You **MUST** signify by selecting or checking which of the following applies:

- ☒ No changes have been made to this Forms Document and no Appendix entitled "Changes to Form Document" is attached.
- ☐ No changes have been made to this Form Document, but changes are included on the attached Appendix entitled "Changes to Forms Document."

IN WITNESS WHEREOF, the parties hereto have executed this Agreement effective the day and year first written.

MAINTAINING AGENCY

BY: (Signature) _____

(Typed Name: Joe Forte)

(Typed Title: Holly Hill City Manager)

DATE: 8/28/07

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION

BY: (Signature) _____

(Typed Name: Alan Hyman P.E.)

(Typed Title: District Director of Operations)

DATE: 9-14-2007

FDOT Legal Review

BY: (Signature) _____

District Counsel

(Typed Name: _____)

DATE: 9-14-07

EXHIBIT A

HOLLY HILL STREETLIGHT LOCATIONS
ON STATE ROADS

<u>Section</u>	<u>State Road</u>	<u>Location</u>	<u>Milepost</u>	<u>No. of Streetlights</u>
79030	SR 5	SR 430/Mason Ave. to North City Limits	1.192 to 3.769	113
79190	SR 5A	South to North City Limits	9.486 to 11.696	60 (Pending FY 09/10)
TOTAL				173

Packet Pg. 22

<u>Section</u>	<u>State Road</u>	<u>Location</u>	<u>Milepost</u>	<u>No. of Streetslights</u>
79030	SR 5	SR 430/Mason Ave. to Daytona Beach Ormond Beach City Limits	1.192 to 3.769	113
79190	SR 5 A	SR 5A/Nova Rd. Holly Hill CL	9.486 to 11.696	60
	TOTAL			173

(Pending FY09/10)

<u>Section</u>	<u>State Road</u>	<u>Location</u>	<u>Milepost</u>	<u>No. of Streetslights</u>
79030	SR 5	SR 430/Mason Ave. to Daytona Beach Ormond Beach City Limits	1.192 to 3.769	113
79190	SR 5 A	SR 5A/Nova Rd. Holly Hill CL	9.486 to 11.696	60
	TOTAL			173

(Pending FY09/10)

RESOLUTION 2007-R-38

A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A MAINTENANCE AGREEMENT BETWEEN HOLLY HILL AND THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR THE MAINTENANCE OF STREET LIGHTS ON U.S. 1 AND NOVA ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Holly Hill has requested that the D.O.T. install street lights on Nova Road between 10th Street and the south City limits; and

WHEREAS, the D.O.T. will only install the lights if the City agrees to maintain all of the existing street lights on U.S. 1 and Nova Road; and

WHEREAS, the D.O.T. will pay for the maintenance an annual sum to be adjusted for Cost of Living increases.

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

SECTION 1. The City Commission authorizes the City Manager to execute the Maintenance Agreement.

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.

The within and foregoing Resolution was read before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in commission chambers at City Hall, 1065 Ridgewood Avenue, Holly Hill, Florida, on the 28th day of August, 2007.

It was moved by Commissioner Reed and seconded by Commissioner Blais that said Resolution be adopted. A roll call vote of the Commission on said motion of the Resolution resulted as follows:

Mayor Roland D. Via	Yes
Commissioner John Penny	Yes
Commissioner Gilles Blais	Yes
Commissioner Mark Reed	Yes
Commissioner Traci A. Anderson	Yes

WHEREAS, the Mayor of the City of Holly Hill, Florida, has hereunto set his official signature, duly authorized by the City Clerk, and has caused the official seal of said City to be affixed, all at the City Hall in the City of Holly Hill, this 28th day of August, 2007, for the purpose of authenticity as is required by law.

City of Holly Hill, Florida

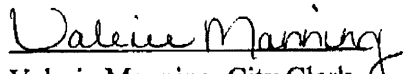


Roland D. Via, Mayor



Joseph A. Forte, City Manager

Attest:



Valerie Manning, City Clerk

Res. 2007-R-38

8/28/07

2



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

**City Commission
Resolution**

MEETING DATE: June 9, 2015
FROM: Jacki Maswary
SUBJECT: Purchase of Replacement Forklift for Water Department
NUMBER: (ID # 1093)
APPLICANT:
PLANNER:

DISCUSSION:

In the FY 2014/2015 budget, the replacement of V#16, a 1979 AC Forklift, was identified. The replacement is proposed due to the age of the vehicle and the high cost and low availability of replacement parts for repairs.

The replacement of V#16 is budgeted at \$40,000 with the intent being to purchase a used forklift. A used 2012 Mitsubishi fork lift was located in St. Augustine, Florida. This fork lift had 3,722 hours of service on it and is in very good condition. The fork lift was available for purchase at a price of \$32,000 which included delivery to the Holly Hill city yard. Unfortunately, this particular forklift is no longer available.

Due to the nature of the used the vehicle market, vendors will not place a “hold” on a vehicle, nor is it feasible to solicit a formal request for proposal to obtain bids with the potential for used vehicles being significantly different.

Staff is requesting the City Commission authorize the City Manager to negotiate a purchase for a used forklift, similar to the 2012 Mitsubishi discussed above, with a purchase price not to exceed \$40,000. Provisions in Section 30-71 of the City of Holly Hill Code of Ordinances allows for negotiated purchases, and the waiver of formal bidding procedures.

Following the purchase of the used forklift, details on the make, model, purchase price, etc. will be reported to the City Commission.

FISCAL ANALYSIS:

This is a budgeted expenditure from the Water Utility Renewal and Replacement Fund in the amount of \$40,000.

STAFF RECOMMENDATION:

Waiver of the formal bidding procedures and authorization for the City Manager to negotiate a purchase as provided for in Section 30-71, Code of Ordinances.

COMMISSION GOAL:

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

MOTION:

APPROVE RESOLUTION 2015-R-28, TO WAIVE THE FORMAL BID PROCEDURES AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE A PURCHASE FOR A USED FORKLIFT WITH A PURCHASE PRICE NOT TO EXCEED \$40,000.

Resolution No. (ID # 1093)**PURCHASE OF REPLACEMENT FORKLIFT FOR WATER DEPARTMENT****RESOLUTION 2015-R-28**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, TO WAIVE THE FORMAL BID PROCEDURES AND AUTHORIZE THE CITY MANAGER TO NEGOTIATE A PURCHASE FOR A USED FORKLIFT WITH A PURCHASE PRICE NOT TO EXCEED \$40,000.; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by Section 30-71 of the Code of Ordinances, where there is a single source, where standardization is determined to be in the best interest of the city, or where solicitation of bids is otherwise deemed to be inappropriate, the purchase of equipment may be made by negotiation without regard to the cost.

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

SECTION 1. That the City Commission waives the formal bidding procedure to purchase a used forklift for the water department as allowed under Section 30-71 of the Code of Ordinances.

SECTION 2. As provided for in Section 30-71 of the Code of Ordinances, that the City Commission authorizes the City Manager to negotiate the purchase of a used forklift for a purchase price not to exceed \$40,000.

SECTION 3. 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 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED this 9th day of JUNE, 2015.

City of Holly Hill, Florida

John Penny, Mayor

Resolution (ID # 1093)

Meeting of June 9, 2015

Attest:

Valerie Manning, City Clerk



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

**City Commission
Resolution**

MEETING DATE: June 9, 2015
FROM: Jacki Maswary
SUBJECT: Fiscal Year 2015/2016 Community Development Block Grant
Allocation Estimate and Annual Application
NUMBER: (ID # 1094)
APPLICANT:
PLANNER:

DISCUSSION:

The U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program provides annual grants on a formula basis to states, counties and cities that achieve entitlement status. Volusia County qualifies as an urban county entitlement community and receives funds directly from HUD. The same formula used by HUD is applied to the award by the County to determine the allocation for the distributions to the participating cities. For the FY 2015-2016 period, the City of Holly Hill has been slotted to receive \$97,260 to carry out community development activities.

CDBG projects are selected based on meeting qualification criteria; these include that the project must be an eligible activity and must meet national objectives of the program.

For the FY 2015-16 allocation, staff has selected three projects to distribute the funds to. These projects are listed in order of priority and are:

- Code Enforcement Activities - \$25,000
- Playground for Ross Point Park - \$15,000
- Lift Station Improvements for Lift Station #12 - \$57,260

Code Enforcement

The primary role of proactive code enforcement efforts is to eliminate hazards that could affect public safety. This includes notifying residents of issues with general property upkeep like tall weeds or grass, abandoned vehicles, or refrigerators left outside and issues with dilapidated structures such as buildings and fences. By enacting a proactive code enforcement effort to clean up deteriorated or deteriorating areas, and completing various public improvements, neighborhoods look better which increase curb appeal, can increase property values and make the community a more safe and inviting place to live and work.

Two part time code enforcement officers are proposed to be hired with an overall budget for salaries and fringe benefits of \$25,000.

This project an eligible activity:

“CDBG funds may be used for code enforcement only in deteriorating or deteriorated areas where such enforcement, together with public or private improvements, rehabilitation, or services to be provided may be expected to arrest the decline of the area.” *Reference §570.202(c)*

And meets the national objective of Low/Moderate (L/M) Income Area Benefit by:

- (1) At least 51% of the residents of the area are L/M income persons; and
- (2) The code enforcement, together with public improvements, may be expected arrest the decline of the area.

Ross Point Park Playground

Ross Point Park, located at 611 Riverside Drive, is a popular park for residents to have access to water front amenities at no charge. The park had a playground, but it was necessary to be removed due to deteriorated conditions and safety concerns. Ross Point Park is located within a CDBG designated low/moderate income area, and is available to all residents living in the vicinity.

A new playground is proposed to be installed with an area border surrounding to contain the footing materials. The purchase and construction costs are estimated at \$15,000.

This project an eligible activity:

“CDBG funds may be used by the grantee or other public or private nonprofit entities for the:

- Acquisition (including long term leases for period of 15 years or more),
- Construction,
- Reconstruction,
- Rehabilitation (including removal of architectural barriers to accessibility), or
- Installation.

of public improvements or facilities (except for buildings for the general conduct of government).” *Reference §570.201(c)*

And meets the national object of Low/Moderate (L/M) Income Area Benefit because: The public facility or improvement will be used for a purpose the benefits of which are available *to all the residents in a particular area* that is primarily residential, and at least 51% of those residents are L/M income persons.

Lift Station #12

Lift Station #12, is located at 620 Center Lane and serves an area located wholly within a CDBG low/moderate income area. This lift station is 50 years old and has not had any significant upgrades or improvements in that time.

The proposed refurbishment will include removal and replacement of structural, mechanical, electrical, and control components. The proposed refurbishment is consistent with the need to upgrade facilities to reach full compliance with Department of Environmental Protection standards and protect health, safety and welfare of our citizens.

The overall project costs are estimated at \$305,000.

This project an eligible activity:

“CDBG funds may be used by the grantee or other public or private nonprofit entities for the:

- Acquisition (including long term leases for period of 15 years or more),
- Construction,
- Reconstruction,
- Rehabilitation (including removal of architectural barriers to accessibility), or
- Installation.

of public improvements or facilities (except for buildings for the general conduct of government).”

Reference

§570.201(c)

And meets the national object of Low/Moderate (L/M) Income Area Benefit because: The public facility or improvement will be used for a purpose the benefits of which are available *to all the residents in a particular area* that is primarily residential, and at least 51% of those residents are L/M income persons.

FISCAL

ANALYSIS:

Anticipated revenue of \$97,300 and expenditures of \$345,000 will need to be budgeted accordingly during the FY 2015/2016 budget process.

STAFF RECOMMENDATION:

Approve the proposed FY 2015/2016 CDBG Annual Plan and authorize the City Manager to execute and submit the proposed annual plan to Volusia County Community Assistance.

COMMISSION GOAL:

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

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

MOTION:

APPROVE RESOLUTION 2015-R-29, THE PROPOSED FY 2015/2016 CDBG ANNUAL PLAN APPLICATIONS AND AUTHORIZE THE CITY MANAGER TO EXECUTE AND SUBMIT THE PROPOSED ANNUAL PLAN TO VOLUSIA COUNTY COMMUNITY ASSISTANCE.

ATTACHMENTS:

- FY 15-16 CDBG Annual Application - Code Enforcement (PDF)
- FY 15-16 CDBG Annual Application - Ross Point Playground (PDF)
- FY 15-16 CDBG Annual Application - Lift Station 12 (PDF)
- 5-12-15 Volusia County Letter - FY 2015-2016 CDBG Allocation and Annual Plan Application (PDF)

Resolution No. (ID # 1094)**FISCAL YEAR 2015/2016 COMMUNITY DEVELOPMENT BLOCK GRANT
ALLOCATION ESTIMATE AND ANNUAL APPLICATION****RESOLUTION 2015-R-29**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PROPOSED FY 2015/2016 CDBG ANNUAL PLAN APPLICATIONS AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND SUBMIT THE PROPOSED ANNUAL PLAN TO VOLUSIA COUNTY COMMUNITY ASSISTANCE; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the US Department of Housing and Urban Development's Community Development Block Grant program, through Volusia County Community Assistance, has notified the City of Holly Hill of an anticipated award of \$97,260 for fiscal year 2015-2016; and

WHEREAS, the City has identified the following projects proposed for funding through this grant:

- Code Enforcement Activities
- Playground for Ross Point Park
- Lift Station Improvements for Lift Station #12; and

WHEREAS, the City desires to submit its annual plan proposal to Volusia County Community Assistance.

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

SECTION 1. That the proposed projects are hereby approved to be submitted as part of the fiscal year 2015-2016 CDBG Annual Plan.

SECTION 2. That the City Manager is authorized to execute and submit the 2015-2016 CDBG Annual Plan proposal.

SECTION 3. 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 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon adoption by the City Commission.

APPROVED AND AUTHENTICATED this 9th day of JUNE, 2015.

City of Holly Hill, Florida

John Penny, Mayor

Attest:

Valerie Manning, City Clerk

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

CDBG PROGRAM PROPOSED ANNUAL PLAN COVER CHECKLIST

Organization: City of Holly Hill
Project Title: FY 15/16 Code Enforcement Activities

Applicant **MUST** place this checklist on top of submitted proposal arranged in the order below. **(INCLUDE ONE (1) ORIGINAL FOR EACH PROJECT PROPOSED)**

CDBG ANNUAL PLAN PROPOSAL CHECKLIST

- ☐ SECTION I. Subrecipient information /Proposed project summary – Page 2
- ☐ SECTION II. Project description/Location & Implementation Responsibility – Page 3, 4
- ☐ SECTION III. Project Timeframe – Page 4
- ☐ SECTION IV. Map detailing project location – Page 5, 6, 7, 8, 9
- ☐ SECTION V. Budget – Page 10
- ☐ SECTION VI. Conflict of Interest Statement – Page 11, 12

Signature

Joseph A. Forte
City Manager

Signature

Jacquelyn N. Maswary
Official CDBG Liaison

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION I		SUBRECIPIENT INFORMATION
Name of Organization: City of Holly Hill		
Address: 1065 Ridgewood Avenue Holly Hill, FL 321117		Mailing address: Same
Phone: (386)248-9420		Fax: (386)248-9448
Official CDBG Liaison/title: Jacquelyn Maswary		Public Works Director
E-mail address: jmaswary@hollyhillfl.org		Phone: (386)248-9463
PROJECT INFORMATION SUMMARY		
Proposed project title: FY 15/16 Code Enforcement Activities		(Project Priority 1)
Amount of funding requested: \$25,000		
Total project cost: \$25,000		Leverage funds (if any): \$0.00
		Source: n/a
Location: Holly Hill Police Department Patrol Zones 1 and 2 (east of railroad tracks)		

Type of Request? (MARK ONE ONLY FOR EACH PROJECT)

- | | |
|--|---|
| ☐ ACQUISITION OF REAL PROPERTY
☐ PUBLIC FACILITY IMPROVEMENTS (GENERAL)
☐ SENIOR CENTERS
☐ NEIGHBORHOOD FACILITIES
☐ PARKS, RECREATIONAL FACILITIES
☐ FLOOD/DRAINAGE IMPROVEMENTS
☐ WATER/SEWER IMPROVEMENTS
☐ SIDEWALK IMPROVEMENTS
☐ PLANNING | ☐ CLEARANCE/DEMOLITION
☐ PUBLIC SERVICES (GENERAL)
☐ SENIOR SERVICES
☐ YOUTH SERVICES
☐ EMPLOYMENT TRAINING
☒ CODE ENFORCEMENT
☐ NON-RESIDENTIAL HISTORIC PRESERVATION
☐ ECONOMIC DEVELOPMENT
☐ ADA ACCESSIBILITY
☐ OTHER _____ |
|--|---|

CERTIFYING REPRESENTATIVE

(Person authorized to sign HUD contract, if approved) Please Sign in Blue Ink.

To the best of my knowledge and belief, data in this proposal are true and correct and the governing body of the applicant has duly authorized the document.

NAME: Joseph A. Forte

(Please Print)

(Signature)

TITLE: City Manager

DATE SIGNED:

Attachment: FY 15-16 CDBG Annual Application - Code Enforcement (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION II. A. PROJECT DESCRIPTION AND LOCATION (please refer to instructions and be as specific as possible)

The primary role of proactive code enforcement efforts is to eliminate hazards that could affect public safety. This includes notifying residents of issues with general property upkeep like tall weeds or grass, abandoned vehicles, or refrigerators left outside and issues with dilapidated structures such as buildings and fences. By enacting a proactive code enforcement effort to clean up deteriorated or deteriorating areas, neighborhoods look better which increase curb appeal, can increase property values and make the community a more safe and inviting place to live and work.

The areas of focus for the code enforcement activities will be Holly Hill Police Department patrol zone 1 and patrol zone 2. Both of these areas are located within a low/moderate income area. Patrol Zone 1 encompasses Census Tract 081000, Block Group 1 and 2. Patrol Zone 2 encompasses Census Tract 081000, Block Group 3 and 4.

The City has completed, or is proposing to complete, several community improvement projects in the selected enforcement areas. Proactive code enforcement measures in deteriorated areas will supplement the community improvement initiatives of the area.

Two part time officers are proposed to be hired with an overall budget for salaries and fringe benefits of \$25,000. Depending on when authorization to proceed is granted, and current wage determinations at the time of hiring, the number of hours each officer will work will vary, but shall not exceed 29 hours per week.

Example

Assuming a hire date of 12/01/2015

Assuming an hourly rate of \$13.00 / hour

Officer 1

\$13.00/ hour X 22 hours/ week = \$286/ week X 43 weeks = \$12,298

Officer 2

\$13.00/ hour X 22 hours/ week = \$286/ week X 43 weeks = \$12,298

Total grant funds expended: \$24,596

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

B. IMPLEMENTATION RESPONSIBILITY

☐ SUBRECIPIENT

☒ FORCED LABOR

☐ CONTRACTOR

☐ COUNTY OF VOLUSIA

SECTION III PROJECT TIMEFRAME (ONLY IF SUBRECIPIENT IS IMPLEMENTING)

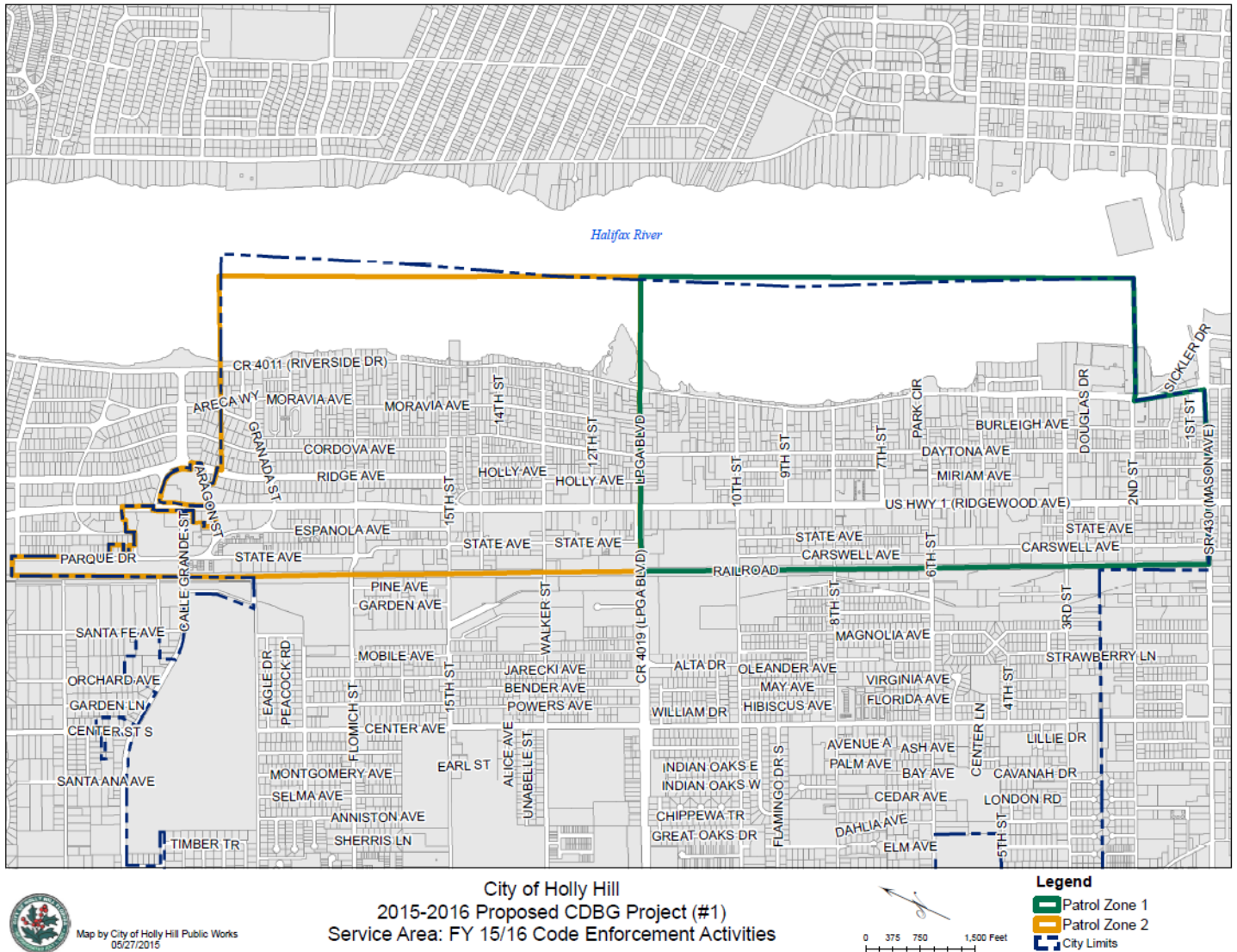
(PLEASE REFER TO INSTRUCTIONS FOR SAMPLE)

DATE	ACTION	RESPONSIBLE ENTITY
11/02/2015	Notice to Proceed for CDBG Project	County
11/09/2015	Submit Plan of Action Worksheet to Capital Projects Coordinator	City
12/01/2015	Hire Part Time Code Enforcement Officers	City
12/18/2015	P/T Code Enforcement Officers Complete Training and begins enforcement activities	City
9/27/2016	Grant period ends	City / County

Attachment: FY 15-16 CDBG Annual Application - Code Enforcement (1094 : FY 2015/16 CDBG Award and Annual Plan)

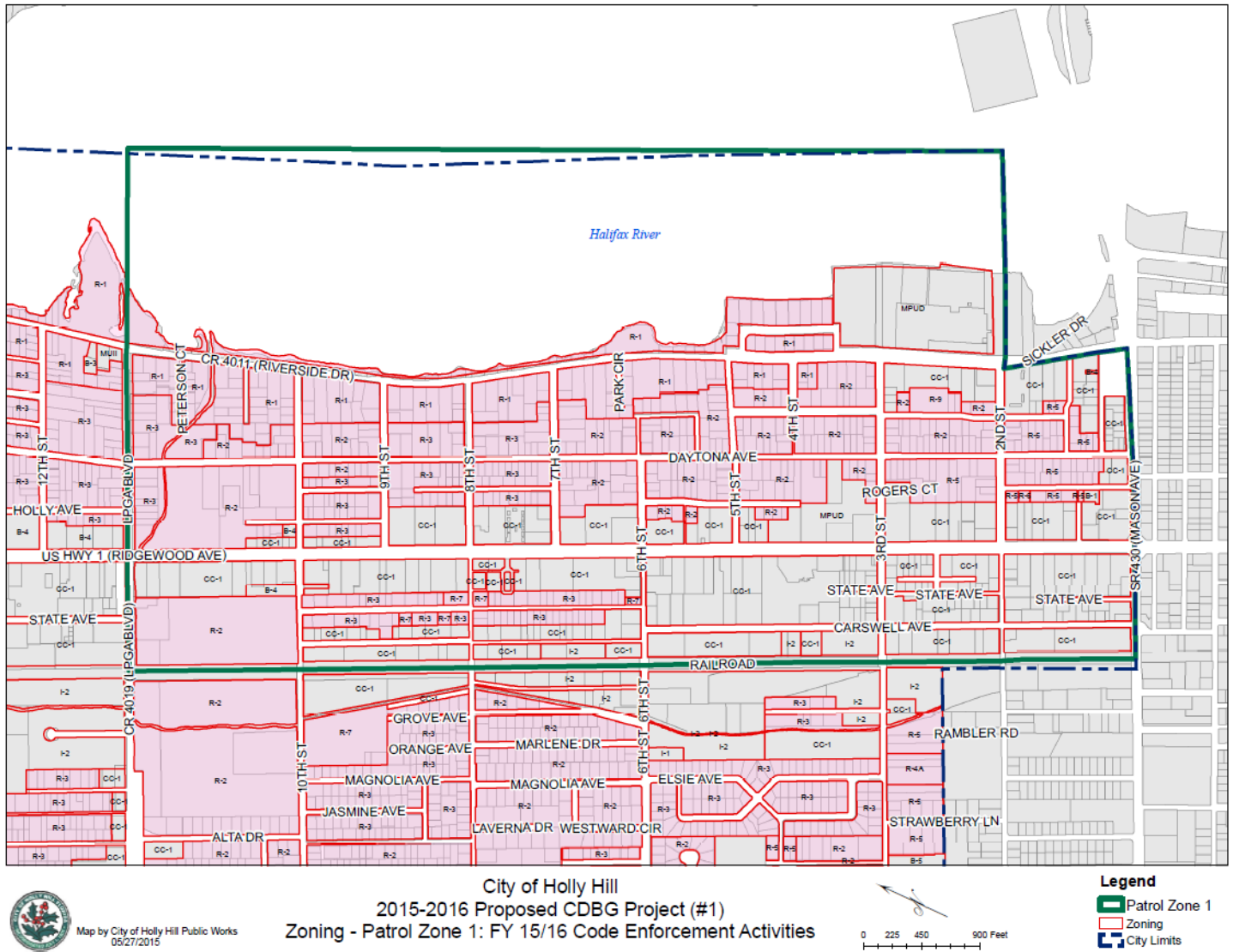
COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION IV. PLEASE ATTACH MAP DETAILING PROJECT LOCATION

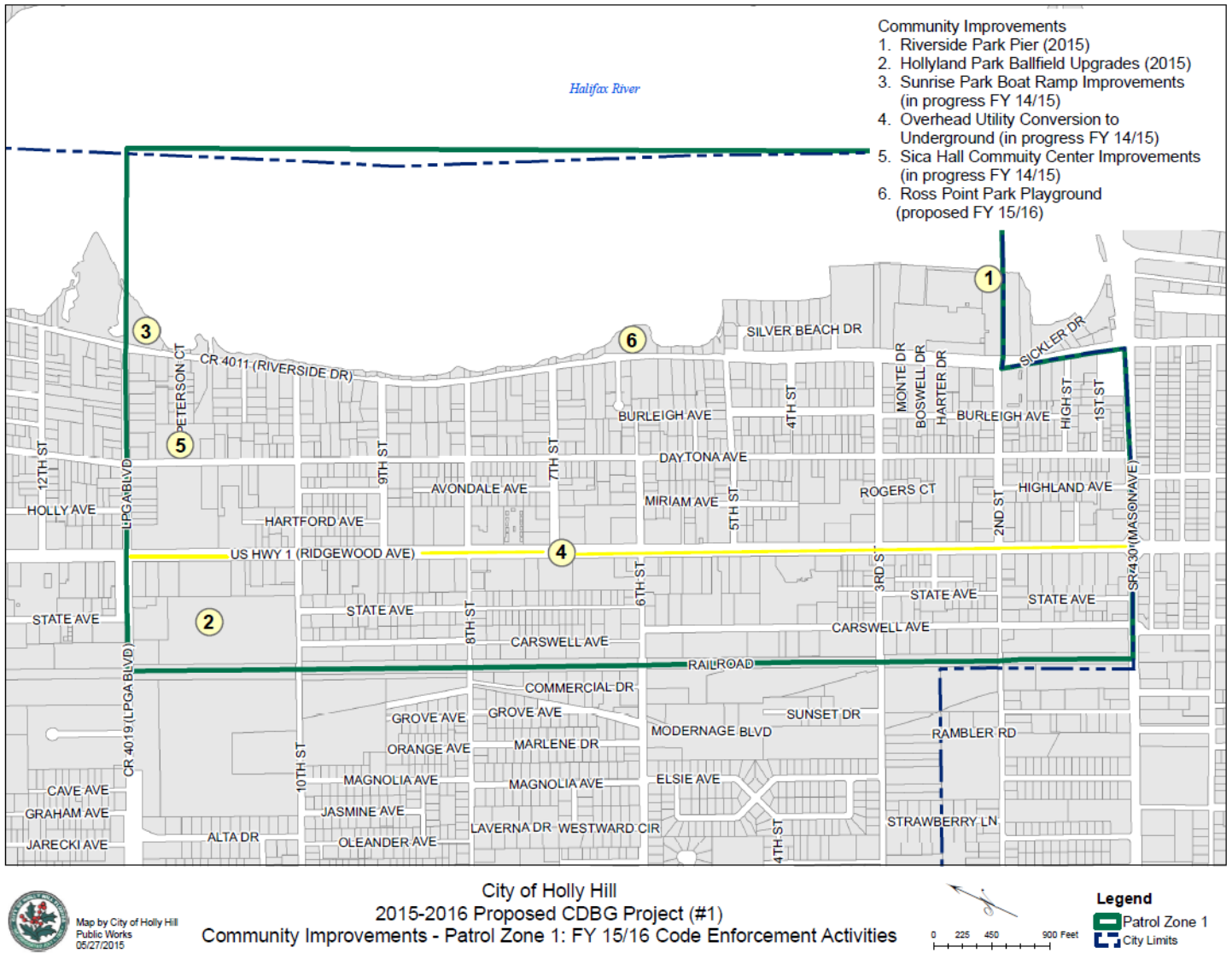


Attachment: FY 15-16 CDBG Annual Application - Code Enforcement (1094 : FY 2015/16 CDBG Award and Annual Plan)

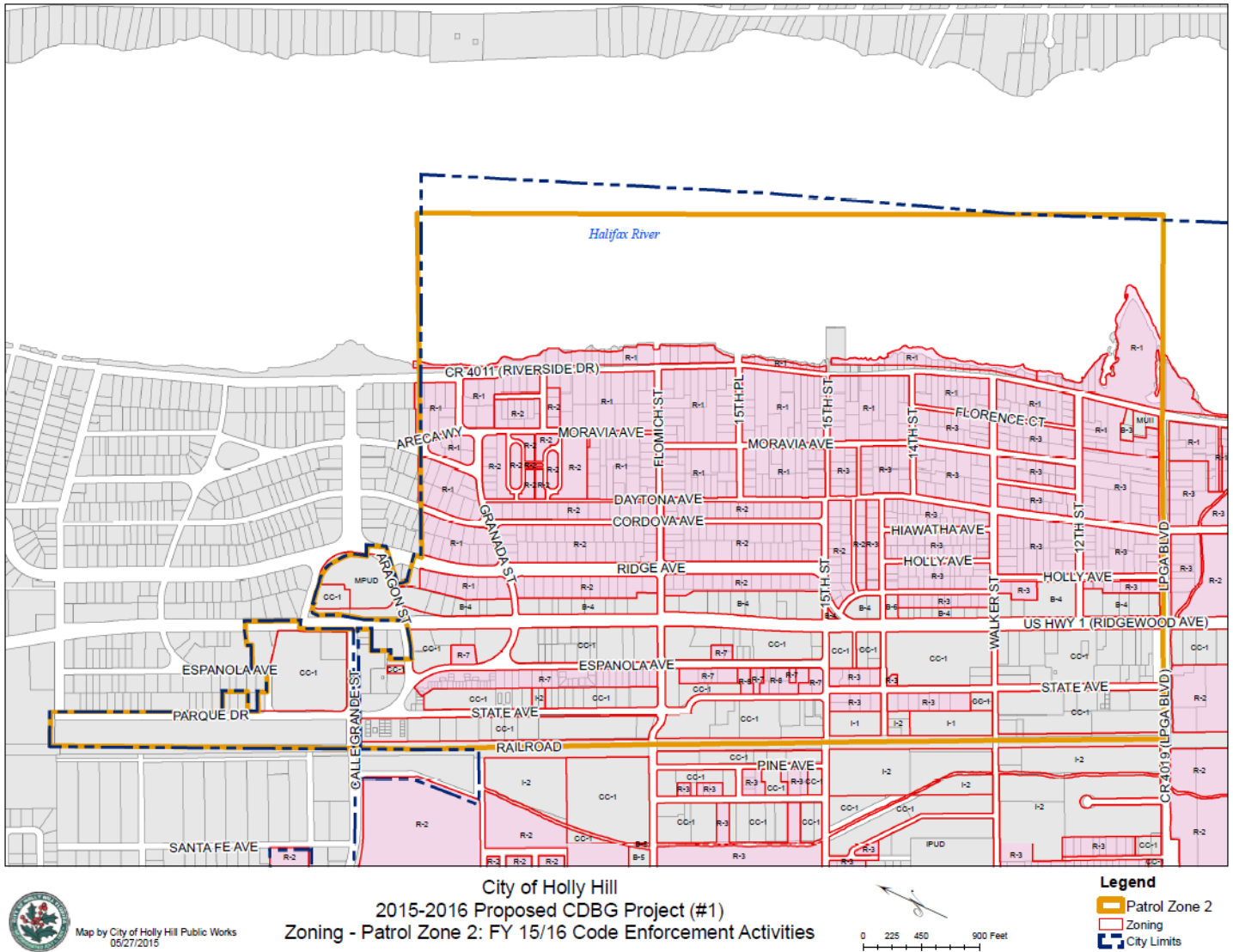
COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

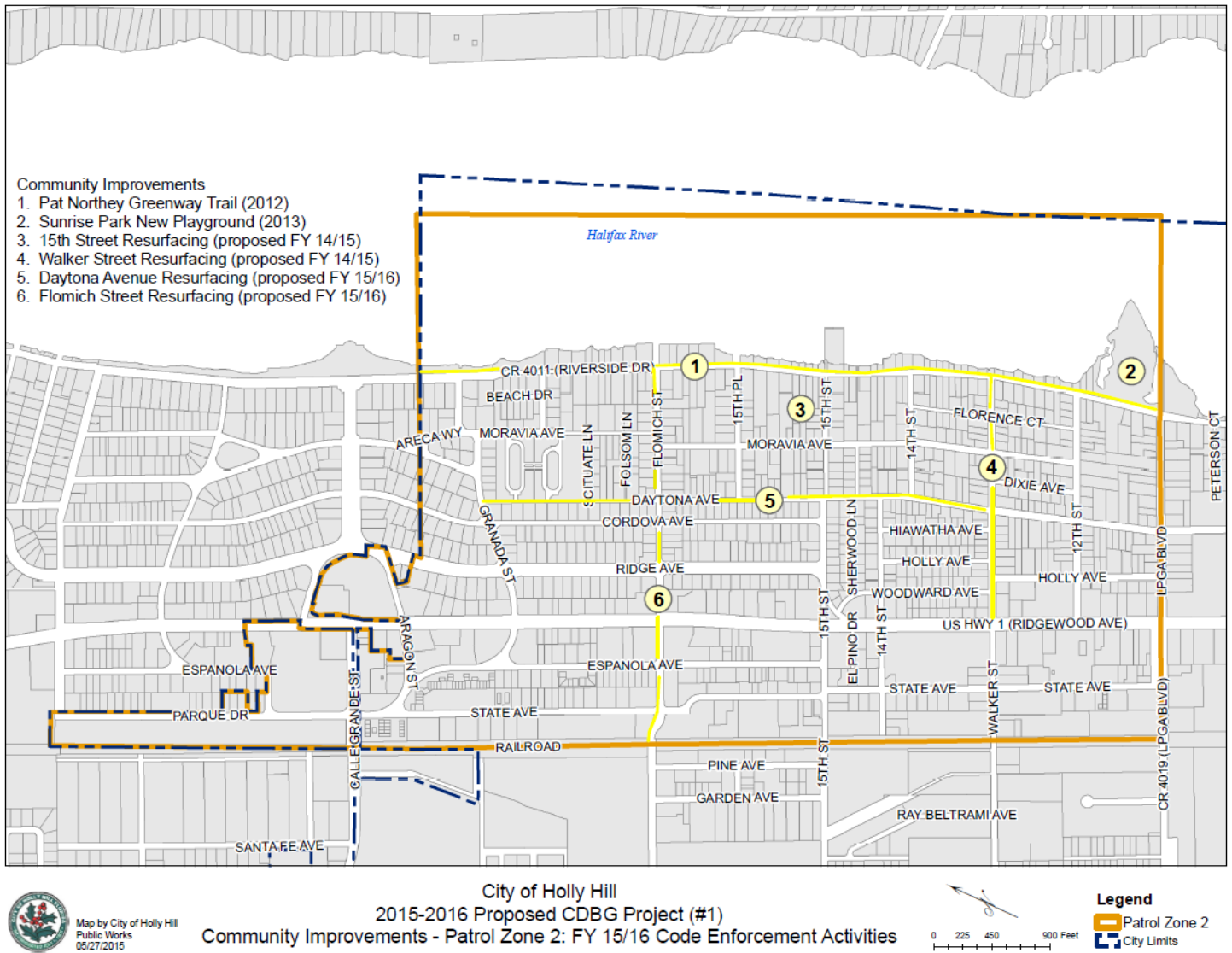


COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



Attachment: FY 15-16 CDBG Annual Application - Code Enforcement (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION V.

Budget Form

Project Title: FY 15/16 Code Enforcement ActivitiesSubrecipient: City of Holly Hill

Budget Categories	Project Cost Estimate	Sources of Funds					
		CDBG Funds		Applicant's Funds		Other	
		AMOUNT	STATUS*	AMOUNT	STATUS*	AMOUNT	STATUS*
Part Time Salary	\$25,000	\$25,000	Pending	\$0.00			
SOURCE TOTAL		\$25,000		\$0.00			
TOTAL PROJECT COST	\$25,000						

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION VI. § 570.611 Conflict of Interest

Please read and sign at the bottom of the next page, signifying that you have read and agree to adhere to the following policy. Also, please disclose any potential conflicts including any boards or committees currently serving on, any private companies owned by you or members of your Board of Directors, and any other potential conflicts.

(a) Applicability. (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply.

(2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to §570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to §570.203, 570.204, 570.455, or 570.703(i)).

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

<u>Name</u>	<u>Conflicts/Potential</u>

<u>Joseph A. Forte</u>	<u>Jacquelyn N. Maswary</u>
City Manager (Printed)	CDBG Liaison (Printed)
Signature	Signature

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

CDBG PROGRAM PROPOSED ANNUAL PLAN COVER CHECKLIST

Organization: City of Holly Hill
Project Title: Ross Point Park Playground

Applicant **MUST** place this checklist on top of submitted proposal arranged in the order below. **(INCLUDE ONE (1) ORIGINAL FOR EACH PROJECT PROPOSED)**

CDBG ANNUAL PLAN PROPOSAL CHECKLIST

- ☐ SECTION I. Subrecipient information /Proposed project summary – Page 2
- ☐ SECTION II. Project description/Location & Implementation Responsibility – Page 3
- ☐ SECTION III. Project Timeframe – Page 4
- ☐ SECTION IV. Map detailing project location – Page 5, 6
- ☐ SECTION V. Budget – Page 7
- ☐ SECTION VI. Conflict of Interest Statement – Page 8, 9

Signature

Joseph A. Forte
City Manager

Signature

Jacquelyn N. Maswary
Official CDBG Liaison

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION I		SUBRECIPIENT INFORMATION
Name of Organization: City of Holly Hill		
Address: 1065 Ridgewood Avenue Holly Hill, FL 32117		Mailing address: Same
Phone: (386)248-9420		Fax: (386)248-9448
Official CDBG Liaison/title: Jacquelyn Maswary		Public Works Director
E-mail address: jmaswary@hollyhillfl.org		Phone: (386)248-9463
PROJECT INFORMATION SUMMARY		
Proposed project title: Ross Point Park Playground		(Project Priority 2)
Amount of funding requested: \$15,000		
Total project cost: \$15,000		Leverage funds (if any): \$0.00
		Source: n/a
Location: 611 Riverside Drive, Holly Hill		

Type of Request? (MARK ONE ONLY FOR EACH PROJECT)

- | | |
|---|--|
| ☐ ACQUISITION OF REAL PROPERTY
☐ PUBLIC FACILITY IMPROVEMENTS (GENERAL)
☐ SENIOR CENTERS
☐ NEIGHBORHOOD FACILITIES
☒ PARKS, RECREATIONAL FACILITIES
☐ FLOOD/DRAINAGE IMPROVEMENTS
☐ WATER/SEWER IMPROVEMENTS
☐ SIDEWALK IMPROVEMENTS
☐ PLANNING | ☐ CLEARANCE/DEMOLITION
☐ PUBLIC SERVICES (GENERAL)
☐ SENIOR SERVICES
☐ YOUTH SERVICES
☐ EMPLOYMENT TRAINING
☐ CODE ENFORCEMENT
☐ NON-RESIDENTIAL HISTORIC PRESERVATION
☐ ECONOMIC DEVELOPMENT
☐ ADA ACCESSIBILITY
☐ OTHER _____ |
|---|--|

CERTIFYING REPRESENTATIVE

(Person authorized to sign HUD contract, if approved) Please Sign in Blue Ink.

To the best of my knowledge and belief, data in this proposal are true and correct and the governing body of the applicant has duly authorized the document.

NAME: Joseph A. Forte

(Please Print)

(Signature)

TITLE: City Manager

DATE SIGNED:

Attachment: FY 15-16 CDBG Annual Application - Ross Point Playground (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION II. A. PROJECT DESCRIPTION AND LOCATION (please refer to instructions and be as specific as possible)

Ross Point Park, located at 611 Riverside Drive, is a popular park for residents to have access to water front amenities at no charge. The park had a playground, but it was necessary to be removed due to deteriorated conditions and safety concerns. Existing park amenities include parking, river boardwalks, picnic pavilions, a swing set, and a fishing pier. Ross Point Park is located within a CDBG designated low/moderate income area, and is available to all residents living in the vicinity.

A new playground with climbing and sliding features is proposed to be installed. Additionally, an area border is proposed to be installed around the playground/ swing set area to delineate the play area and contain the footing materials. The purchase and construction costs are estimated at \$15,000.

B. IMPLEMENTATION RESPONSIBILITY

X SUBRECIPIENT

- ☐ FORCED LABOR
- ☒ CONTRACTOR
- ☐ COUNTY OF VOLUSIA

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION III PROJECT TIMEFRAME (ONLY IF SUBRECIPIENT IS IMPLEMENTING)

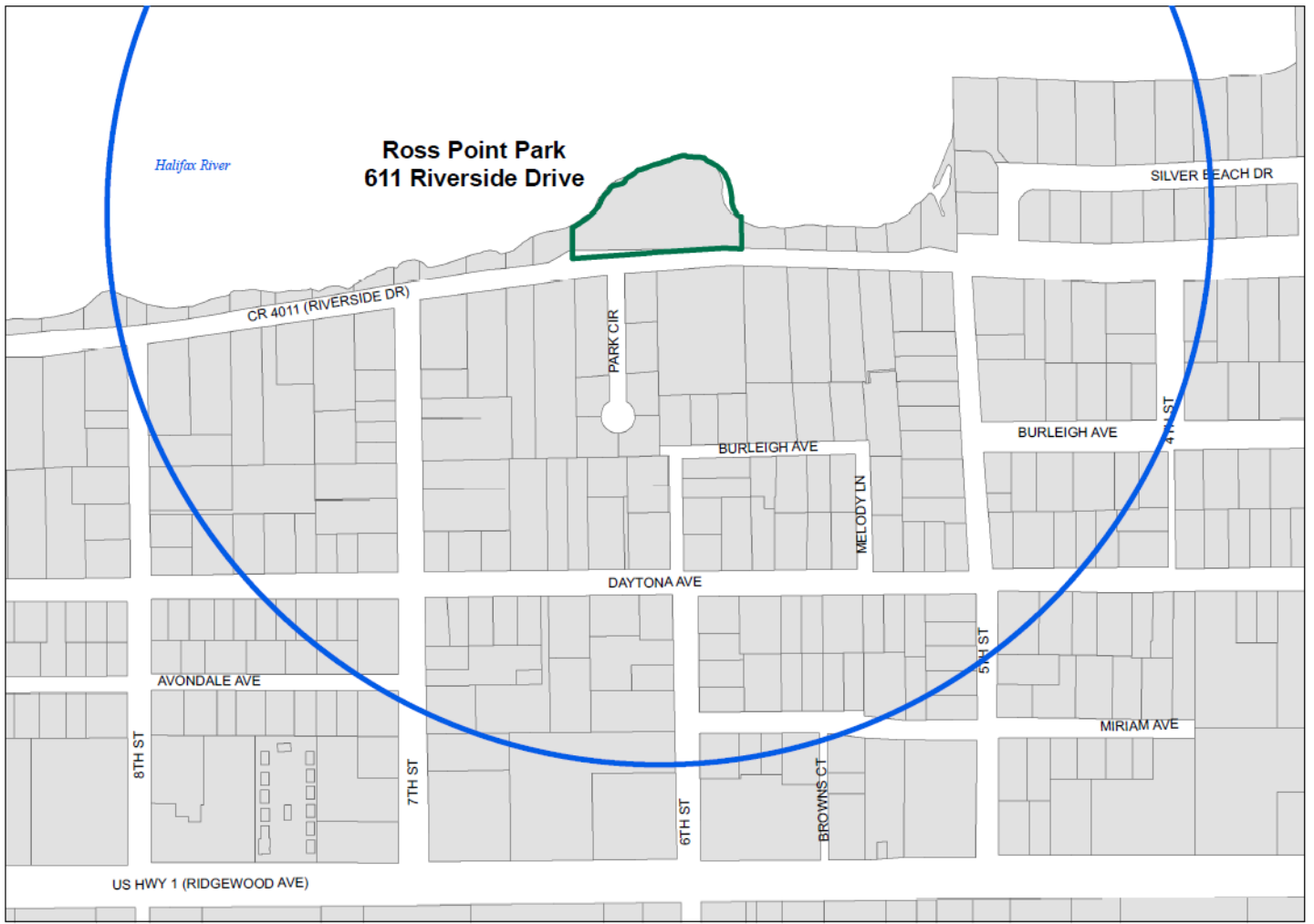
(PLEASE REFER TO INSTRUCTIONS FOR SAMPLE)

DATE	ACTION	RESPONSIBLE ENTITY
11/02/2015	Notice to Proceed for CDBG Project	County
11/09/2015	Submit Plan of Action Worksheet to Capital Projects Coordinator	City
12/01/2015	Bid package submitted to Capital Projects Coordinator (CPC) for approval	City
12/15/2015	Bid package approval	County
01/10/2016	Advertisement Date	City
01/19/2016	Pre-Bid Meeting Date	City
02/02/2016	Bid Opening Date	City
02/23/2016	Contract Award by City Commission	City
03/01/2016	Pre-Construction meeting	City / County
03/15/2016	Notice to Proceed / Project Start	City
06/13/2016	Project Completion (90 Days)	City / County

Attachment: FY 15-16 CDBG Annual Application - Ross Point Playground (1094 : FY 2015/16 CDBG Award and Annual Plan)

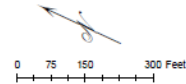
COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION IV. PLEASE ATTACH MAP DETAILING PROJECT LOCATION



Map by City of Holly Hill Public Works
08/27/2015

City of Holly Hill
2015-2016 Proposed CDBG Project (#2)
Service Area: Ross Point Playground

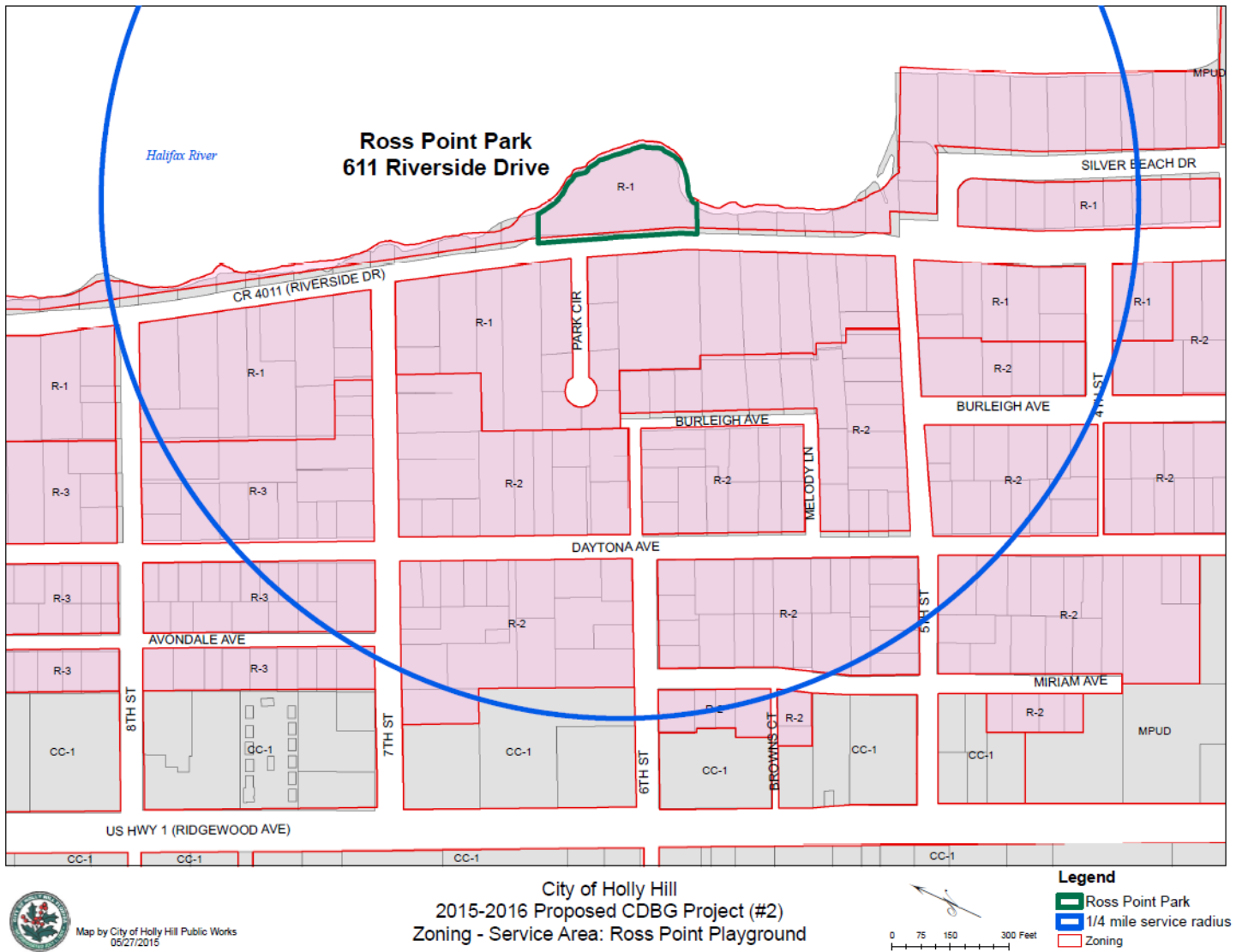


Legend

- Ross Point Park
- 1/4 mile service radius

Attachment: FY 15-16 CDBG Annual Application - Ross Point Playground (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



Attachment: FY 15-16 CDBG Annual Application - Ross Point Playground (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION V.

Budget Form

Project Title: Ross Point Park PlaygroundSubrecipient: City of Holly Hill

Budget Categories	Project Cost Estimate	Sources of Funds					
		CDBG Funds		Applicant's Funds		Other	
		AMOUNT	STATUS*	AMOUNT	STATUS*	AMOUNT	STATUS*
Materials Costs	\$10,000	\$10,000	Pending	\$0.00			
Labor Costs**	\$5,000	\$5,000	Pending	\$0.00			
SOURCE TOTAL		\$15,000		\$0.00			
TOTAL PROJECT COST	\$15,000						

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION VI. § 570.611 Conflict of Interest

Please read and sign at the bottom of the next page, signifying that you have read and agree to adhere to the following policy. Also, please disclose any potential conflicts including any boards or committees currently serving on, any private companies owned by you or members of your Board of Directors, and any other potential conflicts.

(a) Applicability. (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply.

(2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to §570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to §570.203, 570.204, 570.455, or 570.703(i)).

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

<u>Name</u>	<u>Conflicts/Potential</u>

<u>Joseph A. Forte</u> City Manager (Printed)	<u>Jacquelyn N. Maswary</u> CDBG Liaison (Printed)
Signature	Signature

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

CDBG PROGRAM PROPOSED ANNUAL PLAN COVER CHECKLIST

Organization: City of Holly Hill
Project Title: Lift Station #12 Rehabilitation

Applicant **MUST** place this checklist on top of submitted proposal arranged in the order below. **(INCLUDE ONE (1) ORIGINAL FOR EACH PROJECT PROPOSED)**

CDBG ANNUAL PLAN PROPOSAL CHECKLIST

- ☐ SECTION I. Subrecipient information /Proposed project summary – Page 2
- ☐ SECTION II. Project description/Location & Implementation Responsibility – Page 3
- ☐ SECTION III. Project Timeframe – Page 4
- ☐ SECTION IV. Map detailing project location – Page 5, 6, 7
- ☐ SECTION V. Budget – Page 8
- ☐ SECTION VI. Conflict of Interest Statement – Page 9, 10

Signature

Joseph A. Forte
City Manager

Signature

Jacquelyn N. Maswary
Official CDBG Liaison

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION I	SUBRECIPIENT INFORMATION
-----------	--------------------------

Name of Organization: City of Holly Hill

Address: 1065 Ridgewood Avenue
Holly Hill, FL 32117

Mailing address: Same

Phone: (386)248-9420

Fax: (386)248-9448

Official CDBG Liaison/title: Jacquelyn Maswary

Public Works Director

E-mail address: jmaswary@hollyhillfl.org

Phone: (386)248-9463

PROJECT INFORMATION SUMMARY

Proposed project title: Lift Station #12 Rehabilitation

(Project Priority 3)

Amount of funding requested: \$57,260

Total project cost: \$305,000

Leverage funds (if any): \$247,740

Source: Holly Hill Utility Fund

Location: 620 Center Lane, Holly Hill

Type of Request? (MARK ONE ONLY FOR EACH PROJECT)

- | | |
|---|--|
| ☐ ACQUISITION OF REAL PROPERTY
☐ PUBLIC FACILITY IMPROVEMENTS (GENERAL)
☐ SENIOR CENTERS
☐ NEIGHBORHOOD FACILITIES
☐ PARKS, RECREATIONAL FACILITIES
☐ FLOOD/DRAINAGE IMPROVEMENTS
☒ WATER/SEWER IMPROVEMENTS
☐ SIDEWALK IMPROVEMENTS
☐ PLANNING | ☐ CLEARANCE/DEMOLITION
☐ PUBLIC SERVICES (GENERAL)
☐ SENIOR SERVICES
☐ YOUTH SERVICES
☐ EMPLOYMENT TRAINING
☐ CODE ENFORCEMENT
☐ NON-RESIDENTIAL HISTORIC PRESERVATION
☐ ECONOMIC DEVELOPMENT
☐ ADA ACCESSIBILITY
☐ OTHER _____ |
|---|--|

CERTIFYING REPRESENTATIVE

(Person authorized to sign HUD contract, if approved) Please Sign in **Blue Ink**.

To the best of my knowledge and belief, data in this proposal are true and correct and the governing body of the applicant has duly authorized the document.

NAME: Joseph A. Forte

(Please Print)

(Signature)

TITLE: City Manager

DATE SIGNED:

Attachment: FY 15-16 CDBG Annual Application - Lift Station 12 (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION II. A. PROJECT DESCRIPTION AND LOCATION (please refer to instructions and be as specific as possible)

The City of Holly Hill uses a conventional gravity collection system for its sanitary sewer infrastructure. Gravity sewer lines carry waste water to lift stations which then perform a critical function by pumping waste water through force mains to the waste water treatment plant for appropriate treatment.

Lift Station #12, is located at 620 Center Lane and has a primary service area located wholly within a CDBG low/moderate income area. This lift station is 50 years old and has not had any significant upgrades or improvements in that time. The proposed refurbishment is consistent with the need to upgrade facilities to reach full compliance with Department of Environmental Protection standards and protect health, safety and welfare of our citizens.

The proposed refurbishment will include removal and replacement removal of existing hardware and the installation of new submersible pumps, rails, pipes and controls.

Construction Tasks

- Removal of existing hardware
- Installation of new lift station components
- Provision of As-Built Plans
- Maintenance of Traffic
- Site restoration

B. IMPLEMENTATION RESPONSIBILITY

X SUBRECIPIENT

- ☐ **FORCED LABOR**
X CONTRACTOR
☐ **COUNTY OF VOLUSIA**

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION III PROJECT TIMEFRAME (ONLY IF SUBRECIPIENT IS IMPLEMENTING)

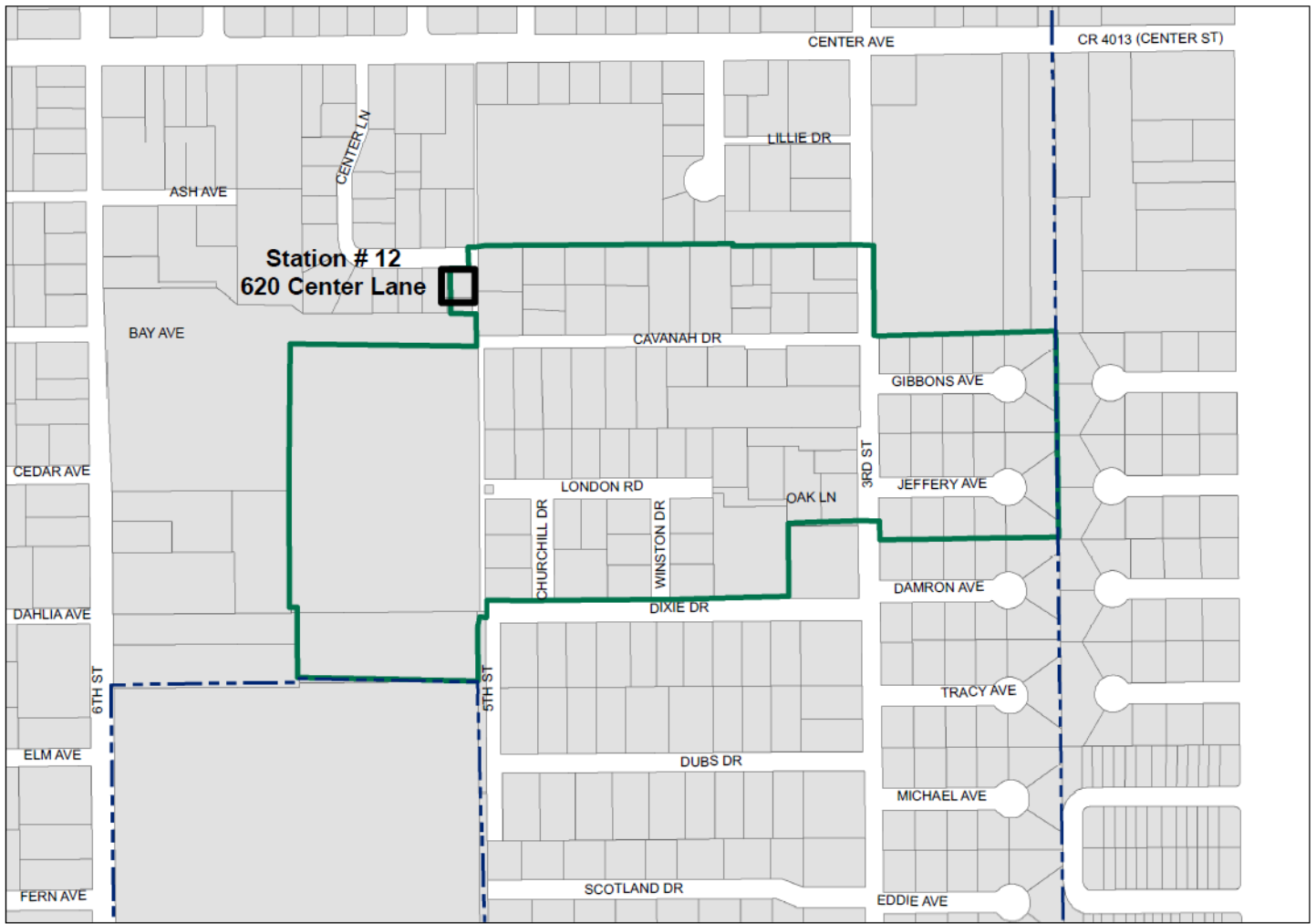
(PLEASE REFER TO INSTRUCTIONS FOR SAMPLE)

DATE	ACTION	RESPONSIBLE ENTITY
10/01/2015	Engineering Design	City
11/02/2015	Notice to Proceed for CDBG Project	County
11/09/2015	Submit Plan of Action Worksheet to Capital Projects Coordinator	City
01/04/2016	Bid package submitted to Capital Projects Coordinator (CPC) for approval	City
01/18/2016	Bid package approval	County
01/24/2016	Advertisement Date	City
02/02/2016	Pre-Bid Meeting Date	City
02/16/2016	Bid Opening Date	City
03/22/2016	Contract Award by City Commission	City
04/05/2016	Pre-Construction meeting	City / County
05/01/2016	Notice to Proceed / Project Start	City
08/29/2016	Project Completion (120 Days)	City / County

Attachment: FY 15-16 CDBG Annual Application - Lift Station 12 (1094 : FY 2015/16 CDBG Award and Annual Plan)

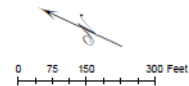
COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION IV. PLEASE ATTACH MAP DETAILING PROJECT LOCATION



Map by City of Holly Hill Public Works
05/27/2015

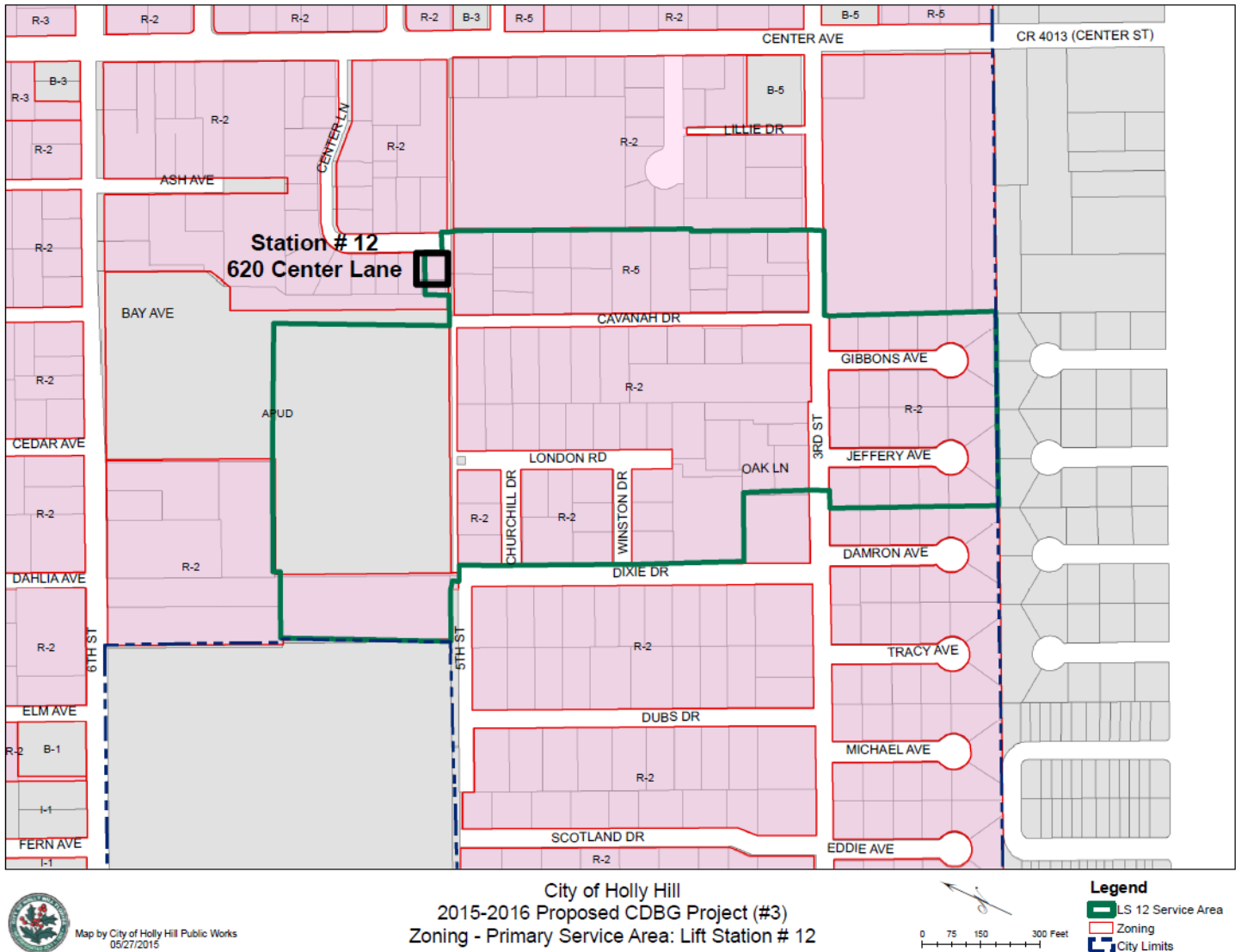
City of Holly Hill
2015-2016 Proposed CDBG Project (#3)
Primary Service Area: Lift Station # 12



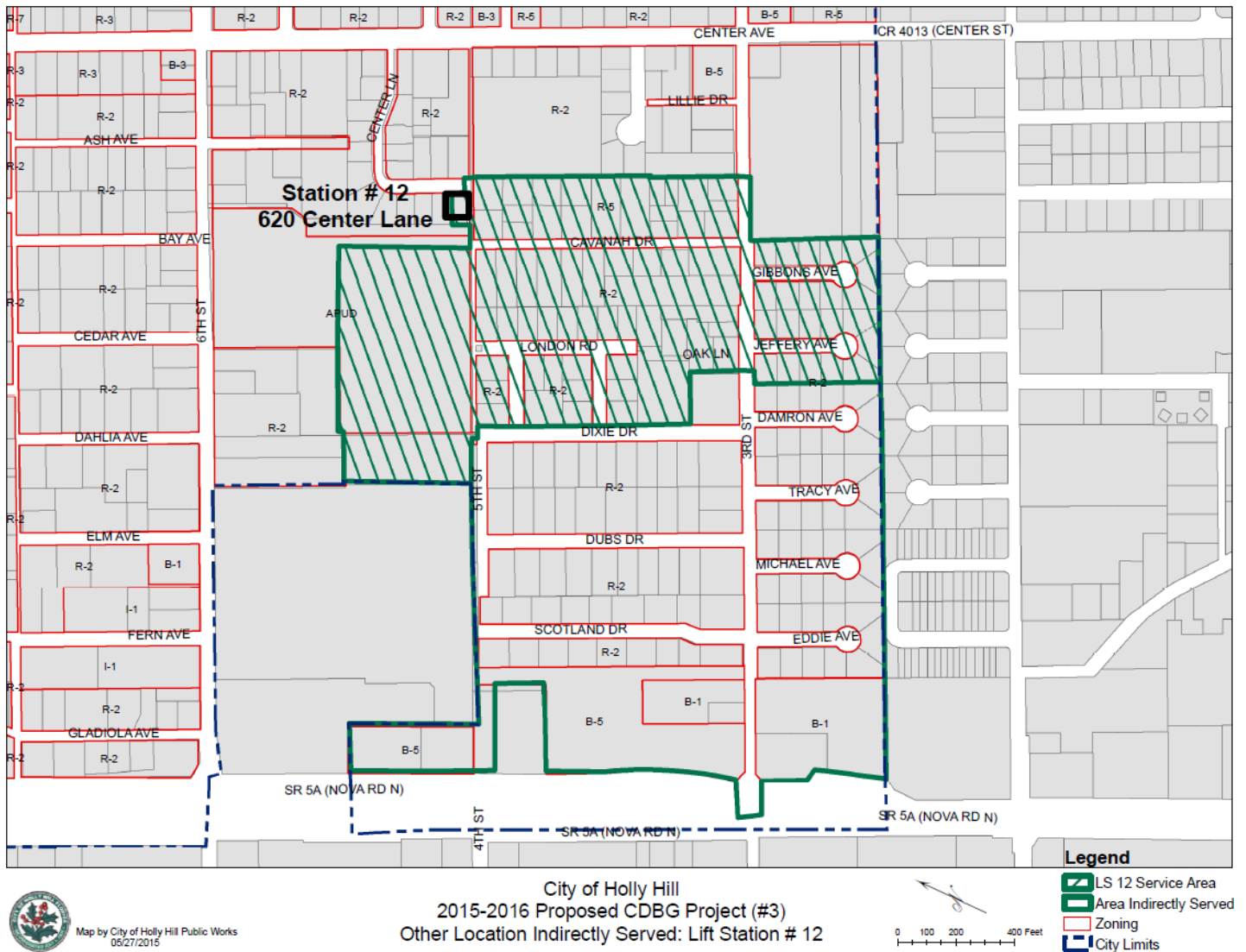
Legend
 LS 12 Service Area
 City Limits

Attachment: FY 15-16 CDBG Annual Application - Lift Station 12 (1094 : FY 2015/16 CDBG Award and Annual Plan)

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)



COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION V.

Budget Form

Project Title: Lift Station #12 RehabilitationSubrecipient: City of Holly Hill

Budget Categories	Project Cost Estimate	Sources of Funds					
		CDBG Funds		Applicant's Funds		Other	
		AMOUNT	STATUS*	AMOUNT	STATUS*	AMOUNT	STATUS*
Materials Costs	\$207,500	\$42,945	Pending	\$164,555	Pending		
Labor Costs**	\$67,500	\$14,315	Pending	\$53,185	Pending		
Engineering Services	\$30,000	\$0.00		\$30,000	Pending		
SOURCE TOTAL		\$57,260		\$247,740			
TOTAL PROJECT COST	\$305,000						

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION VI. § 570.611 Conflict of Interest

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(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

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(1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

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- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

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- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

<u>Name</u>	<u>Conflicts/Potential</u>

<u>Joseph A. Forte</u> City Manager (Printed)	<u>Jacquelyn N. Maswary</u> CDBG Liaison (Printed)
Signature	Signature



May 12, 2015

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

Re: Revised Methodology for Allocation of Community Development Block Grant (CDBG)
Funds; FY 2015/16 CDBG Allocation; Limitation of use of CDBG funds for public service
activities

Dear Mr. Forte,

This is to inform the City of Holly Hill that the County of Volusia's Urban County Community Development Block Grant (CDBG) allocation for FY 2015/16 is \$1,706,316. This figure is based upon information provided by the U.S. Department of Housing and Urban Development (HUD).

Volusia County receives CDBG funds directly from the U.S. Department of Housing and Urban Development (HUD) as a qualified urban county entitlement community through a formula grant. The formula used by HUD to determine funds for the County of Volusia is identified as Formula A. Formula A takes into account three factors of an area; population, poverty, and overcrowding. Each determining factor is weighted: poverty is given a weight of 50 percent while population and overcrowding are weighed at 25 percent.

The same formula used by HUD has been applied to the FY 2015/16 Volusia County award as a method to calculate allocation distributions to the 11 participating cities as well as the unincorporated areas of Volusia County. The methodology has been revised to accurately reflect changes in community demographics. The data used for the calculations is the 2009-2013 American Community Survey (ACS) five-year estimates from the U.S. Census Bureau. Prior to performing calculations, 20% of the allocation was reserved for program administration and planning. After reserving 20% of the allocation, the total amount to be allocated among participating cities and unincorporated areas is \$1,365,053. Based upon the allocation percentages, the City of Holly Hill will receive a FY 2015/16 allocation of \$97,260.

A table showing the HUD Formula A calculation for the City of Holly Hill is attached to this correspondence as well as a table that outlines the change in the county's percentage rates and allocation rates from FY 2014/15.

Mr. Forte

May 12, 2015

Page 2

Community Assistance staff understands that reallocation rates below \$50,000 cannot provide viable changes to low-income areas of a community. Therefore, allocations of communities that fall below the minimum of \$50,000 will be pooled together. Funds from the unincorporated allocation will be added to the pooled funds to bring the total up to \$150,000 annually. The \$150,000 in pooled funds will be available to the cities whose allocation is less than \$50,000. Those designated cities can apply for the pooled funds through a competitive application process with a minimum of \$50,000 per application.

Participating cities are given several choices of the types of activities that they may apply for and use CDBG funding to complete. All activities must be eligible and meet a national objective. Public services are eligible activities; however, HUD sets a public service cap of 15% of all CDBG expenditures. In the interest of equitable distribution of funds and ensuring entitlement program compliance, a 15% public service cap will now be imposed for all participating jurisdictions. The maximum amount that each city may allocate for public service activities is shown in Table 2, attached.

The City must submit the enclosed Annual Plan Application for FY 2015/16, and activities identified on this application will become part of the Urban County's FY 2015/16 Action Plan submitted to HUD for funding approval. All participating cities that have been allocated funds must submit their Annual Plan Application for FY 2015/16 by **June 11, 2015**. Cities that will compete for the pooled funds will submit applications at a later date to be determined.

Please note that citizen participation in formulation of the plan is a grant regulation. The planning period has been shortened this year; making it difficult for municipalities to meet this requirement. The County is meeting citizen participation requirements on behalf of the Entitlement Community this fiscal year. If public meetings and/or citizen participation have already taken place, please include copies of sign-in sheets and minutes with your application. If they have not been held already, public meetings will not be required at the City level for this fiscal year only.

Community Assistance staff will be available to provide technical assistance to all participating cities having difficulty in preparing their plans. We encourage you to call and, if necessary, schedule an appointment to discuss any questions you may have.

If you have any questions about this correspondence, please contact Diana Phillips at (386) 736-5955 ext. 12958.

Sincerely,



Dona DeMarsh Butler, Director
Community Assistance

cc: Jacki Maswary, Community Services Director

Attachment

HUD Formula A – Weighted Share Determination

City/ Area	Population			People in Poverty			Overcrowded Housing Units				Total Weighted Share	Rounded/Adjusted	
	# of Persons	% Share	Weight ed Share (.25 weight)	# in Poverty	% Share	Weighted Share (.5 weight)	Units Overcrowded	% Share	Weighted Share (.25 weight)	Share of incorporated Funds		% of Total Allocation	
Holly Hill	11,665	4.05%	1.01%	3,147	7.05%	3.52%	151	10.36%	2.59%	7.13%	\$ 97,260	5.7%	

Table 1

County of Volusia CDBG Allocations					
	FY 2014/15 Allocation Rates	FY 2014/15 Allocated Funds	FY 2015/16 Allocation Rates	FY 2015/16 Allocation Funds	FY 2015/16 Public Service Maximum
Program Administration	17.3%	\$ 296,279	20.0%	\$ 341,263	N/A
Countywide Projects & Housing Administration	33.4%	\$ 573,300	28.5%	\$ 486,456	\$ 72,968
Countywide Subtotal	50.7%	\$ 869,579	48.5%	\$ 827,719	\$ 72,968
DeLand	8.4%	\$ 144,072	8.70%	\$ 148,450	\$ 22,268
Ormond Beach	5.5%	\$ 94,333	8.30%	\$ 141,624	\$ 21,244
Holly Hill	4.6%	\$ 78,897	5.70%	\$ 97,260	\$ 14,589
New Smyrna Beach	6.5%	\$ 111,484	5.50%	\$ 93,847	\$ 14,077
Edgewater	4.6%	\$ 78,897	5.40%	\$ 92,141	\$ 13,821
South Daytona	3.7%	\$ 63,460	5.00%	\$ 85,316	\$ 12,797
Orange City	3.2%	\$ 54,885	4.10%	\$ 69,959	\$ 10,494
DeBary	3.2%	\$ 54,885			
Pierson	3.2%	\$ 54,885			
Daytona Beach Shores	3.2%	\$ 54,885			
Lake Helen	3.2%	\$ 54,885			
Pooled Funds			8.79%	\$ 150,000	\$ 22,500
City Subtotal	49.3%	\$ 845,568	51.5%	\$ 878,597	\$ 131,790
Total	100%	\$ 1,715,147	100.00%	\$ 1,706,316	\$ 255,947

Table 2

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

CDBG Annual Plan Instructions

A. General Instructions

Participating entitlement cities must complete the attached annual plan proposal. A separate application must be submitted for each project to:

Corry Brown, Grants Coordinator
Housing and Grants Administration
Community Assistance Division
110 W. Rich Avenue
DeLand, FL 32720

Proposed annual plans MUST BE RECEIVED BY 4:00 P.M. on June 11, 2015. The application must be typed. Authorized signatures must be in **blue ink**. **Incomplete proposals submitted after the stated deadline will not be accepted and the allocation will revert to the County.** Cities requiring additional information regarding the regulations governing the CDBG Program should contact Corry Brown at (386)736-5955 x 12970.

Please note: One employee must be designated as the official CDBG liaison to ensure efficient, effective communication and implementation of the grant program.

Once submitted, no proposal may be amended, unless the amendment has been requested by the County. The County, at its sole and absolute discretion, with or without cause, and without liability of any kind to any applicant, reserves the right to accept or reject any and/or all proposals either in whole or in part, waive any informalities or irregularities of any proposals, and/or take any action in the best interest of the County. The County reserves the right to contact the City if additional information is required.

B. Proposed Annual Plan Content

- Please describe each project fully. Include to/from points, specifications of materials to be used (if known), and any other information that will assist in determining eligibility. **For public service activities include a detailed line item budget that specifically identifies the use of funds and indicate if the service is a new service or how the service is a quantifiable increase in the level of service provided during the previous 12 months.** Also describe the intended beneficiaries and the number to be served.
- Detailed project descriptions should include potential hardships or problems. If there are right-of-way or easement concerns that have not been resolved prior to submitting an application that should be described. If there are any additional concerns that may delay or cancel the project please disclose that information within the description.
- Leveraged funds and funds requested combined should be equal to total project cost. Describe the funds that are being leveraged.
- All forms need to be submitted in a typed format. Please staple documents pertaining to each project.
- Each proposal should be submitted with one original only.
- Proposals should follow the established outline, instructions and be submitted in the order provided on the checklist.
- If your organization is submitting more than one proposed project, please prioritize each project by numbering in order of priority.
- Please verify that all dates, figures, and budgets are for the appropriate year and are accurate.

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

C. Proposed Projects:

The following is a list of CDBG eligible projects:

Acquisition of Real Property	Clearance/Demolition
Public Facility Improvements (General)	Public Services (General)
Senior Centers	Senior Services
Neighborhood Facilities	Youth Services
Parks, Recreational Facilities	Employment Training
Flood/Drainage Improvements	Code Enforcement
Water/Sewer Improvements	Non-Residential Historic Preservation
Sidewalk Improvements	Economic Development
Planning	ADA Accessibility

D. Proposed Expenditure

A sample budget form has been included for your use. Estimated budgets should be based on current engineering costs, equipment costs, construction costs, fair market land values, etc. For public service activities include a detailed line item budget that specifically identifies the use of funds.

E. Project Description and Location

It is imperative that you be as specific as possible when describing the proposed project and its location. For example:

A **street improvement** project could be described as "asphalt paving of LPGA Boulevard from Ridgewood Avenue to Nova Road, a distance of 5,940 lineal feet using 1.5" of asphalt leveling and 1" asphalt finish.

A **sidewalk improvement** project could be described as "installation of 4' concrete sidewalks on the north side of Ridgewood Avenue to Nova Road, a distance of 5,940 lineal feet using 3" depth of concrete."

Please note: In instances where more than one (1) street or sidewalk project is proposed, prioritize the projects in order of construction preference.

A **flood/drainage improvement** could be described as "installation of one (1) outfall structure at the southwest corner of Center Street and LPGA boulevard to include....."

An **acquisition of real property** project could be described as "purchase of Parcel Number APN 4222-09-04-0081, also known as 123 ABC Street, City, FL, 12345 for the purpose of donation to Habitat to Humanity for construction of housing for low/moderate income persons."

A **public service** activity may be described as "provision of salary costs for a recreation coordinator at the Babe James Community Center. Activity beneficiaries will reside within the boundaries of Division Street, the CFX Railroad, Wilmette Avenue and South Dixie Avenue." In addition, the Census Tract and Block Group could also define the location.

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
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F. Implementation Responsibility

Indicate who will have responsibility for completing the project, i.e., the County of Volusia or the City. If the City will implement, indicate if implementation will be via forced labor or contracted.

G. Time Frame for Completion – Only for cities that will implement any or all of the proposed project(s).

Include dates when specific milestones related to implementation of projects will be completed. For example, for any construction activity a projected timeline should, at minimum include:

DATE	ACTION	RESPONSIBLE ENTITY
10/25/14	Submit plan of action worksheet to County	CITY
11/01/14	Bid package submitted to County for approval	CITY
11/08/14	Deadline for bid package approval	COUNTY
11/15 – 12/05/14	Advertise for bids	CITY
11/23/14	Pre-bid meeting	CITY
12/06/14	Bid opening date	CITY
12/15/14	Recommendation to City Commission to award contract	CITY
12/22/14	Pre-construction meeting	CITY/COUNTY
01/10/14	Notice to Proceed to selected contractor- copy forwarded to County	CITY
01/28/14	Building permit issuance	CITY
07/28/14	Project completion date (180 days)	CITY/COUNTY

H. Map

Include a map depicting the location of each proposed project.

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

CDBG PROGRAM PROPOSED ANNUAL PLAN COVER CHECKLIST

Organization:
Project Title:

*Applicant **MUST** place this checklist on top of submitted proposal arranged in the order below. **(INCLUDE ONE (1) ORIGINAL FOR EACH PROJECT PROPOSED)***

CDBG ANNUAL PLAN PROPOSAL CHECKLIST

- ☐ SECTION I. Subrecipient information /Proposed project summary – Page ____
- ☐ SECTION II. Project description/Location & Implementation Responsibility – Page ____
- ☐ SECTION III. Project Timeframe – Page ____
- ☐ SECTION IV. Map detailing project location – Page ____
- ☐ SECTION V. Budget – Page ____
- ☐ SECTION VI. Conflict of Interest Statement – Page ____

Signature

City Manager

Signature

Official CDBG Liaison

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
FY 2015/16 PROPOSED ANNUAL PLAN (CITIES)

SECTION I SUBRECIPIENT INFORMATION

Name of Organization: _____

Address: _____

Mailing address: _____

Phone: _____

Fax: _____

Official CDBG Liaison/title: _____

E-mail address: _____

Phone: _____

PROJECT INFORMATION SUMMARY

Proposed project title: _____

Amount of funding requested: \$ _____

Total project cost: \$ _____

Leverage funds (if any): \$ _____

Source: _____

Location: _____

Type of Request? (MARK ONE ONLY FOR EACH PROJECT)

- | | |
|---|--|
| ☐ ACQUISITION OF REAL PROPERTY | ☐ CLEARANCE/DEMOLITION |
| ☐ PUBLIC FACILITY IMPROVEMENTS (GENERAL) | ☐ PUBLIC SERVICES (GENERAL) |
| ☐ SENIOR CENTERS | ☐ SENIOR SERVICES |
| ☐ NEIGHBORHOOD FACILITIES | ☐ YOUTH SERVICES |
| ☐ PARKS, RECREATIONAL FACILITIES | ☐ EMPLOYMENT TRAINING |
| ☐ FLOOD/DRAINAGE IMPROVEMENTS | ☐ CODE ENFORCEMENT |
| ☐ WATER/SEWER IMPROVEMENTS | ☐ NON-RESIDENTIAL HISTORIC PRESERVATION |
| ☐ SIDEWALK IMPROVEMENTS | ☐ ECONOMIC DEVELOPMENT |
| ☐ PLANNING | ☐ ADA ACCESSIBILITY |
| | ☐ OTHER _____ |

CERTIFYING REPRESENTATIVE

*(Person authorized to sign HUD contract, if approved) Please Sign in **Blue Ink**.*

To the best of my knowledge and belief, data in this proposal are true and correct and the governing body of the applicant has duly authorized the document.

NAME: _____

(Please Print)

(Signature)

TITLE: City Manager

DATE SIGNED: _____

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
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SECTION II. A. PROJECT DESCRIPTION AND LOCATION (please refer to instructions and be as specific as possible)

B. IMPLEMENTATION RESPONSIBILITY

- ☐ SUBRECIPIENT
 - ☐ FORCED LABOR
 - ☐ CONTRACTOR
- ☐ COUNTY OF VOLUSIA

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
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SECTION III PROJECT TIMEFRAME (ONLY IF SUBRECIPIENT IS IMPLEMENTING)
(PLEASE REFER TO INSTRUCTIONS FOR SAMPLE)

DATE	ACTION	RESPONSIBLE ENTITY

SECTION IV. PLEASE ATTACH MAP DETAILING PROJECT LOCATION

COUNTY OF VOLUSIA
COUNTY COMMUNITY DEVELOPMENT BLOCK (CDBG) PROGRAM
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SECTION V. SAMPLE Budget Form

Project Title: _____ Subrecipient: _____

Budget Categories	Project Cost Estimate	Sources of Funds					
		CDBG Funds		Applicant's Funds		Other	
		AMOUNT	STATUS*	AMOUNT	STATUS*	AMOUNT	STATUS*
Materials Costs							
Labor Costs**							
Engineering Services							
Other							
Other							
Other							
Other							
SOURCE TOTAL							
TOTAL PROJECT COST							

COUNTY OF VOLUSIA
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SECTION VI. § 570.611 Conflict of Interest

Please read and sign at the bottom of the next page, signifying that you have read and agree to adhere to the following policy. Also, please disclose any potential conflicts including any boards or committees currently serving on, any private companies owned by you or members of your Board of Directors, and any other potential conflicts.

(a) Applicability. (1) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 24 CFR 85.36 and 24 CFR 84.42, respectively, shall apply.

(2) In all cases not governed by 24 CFR 85.36 and 84.42, the provisions of this section shall apply. Such cases include the acquisition and disposition of real property and the provision of assistance by the recipient or by its subrecipients to individuals, businesses, and other private entities under eligible activities that authorize such assistance (e.g., rehabilitation, preservation, and other improvements of private properties or facilities pursuant to §570.202; or grants, loans, and other assistance to businesses, individuals, and other private entities pursuant to §570.203, 570.204, 570.455, or 570.703(i)).

(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure.

(c) Persons covered. The conflict of interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part.

(d) Exceptions. Upon the written request of the recipient, HUD may grant an exception to the provisions of paragraph (b) of this section on a case-by-case basis when it has satisfactorily met the threshold requirements of (d)(1) of this section, taking into account the cumulative effects of paragraph (d)(2) of this section.

(1) *Threshold requirements.* HUD will consider an exception only after the recipient has provided the following documentation:

- (i) A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- (ii) An opinion of the recipient's attorney that the interest for which the exception is sought would not violate State or local law.

(2) *Factors to be considered for exceptions.* In determining whether to grant a requested exception after the recipient has satisfactorily met the requirements of paragraph (d)(1) of this section, HUD shall conclude that such an exception will serve to further the purposes of the Act and the effective and efficient

COUNTY OF VOLUSIA
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administration of the recipient's program or project, taking into account the cumulative effect of the following factors, as applicable:

- (i) Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available;
- (ii) Whether an opportunity was provided for open competitive bidding or negotiation;
- (iii) Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class;
- (iv) Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question;
- (v) Whether the interest or benefit was present before the affected person was in a position as described in paragraph (b) of this section;
- (vi) Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and
- (vii) Any other relevant considerations.

<u>Name</u>	<u>Conflicts/Potential</u>

City Manager (Printed)	CDBG Liaison (Printed)
Signature	Signature



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

**City Commission
Ordinance**

MEETING DATE: June 9, 2015
FROM: Valerie Manning
SUBJECT: An Ordinance Establishing the Ballot Questions for Changes to the
City Charter as Recommended by the Charter Review
Committee Changes
NUMBER: (ID # 1092)
APPLICANT:
PLANNER:

DISCUSSION:

The Charter review Committee made several recommendations to the City Commission at the May 12, 2015 City Commission meeting with regard to changes to the Charter.

The City Commission directed the City Manager to bring back an Ordinance outlining the ballot questions which will go before the public at a referendum in November, 2015.

The City Attorney has prepared the attached Ordinance for the City Commissioner's review and consideration.

FISCAL ANALYSIS:

Costs to hold an election will be added to the proposed FY 2015 - 2016 budget and are estimated to be \$5,000.00.

STAFF RECOMMENDATION:

No recommendation is offered by staff.

COMMISSION GOAL:

N/A

MOTION:

APPROVE SECOND READING OF ORDINANCE 2962, BALLOT SUMMARY

QUESTIONS FROM THE CHARTER REVIEW COMMITTEE.

Ordinance No. (ID # 1092)**AN ORDINANCE ESTABLISHING THE BALLOT QUESTIONS FOR CHANGES TO THE CITY CHARTER AS RECOMMENDED BY THE CHARTER REVIEW COMMITTEE CHANGES****ORDINANCE NO. 2962**

AN ORDINANCE OF THE CITY OF HOLLY HILL, FLORIDA, ADOPTED PURSUANT TO FLORIDA STATUTE SECTIONS 101.161 AND 166.031 SETTING FORTH PROPOSED AMENDMENTS TO THE CITY'S CHARTER TO BE SUBMITTED TO THE VOTERS OF THE CITY AT THE NEXT REGULARLY SCHEDULED ELECTION; PROVIDING FOR A BALLOT SUMMARY AND TITLE FOR EACH PROPOSED AMENDMENT; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission created a Charter Review Commission to review the Charter and propose recommended changes to the City Charter

WHEREAS, the City Commission has reviewed the recommendation of the Charter Review Committee and the City Commission believes the recommendations of the Charter Review Commission should be submitted to the electors of the City of Holly Hill.

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

Section 1. The first proposed amendment to the City's Charter is the following:

BALLOT SUMMARY

The City Charter currently does not require a periodic Charter Review. Most city charters require charter review periodically. This proposed Charter Amendment would require a charter review at least every 10 years.

MANDATORY CHARTER REVIEW

Should the City Charter be amended to require a Charter review at least every 10 years?

- _____ Yes. In favor of amending the Charter to require a Charter Review at least every 10 years.
- _____ No. Against amending the Charter to require a Charter review at least every 10 years.

Section 2. The second proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter contains a Civil Service Act, which includes certain employment protections for City employees. However the vast majority of employees are protected by union contracts and do not seek Civil Service protection. Certain employment benefits are not available to City employees because Civil Service exists in the City, even if not utilized. The City has extensive employment policies, and when combined with Union contracts, City employees have significant employment protection.

ELIMINATION OF CIVIL SERVICE ACT

Should the City Charter be amended to eliminate the Civil Service Act?

- _____ Yes. In favor of amending the Charter to eliminate the Civil Service Act.
- _____ No. Against amending the Charter to eliminate the Civil Service Act thereby retaining the Civil Service Act.

Section 3. The third proposed amendment to the City Charter is the following:

BALLOT SUMMARY

Typically, a city manager serves at the pleasure of the governing body and the terms and conditions of the employment relationship are outlined in an employment contract, which would include termination provisions. The City's Charter contains a process for termination of the City Manager which is time consuming and costly for the City and is not consistent with industry standards and is often in conflict with employment contracts.

ELIMINATING CHARTER PROCEDURE FOR TERMINATING CITY MANAGER

Should the City Charter be amended to eliminate the City Manager termination procedure and instead provide an employment contract outlining the terms and conditions of employment?

- _____ Yes. In favor of eliminating the procedure for terminating the City Manager and requiring an employment agreement for the City Manager.

_____ No. Against eliminating the procedure for eliminating the procedure for terminating City Manager and against requiring an employment agreement for the City Manager.

Section 4. The fourth proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter limits each commissioner and the Mayor to two year terms and limits the Mayor to two consecutive terms or 4 consecutive years. The Charter also does not require any proof of residency for candidates to run for elected office. This proposed change would require evidence of residency as part of the qualifying process and provide for 4 year staggered terms for all city commissioners with no term limit on the office of Mayor.

REQUIRE PROOF OF RESIDENCY AND 4 YEAR STAGGERED TERMS WITH NO TERM LIMIT

Should the City Charter be amended to require proof of residency as part of the qualifying process and 4 year staggered terms with no term limits on the Mayor?

_____ Yes. In favor of requiring proof of residency as part of the qualifying process and 4 year staggered terms with no term limit on the Mayor.

_____ No. Against the amendment to the City Charter thereby not requiring proof of residency as part of the qualifying process and limiting the Mayor to only 4 consecutive terms and having all elected officials elected at the same time.

Section 5. The fifth proposed amendment to the City Charter is the following:

BALLOT SUMMARY

The Charter contains old procedures for conducting an election which are no longer used as the State Election Code has superseded these provisions. The City follows the State Election Code. The proposed Charter amendment would eliminate the Charter provisions that have been superseded by State law and are no longer followed.

Should the City Charter be amended to eliminate the election procedures that have been superseded by the State Election Code?

_____ Yes. In favor of amending the Charter to eliminate the election procedures that have been superseded by the State Election Code.

_____ No. Against amending the City Charter thereby keeping Charter.

Section 6. Amendments shall become effective upon voter approval and shall be incorporated into the Charter as required by law.

Section 7. 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 8. That all ordinances made in conflict with this Ordinance are hereby repealed.

Section 9. That this Ordinance shall become effective immediately upon its adoption.

Section 10. That this Ordinance shall be posted at City Hall as required by law.

The within and foregoing Ordinance was introduced and read on second and final reading before the City Commission of the City of Holly Hill, Florida, at its regular meeting held in Commission Chambers at City Hall on the 9th day of June, 2015.

APPROVED AND AUTHENTICATED this 9th day of JUNE, 2015.

City of Holly Hill, Florida

John Penny, Mayor

Attest:

Valerie Manning, City Clerk