# CITY OF HOLLY HILL, FLORIDA

**CITY COMMISSION**

**AGENDA ● JULY 13, 2021**

| City Commission Chamber | Regular City Commission Meeting | 6:00 PM |
|---|---|---|

**CITY HALL**
**1065 RIDGEWOOD AVENUE**
**HOLLY HILL, FL 32117**

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

HOLLY HILL
FLORIDA

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

## CITY COMMISSION MEMBERS

**Mayor**
Chris Via

**District 1 - Commissioner**
John Penny

**District 3 - Commissioner**
John C. Danio

**District 2 - Commissioner**
Penny Currie

**District 4 - Commissioner**
Roy Johnson

**CITY MANAGER**
Joseph Forte

**CITY CLERK**
Valerie Manning

## 1. CALL TO ORDER

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

## 2. PRESENTATION

1. Proclamation - Bissy Holden, Director Wellness and Communications / Media for Florida Health Care Plans - Retirement

   (Requested by Valerie Manning, City Clerk)

## 3. RECESS THE CC MTG & CONVENE AS THE CRA

## 4. CRA AGENDA

1. –2021-R-41 A Resolution of the City of Holly Hill, Florida, Community Redevelopment Agency, Authorizing the City Manager to Execute Change Order #6 to the US1 Utility Undergrounding Primaries Conversions with Carter Electric for an Additional Cost of $20,322.75 and an Increase of 30 Contract Days; Providing for Severability; and Providing for an Effective Date.

   (Requested by Valerie Manning, City Clerk)

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

## 6. PUBLIC COMMENTS

## 7. APPROVAL OF MINUTES

1. Minutes - June 22, 2021 - Regular City Commission Meeting

   (Requested by Valerie Manning, City Clerk)

## 8. CONSENT AGENDA - NONE

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?

## 9. REGULAR AGENDA

1. Resolution –2021-R-42 A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute Change Order No. 6 to the US1 Utility Undergrounding Primaries Conversions with Carter Electric for an Additional Cost of $20,322.75 and of 30 Contract Days; Providing for Severability; and Providing for an Effective Date.

   (Requested by Antoine Khoury, Public Works)

## 10. PUBLIC HEARINGS - NONE

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

## 11. COMMUNICATIONS

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

## 12. ADJOURNMENT

**Website Address – <u>www.hollyhillfl.org</u>** (City Clerk)

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

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

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

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

**City Commission**
1065 Ridgewood Ave
Holly Hill, FL 32117

**SCHEDULED**

Meeting: 07/13/21 06:00 PM
Department: City Clerk
Category: Proclamation
Prepared By: Valerie Manning
Initiator: Valerie Manning
Sponsors:

**PRESENTATION (ID # 3351)**

DOC ID: 3351

# Proclamation - Bissy Holden, Director Wellness and Communications / Media for Florida Health Care Plans - Retirement

HOLLY HILL
FLORIDA

**PROCLAMATION**
**BY THE MAYOR OF THE CITY OF HOLLY HILL, FLORIDA**
**HONORING**

# BISSY HOLDEN

# RETIREMENT

**WHEREAS**, Bissy Holden began at Florida Health Care Plans in September of 1987; and

**WHEREAS,** Bissy built the Communications and Wellness departments from the ground-up and helped pioneer cooperate wellness programming in the area; and

**WHEREAS,** in 2019 Bissy was awarded the Roger Pynn Great Communicator Award presented by the Florida Public Relations Association (FPRA) of Volusia/Flagler; and

**WHEREAS,** the award is based on a lifetime of accomplishments in effective communications, ethics and professionalism in the field, and community service that improves the quality of life for others and positively affects the community; and

**WHEREAS,** in 2019 Bissy received the Silver Medal Recipient, AAF-Daytona Beach, "For men and women who have made outstanding contributions to advertising and who have been active in furthering the industry's standards, creative excellence, and responsibility in areas of social concern"; and

**WHEREAS,** Bissy is currently involved with FUTURES Foundation, Checkered Flag Committee, FPRA, Society for Human Resource Management (SHRM) and her past involvements have been PACE, Literacy Council, Council on Aging and Volusia Manufacturing Association (VMA); and

**WHEREAS,** Bissy is an active member in multiple Chambers such as Holly Hill, Ormond Beach, Daytona Beach and West Volusia. The Holly Hill Chamber of Commerce had the privilege of Bissy being a member for several years, and the Holly Hill Chamber would like to show their appreciation for her support to the Chamber and the community.

**Now, Therefore,** I, Chris Via, Mayor of the City of Holly Hill, Florida and on behalf of the City Commission, do hereby recognize:

# BISSY HOLDEN

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City to be affixed this 13th day of July, 2021.

City of Holly Hill, Florida

________________________

Chris Via,

STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
CRA Resolution

| | |
|---|---|
| **MEETING DATE:** | **July 13, 2021** |
| **FROM:** | **Valerie Manning** |
| **SUBJECT:** | **A Resolution of the City of Holly Hill, Florida, Community Redevelopment Agency, Authorizing the City Manager to Execute Change Order #6 to the US1 Utility Undergrounding Primaries Conversions with Carter Electric for an Additional Cost of $20,322.75 and an Increase of 30 Contract Days; Providing for Severability; and Providing for an Effective Date.** |
| **NUMBER:** | **2021-R-41** |
| **APPLICANT:** | |
| **PLANNER:** | |

## DISCUSSION:

After development of the primaries/services conversion bid documents and bidding of the project, the City is being notified by FP&L and AT&T that Change Order No. 6 is necessary to cover multiple transformer pad relocations, switch cabinet for flatter area around switchgear, riser relocation, switch out traffic rated handhole, additional conduit installation and additional handhole on a conduit run.

The resulting net cost of the additional work is $20,322.75.

The contract time also needs to be extended an additional 30 days to allow time for the additional work to be completed.

## FISCAL ANALYSIS:

The amount needed for this change ordered is budgeted in 139-8110-580-6300.

## STAFF RECOMMENDATION:

The City's consultant and City staff have reviewed the proposed change order and recommend it be approved and the City Manager be authorized to execute said change order for an additional cost of $20,322.75 and of 30 contract days.

## 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 CHANGE ORDER NO. 6 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS CONTRACT WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND AN INCREASE OF 30 CONTRACT DAYS.**

**ATTACHMENTS:**

- Discussion (PDF)
- Back up information (PDF)

# CRA Resolution No. 2021-41

## A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND AN INCREASE OF 30 CONTRACT DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, COMMUNITY REDEVELOPMENT AGENCY, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND AN INCREASE OF 30 CONTRACT DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City of Holly Hill, Community Redevelopment Agency awarded the US1 Utility Undergrounding Primaries Conversions to Carter Electric; and

**WHEREAS,** added work has increased the scope of the project and time needed to complete the project; and

**WHEREAS,** The City's consultant and City Staff have reviewed the proposed change order and recommend it be approved.

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

**SECTION 1.** That the City of Holly Hill, Community Redevelopment Agency does hereby approve the change order and authorizes the City Manager to execute Change Order No. 6 to the US1 Utility Undergrounding Primaries Conversions contract with Carter Electric for an additional cost of $20,322.75 and an increase of 30 contract days.

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

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

**APPROVED AND AUTHENTICATED on this 13th day of JULY, 2021.**

# CHANGE ORDER FORM

PROJECT: ***US-1 Utility Undergrounding Primaries Conversion***
BID: ***113-ST-03 Phase III***

CHANGE ORDER NO. 6

CONTRACTOR: Carter Electric Company, Inc.

The following changes are hereby made to the Contract Documents:

| CHANGE IN CONTRACT PRICE: | CHANGE IN CONTRACT TIMES: |
|---|---|
| Original Contract Price:<br>$ 2,697,130.82 | Original Contract Times:<br>Substantial Completion: June 2, 2018<br>Final Completion: July 2, 2018 |
| Net changes from previous Change Orders:<br>$ 243,183.47 | Changes in contract time from previous Change Orders:<br>997 Days |
| Contract Price prior to this Change Order:<br>$ 2,940,314.29 | Contract Completion Date prior to this Change Order:<br>Substantial Completion: N/A<br>Final Completion: July 31, 2021 |
| Net Increase (decrease) of this Change Order:<br>$ 20,322.75 | Changes in contract time requested this Change Order<br>Substantial Completion: N/A<br>Final Completion: 30 days |
| Contract Price with all approved Change Orders:<br>$ 2,960,637.04 | Contract Times with all approved Change Orders:<br>Substantial Completion: N/A<br>Final Completion: August 31, 2021 |

CHANGES ORDERED:

I. GENERAL – This change order is necessary to cover changes in the work to be performed under this Contract. The General Conditions, Supplementary Conditions, Specifications and all parts of the Project Manual listed in Article 1, Definitions, of the General Conditions apply to and govern all work under this change order.

The change in price and/or delivery date described, is considered to be fair and reasonable and has been mutually agreed upon in full agreement and final settlement of all claims arising out of the modification including all claims for delays and disruptions resulting from, caused by, or incident to such modifications and change orders.

II. REQUIRED CHANGES:

CONTRACT PRICE: The contract amount is hereby increased by $20,322.75.

CONTRACT TIME: The contract time is hereby increased by 30 days.

III. JUSTIFICATION:

CONTRACT PRICE:

Additional work is required for the FPL and AT&T facilities. The Contractor provided the attached seven separate proposed change order (PCO) proposals for such. PCO 16-19 and 22 relate to FPL and PCO 21 and 22 relate to AT&T. The FPL additional work as described below and attached was due to various easement acquisition issues and particular work due the development on the properties. The AT&T additional work as described below and attached was due to additional facilities that we found necessary to fully underground all of the AT&T facilities.

PCO #16 – $4,599.05 - FPL – 310 Ridgewood, Pep Boys – Transformer Pad relocation. Original transformer pad straddled property line. Pad moved north to be in easement.

PCO #17 - $1,611.07 – FPL – 601 Ridgewood, Dollar General – Switch Cabinet. FPL needed flatter access area around switchgear.

PCO #18 - $4,028.63 – FPL – 101 Ridgewood, Krystal Restaurant – Riser Relocation. Riser installed on typical non-traffic side of pole. FPL later required relocation to other side of pole due to their guywire needs.

PCO #19 - $5,123.80 – FPL – 1301 Ridgewood, Chris' Lounge – Transformer Pad Relocation. Original transformer pad straddled property line. Easement could not be acquired on north half. Pad moved to south to be in easement.

PCO #22 - $1,377.20 – FPL - 917 Ridgewood – Rated Handhole – Demolition/ redevelopment on site exposed non-traffic rated handholes. Switched out with traffic rated handhole.

PCO #20 – $20,999.52 - AT&T – Parallel Conduits East Side of US-1. Installation of 560 LF of conduit between 9th & 10th St.

PCO #21 - $4,777.12 – AT&T – Service Conduits East Side of US-1. Additional handhole on a conduit run that was not originally shown the plans by AT&T but is now needed.

There was a $22,193.64 underrun of the original contract work that is being applied to the cost of this additional work. The resulting net cost of the additional work is $20,322.75.

CONTRACT TIME:

The contract time is being extended an additional 30 days to allow time for the additional work to be completed.

IV. PAYMENT: Payment for any future additional work will be paid for based on yet to be negotiated scopes of work and price proposals for the potential future work and upon completion of the additional work per the Contract.

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Acknowledgments:

The aforementioned change, and work affected thereby, is subject to all provisions of the original contract not specifically changed by this Change Order;

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original contract other than matters expressly provided herein;

The prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under competitive bidding; and, The change in price and/or delivery date described is considered to be fair and reasonable and has been mutually agreed upon in full agreement and final settlement of all claims arising out of this modification including all claims for delays and disruptions resulting from, caused by, or incident to such modifications and change orders.

RECOMMENDED BY:

Mead & Hunt
(Engineer)

By: [signature] 7/2/21
(Authorized Signature) (Date)

David King, P.E.,
Name Typed

APPROVED BY:

City of Holly Hill
Owner

By:______________________
(Authorized Signature) (Date)

Joseph A. Forte, City Manager
Name Typed

ACCEPTED BY:

Carter Electric Company, Inc.
(Contractor)

[signature] 7-2-21
(Authorized Signature) (Date)

Robert B. Wiech
Name Typed

END OF SECTION

We have reviewed and compiled these cost proposals. Cost proposals 16 -19 and 22 are related to FPL, totaling $16,739.75 and the work has been completed. Cost proposals 21 and 22 are related to AT&T, totaling $25,776.64 and the work has not been completed.

In regards to the FPL work, see matrix below. As you may recall, we maintained a certain amount of contingency in Carter's contract to address work that may be needed as the utility companies completed their undergrounding. There is currently $22,193.64 of contingency remaining. Carter's proposals appear fair and in line with the work that was completed. We suggest that Carter be permitted to bill these charges against the contingency. Please let us know if the City agrees with this approach.

| Proposal | Cost | Location | Justifica |
|---|---|---|---|
| 16 | $ 4,599.05 | 310 Ridgewood, Pep Boys | Original transformer pad straddled property line; ease t co moved north to be in easement |
| 17 | $ 1,611.07 | 601 Ridgewood, Dollar General | FPL needed flatter access area around switchgear |
| 18 | $ 4,028.63 | 101 Ridgewood, Krystal | Riser installed on typical non-traffic side of pole; FPL er re due to their guywire needs |
| 19 | $ 5,123.80 | 1301 Ridgewood, Chris' Lounge | Original transformer pad straddled property line; ease t co moved south to be in easement |
| 22 | $ 1,377.20 | 917 Ridgewood | Demolition/redevelopment on site exposed non-traffic ed h handhole |
| | $ 16,739.75 | | |

Both of the cost proposals related to AT&T involve conduit/handhole work that was not included in Carter's original contract. Cost proposal 20 includes the installation of 560 linear feet of conduit for AT&T for undergrounding to properties between 9th and 10th Streets where they had originally planned to serve from rear overhead or other means. Cost proposal 21 involves an additional handhole on a conduit run that was not originally shown on the plans by AT&T but is now needed to serve existing customer(s). The costs proposed in Carter's proposals are slightly less than the extended cost of this work utilizing the original contract unit costs. So therefore, the proposals appear fair. We suggest that we prepare a change order for review and execution by the City and Carter for this work. I've copied Nathan with AT&T with this email so that he can provide additional justification for the additional work as needed. We assume that since this additional work has been found to be needed to complete the undergrounding and the City had requested the undergrounding from AT&T; AT&T will look to the City to complete/pay for this work. I would also suspect that there would be no change to the AT&T charge to the City for the project since the scope of the undergrounding area has not changed.

I have asked David and John to prepare a change order for this work **to keep the project going** and gave Carter a verbal to move forward on 917 Ridgewood since they are eager to pave their lot and Carter needs to complete it prior to the paving.

HOLLY HILL
FLORIDA

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

**City Commission**
**Agenda Item**

| | |
|---|---|
| **MEETING DATE:** | **July 13, 2021** |
| **FROM:** | **Valerie Manning** |
| **SUBJECT:** | **Minutes - June 22, 2021 - Regular City Commission Meeting** |
| **NUMBER:** | **(ID # 3354)** |
| **APPLICANT:** | |
| **PLANNER:** | |

## DISCUSSION:

Minutes from the June 22, 2021 regular City Commission meeting.

## MOTION:

Approve the minutes as submitted by staff.

- Minutes - June 22, 2021 - Regular City Commission meeting (PDF)

# CITY OF HOLLY HILL, FLORIDA

## CITY COMMISSION

## MINUTES ● JUNE 22, 2021

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

**CITY HALL**
**1065 RIDGEWOOD AVENUE**
**HOLLY HILL, FL 32117**

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

## 1. CALL TO ORDER

a. Roll Call

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

b. Invocation by City Commissioner Roy Johnson
Commissioner Johnson led the invocation.

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

## 2. PUBLIC COMMENTS

None.

## 3. APPROVAL OF MINUTES

1.

Minutes - May 25, 2021 - Regular City Commission Meeting, June 8, 2021 Workshop and June 8, 2021 Regular City Commission Meeting

(Requested by Valerie Manning, City Clerk)
**Mayor Via opened public participation. No one spoke.**

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

Enacted and approved this 22nd day of June, 2021, in Holly Hill

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

Mayor Via asked if there is anyone in the audience who wishes to speak on any item on the Consent Agenda or if any member of the Commission would like to pull an item for further discussion. There was no one.

1. –2021-R-37 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Awarding the Lift Station 17B Rehabilitation Project to J&H Waterstop Utilities Inc., and Authorizing the City Manager to Execute the Contract; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)

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

**RESOLUTION**
**2021-R-37**
**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING THE LIFT STATION 17B REHABILITATION PROJECT TO J&H WATERSTOP UTILITIES INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AWARDING THE LIFT STATION 17B REHABILITATION PROJECT TO J&H WATERSTOP UTILITIES INC., AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** on June 8, 2021 the City received 6 bids for the Lift Station 17B Rehabilitation project; and

**WHEREAS,** the low bidder was J&H Waterstop Utilities, Inc., with a base amount of $231,100.00 and Alternate A totaling $23,500.00; and

**WHEREAS,** Mead and Hunt has worked with J&H Waterstop Utilites, Inc., on several projects of a similar nature and are recommending that the City award this project to them; and

**WHEREAS,** the requested amount for this authorization is as base amount of $231,100.00 and Alternate A totaling $23,500.00.

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

**SECTION 1.** That the City Commission of the City of Holly Hill approve the award of the Lift Station 17B Rehabilitation project to J&H Waterstop Utilities, Inc., in the amount of $231,100.00 and Alternate A $23,500.00 authorizing the City Manager to execute the contract.

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

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

**APPROVED AND AUTHENTICATED on this 22nd day of JUNE, 2021.**

Enacted and approved this 22nd day of June, 2021, in Holly Hill

2. -2021-R-38 Resolution

A Resolution of the City of Holly Hill, Florida, Reappointing Loretta Arthur to Serve on the Volusia Growth Management Commission for a Four Year Term Until July 1, 2025; Providing for Severability; Providing for Conflicting Resolutions; and Providing an Effective Date.

(Requested by Valerie Manning, City Clerk)

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

**RESOLUTION**
**2021-R-38**
**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, REAPPOINTING LORETTA ARTHUR TO SERVE ON THE VOLUSIA GROWTH MANAGEMENT COMMISSION FOR A FOUR YEAR TERM UNTIL JULY 1, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY OF HOLLY HILL, FLORIDA, REAPPOINTING LORETTA ARTHUR TO SERVE ON THE VOLUSIA GROWTH MANAGEMENT COMMISSION FOR A FOUR YEAR TERM UNTIL JULY 1, 2025; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** as established by the Volusia County Charter, the Volusia Growth

Management Commission functions to determine the consistency of the comprehensive plans, the elements thereof, and the amendments thereto of the County and all municipalities in the County; and

**WHEREAS,** the County Charter provides that every municipality within the County shall appoint a representative on this Commission from among their citizenry.

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

**SECTION 1.** The following named person is hereby reappointed to serve on the Volusia Growth Management Commission for the City of Holly Hill until July 1, 2025:

**LORETTA ARTHUR**

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

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

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

**APPROVED AND AUTHENTICATED on this 22nd day of JUNE, 2021.**

Enacted and approved this 22nd day of June, 2021, in Holly Hill

3.

River to Sea Transportation Planning Organization (TPO) Funding Agreement for FY2021-2022 with the City of Holly Hill

(Requested by Valerie Manning, City Clerk)

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

Enacted and approved this 22nd day of June, 2021, in Holly Hill

## 5. REGULAR AGENDA

1. –2021-R-39 Resolution

A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Amending the Adopted Budget for the City of Holly Hill for the Fiscal Year 2020-2021; Providing for Severability; and Providing for an Effective Date.

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

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

**RESOLUTION**
**2021-R-39**
**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2020-2021; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, AMENDING THE ADOPTED BUDGET FOR THE CITY OF HOLLY HILL FOR THE FISCAL YEAR 2020-2021; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Holly Hill, by Resolution 2020-R-47, adopted an operating budget for Fiscal Year 2020-2021; and

**WHEREAS**, the City of Holly Hill, by Resolution 2021-R-36, amended the operating budget for Fiscal Year 2020-2021; and

**WHEREAS**, the budget adjustment of $79,436 revenues and expenditures in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein; and

**WHEREAS**, the budget adjustments will allow the City of Holly Hill to adjust the Fiscal Year 2020-2021 budget.

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

**SECTION 1. Amended Budget**: The City Commission of the City of Holly Hill amends the Fiscal Year 2020-2021 budget by revising the budget in total pursuant to itemizations contained in Exhibit "A", which is attached hereto and incorporated herein.

**SECTION 2. Effective Date**. This Resolution shall become effective immediately upon its adoption.

**APPROVED AND AUTHENTICATED on this 22th day of JUNE, 2021**.

Enacted and approved this 22nd day of June, 2021, in Holly Hill

2. –2021-R-40 Resolution

A Resolution of the City Commission of the City of Holly Hill, Florida, Approving the Proposed FY2021-2022 CDBG Annual Plan Application; Providing for Severability; and Providing for an Effective Date.

(Requested by Antoine Khoury, Public Works)
**Mayor Via opened public participation. No one spoke.**

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

**RESOLUTION**
**2021-R-40**
**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PROPOSED FY2021-2022 CDBG ANNUAL PLAN APPLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, APPROVING THE PROPOSED FY2021-2022 CDBG ANNUAL PLAN APPLICATION; 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 $100,119 for fiscal year 2021-2022; and

**WHEREAS,** the City has identified the refurbishment of Lift Station #19 for funding through this project; and

**WHEREAS,** annual plan applications submitted to Volusia County must be approved by City Commission prior the execution of grants.

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

**SECTION 1.** That the proposed project is hereby approved as the fiscal year 2021-2022 CDBG Annual Plan

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

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

**APPROVED AND AUTHENTICATED on this 22nd day of JUNE, 2021.**

Enacted and approved this 22nd day of June, 2021, in Holly Hill

**6. PUBLIC HEARINGS - NONE**

**7. COMMUNICATIONS**

A. City Manager & Staff Comments

a.

Florida League of Cities - 95Th Annual Conference Voting Delegate

(Requested by Valerie Manning, City Clerk)
*City Commissioner Johnson made a motion to* ***APPOINT COMMISSIONER CURRIE AS THE FLORIDA LEAGUE OF CITIES 95TH ANNUAL CONFERENCE VOTING DELEGATE for THE AUGUST 12-14, 2021 CONFERENCE,*** *seconded by Commissioner Danio.*

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

**PASSED, 5-0.**

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Mr. Forte informed the Mayor and Commissioners that the audit is a little behind this year but staff is working on it; reminded them that the budget workshops will be coming up shortly.

B. City Attorney Comments
None.

C. City Commission Comments
Commissioner Danio spoke briefly about the Eagle Project that his son did years ago out by the fountain with the pavers and made a suggestion to the Mayor and Commissioners about possibly still keeping them but relocating them closer to City Hall and add past city employees who have passed away while still working for the city.

Commissioner Penny suggested to move the Eagle Project pavers and the past city employees who have passed away up around the American flag and city flag.

There was ***consensus*** to have Mr. Forte move forward with discussions about the Veterans Memorial pavers and relocating the Eagle Project pavers to the American and city flag.

D. Mayor's Comments
None.

**8. ADJOURNMENT**

The meeting adjourned at approximately 6:35 PM.

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

**City Commission**
**Resolution**

| | |
|---|---|
| **MEETING DATE:** | **July 13, 2021** |
| **FROM:** | **Antoine Khoury** |
| **SUBJECT:** | **A Resolution of the City Commission of the City of Holly Hill, Florida, Authorizing the City Manager to Execute Change Order No. 6 to the US1 Utility Undergrounding Primaries Conversions with Carter Electric for an Additional Cost of $20,322.75 and of 30 Contract Days; Providing for Severability; and Providing for an Effective Date.** |
| **NUMBER:** | **2021-R-42** |
| **APPLICANT:** | |
| **PLANNER:** | |

## DISCUSSION:

After development of the primaries/services conversion bid documents and bidding of the project Carter Electric is being notified by FP&L and AT&T that Change Order No. 6 is necessary to cover multiple transformer pad relocations, switch cabinet for flatter area around switchgear, riser relocation, switch out traffic of rated handhole, additional conduit installation and additional handhole on a conduit run.

The resulting net cost of the additional work is $20,322.75.

The contract time also needs to be extended for an additional 30 days to allow time for the additional work to be completed.

## FISCAL ANALYSIS:

The amount needed for this change ordered is budgeted in 139-8110-580-6300.

## STAFF RECOMMENDATION:

The City's consultant and City staff have reviewed the proposed change order and recommend it be approved and the City Manager be authorized to execute said Change Order for an additional cost of $20,322.75 and of 30 contract days.

## 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 AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS CONTRACT WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND OF 30 CONTRACT DAYS.**

**ATTACHMENTS:**

- CO 6 (PDF)

# Resolution No. 2021-42

## A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND OF 30 CONTRACT DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 6 TO THE US1 UTILITY UNDERGROUNDING PRIMARIES CONVERSIONS WITH CARTER ELECTRIC FOR AN ADDITIONAL COST OF $20,322.75 AND OF 30 CONTRACT DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS,** the City Commission of the City of Holly Hill awarded the US1 Utility Undergrounding Primaries Conversions to Carter Electric; and

**WHEREAS,** added work has increased the scope of the project and time needed to complete the project; and

**WHEREAS,** The City's consultant and City Staff have reviewed the proposed change order and recommend it be approved.

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

**SECTION 1.** That the City Commission of the City of Holly Hill does hereby authorize the City Manager to execute Change Order No. 6 to the US1 Utility Undergrounding Primaries Conversions contract with Carter Electric for an additional cost of $20,322.75 and of 30 contract days.

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

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

**APPROVED AND AUTHENTICATED on this 13th day of JULY, 2021.**

Chris Via, Mayor 7/13/2021

Valerie Manning, City Clerk,CMC 7/13/2021

# CHANGE ORDER FORM

PROJECT: ***US-1 Utility Undergrounding Primaries Conversion***
BID: ***113-ST-03 Phase III***

CHANGE ORDER NO. 6

CONTRACTOR: Carter Electric Company, Inc.

The following changes are hereby made to the Contract Documents:

| | |
|---|---|
| CHANGE IN CONTRACT PRICE:<br><br>Original Contract Price:<br><br>$ 2,697,130.82 | CHANGE IN CONTRACT TIMES:<br><br>Original Contract Times:<br><br>Substantial Completion: June 2, 2018<br><br>Final Completion: July 2, 2018 |
| Net changes from previous Change Orders:<br><br>$ 243,183.47 | Changes in contract time from previous Change Orders:<br>997 Days |
| Contract Price prior to this Change Order:<br><br>$ 2,940,314.29 | Contract Completion Date prior to this Change Order:<br><br>Substantial Completion: N/A<br><br>Final Completion: July 31, 2021 |
| Net Increase (decrease) of this Change Order:<br><br>$ 20,322.75 | Changes in contract time requested this Change Order<br><br>Substantial Completion: N/A<br>Final Completion: 30 days |
| Contract Price with all approved Change Orders:<br><br>$ 2,960,637.04 | Contract Times with all approved Change Orders:<br><br>Substantial Completion: N/A<br><br>Final Completion: August 31, 2021 |

CHANGES ORDERED:

I. GENERAL – This change order is necessary to cover changes in the work to be performed under this Contract. The General Conditions, Supplementary Conditions, Specifications and all parts of the Project Manual listed in Article 1, Definitions, of the General Conditions apply to and govern all work under this change order.

The change in price and/or delivery date described, is considered to be fair and reasonable and has been mutually agreed upon in full agreement and final settlement of all claims arising out of the modification including all claims for delays and disruptions resulting from, caused by, or incident to such modifications and change orders.

II. REQUIRED CHANGES:

CONTRACT PRICE: The contract amount is hereby increased by $20,322.75.

CONTRACT TIME: The contract time is hereby increased by 30 days.

III. JUSTIFICATION:

CONTRACT PRICE:

Additional work is required for the FPL and AT&T facilities. The Contractor provided the attached seven separate proposed change order (PCO) proposals for such. PCO 16-19 and 22 relate to FPL and PCO 21 and 22 relate to AT&T. The FPL additional work as described below and attached was due to various easement acquisition issues and particular work due the development on the properties. The AT&T additional work as described below and attached was due to additional facilities that we found necessary to fully underground all of the AT&T facilities.

PCO #16 – $4,599.05 - FPL – 310 Ridgewood, Pep Boys – Transformer Pad relocation. Original transformer pad straddled property line. Pad moved north to be in easement.

PCO #17 - $1,611.07 – FPL – 601 Ridgewood, Dollar General – Switch Cabinet. FPL needed flatter access area around switchgear.

PCO #18 - $4,028.63 – FPL – 101 Ridgewood, Krystal Restaurant – Riser Relocation. Riser installed on typical non-traffic side of pole. FPL later required relocation to other side of pole due to their guywire needs.

PCO #19 - $5,123.80 – FPL – 1301 Ridgewood, Chris' Lounge – Transformer Pad Relocation. Original transformer pad straddled property line. Easement could not be acquired on north half. Pad moved to south to be in easement.

PCO #22 - $1,377.20 – FPL - 917 Ridgewood – Rated Handhole – Demolition/ redevelopment on site exposed non-traffic rated handholes. Switched out with traffic rated handhole.

PCO #20 – $20,999.52 - AT&T – Parallel Conduits East Side of US-1. Installation of 560 LF of conduit between 9th & 10th St.

PCO #21 - $4,777.12 – AT&T – Service Conduits East Side of US-1. Additional handhole on a conduit run that was not originally shown the plans by AT&T but is now needed.

There was a $22,193.64 underrun of the original contract work that is being applied to the cost of this additional work. The resulting net cost of the additional work is $20,322.75.

CONTRACT TIME:

The contract time is being extended an additional 30 days to allow time for the additional work to be completed.

IV. PAYMENT: Payment for any future additional work will be paid for based on yet to be negotiated scopes of work and price proposals for the potential future work and upon completion of the additional work per the Contract.

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Acknowledgments:

The aforementioned change, and work affected thereby, is subject to all provisions of the original contract not specifically changed by this Change Order;

It is expressly understood and agreed that the approval of the Change Order shall have no effect on the original contract other than matters expressly provided herein;

The prices quoted are fair and reasonable and in proper ratio to the cost of the original work contracted for under competitive bidding; and, The change in price and/or delivery date described is considered to be fair and reasonable and has been mutually agreed upon in full agreement and final settlement of all claims arising out of this modification including all claims for delays and disruptions resulting from, caused by, or incident to such modifications and change orders.

RECOMMENDED BY:

Mead & Hunt
(Engineer)

By: _______________ 7/2/21
(Authorized Signature) (Date)

David King, P.E.,
Name Typed

ACCEPTED BY:

Carter Electric Company, Inc.
(Contractor)

_______________ 7-2-21
(Authorized Signature) (Date)

Robert B. Wiech
Name Typed

APPROVED BY:

City of Holly Hill
Owner

By: _______________
(Authorized Signature) (Date)

Joseph A. Forte, City Manager
Name Typed

END OF SECTION