

CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

AGENDA • OCTOBER 4, 2022

City Commission Chamber

Special Meeting

1:00 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
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

2. EXTEND CURRENT LOCAL STATE OF EMERGENCY

1. Resolution -2022-R-82 A Resolution of the City Commission of the City of Holly Hill, Florida, Extending the Current Local State of Emergency for Another Seven (7) Days; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

3. TEMPORARY WAIVER OF BUILDING PERMIT FEES - HURRICANE IAN

1. Resolution -2022-R-83 A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Providing for a Temporary Waiver of Building Permit Fees for Anticipated Repairs to Building or Structural Damage Caused by Hurricane Ian; Providing for an Intent and Purpose of This Resolution; Providing for a Filing Period for Eligible Building Permit Applications; Providing for Severability; and Providing for an Effective Date.

(Requested by Valerie Manning, City Clerk)

4. 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
Resolution**

MEETING DATE: October 4, 2022
FROM: Valerie Manning
SUBJECT: A Resolution of the City Commission of the City of Holly Hill, Florida, Extending the Current Local State of Emergency for Another Seven (7) Days; Providing for Severability; and Providing for an Effective Date.
NUMBER: 2022-R-82
APPLICANT:
PLANNER:

DISCUSSION:

On Tuesday, September 27, 2022 the City Commission declared a Local State of Emergency by adopting Resolution 2022-R-81 for the city limits of Holly Hill.

Tonight's request is to extend the current Local State of Emergency for another seven (7) days from the date of adoption for this Resolution 2022-R-82.

STAFF RECOMMENDATION:

Approve Resolution 2022-R-82.

MOTION:

Approve as submitted by staff.

ATTACHMENTS:

- Resolution 2022-R-82 - Extending A State of Local Emergency - Hurricane Ian - Special Meeting (PDF)

Resolution No. 2022-82**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, EXTENDING THE CURRENT LOCAL STATE OF EMERGENCY FOR ANOTHER SEVEN (7) DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, EXTENDING THE CURRENT LOCAL STATE OF EMERGENCY FOR ANOTHER SEVEN (7) DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Hurricane Ian is a major hurricane and is projected to impact within the corporate limits of the City of Holly Hill, Florida posing a severe threat to the health safety and wellbeing of its residents; and

WHEREAS, Governor Ron DeSantis issued Executive Order 22-218 on September 23, 2022, declaring a state of emergency exists for several counties in Florida and the Florida Keys due to Hurricane Ian; and

WHEREAS, Governor Ron DeSantis issued Executive Order 22-219 on September 24, 2022, amending Executive Order 22-218 declaring a State of Emergency exists for the State of Florida with regard to Hurricane Ian; and

WHEREAS, the City Commission of the City of Holly Hill adopted Resolution 2022-R-81 Declaring A Local State of Emergency for the City of Holly Hill due to Hurricane Ian, on Tuesday, September 27, 2022; and

WHEREAS, the Florida Division of Emergency Management, working with the National Hurricane Center to evaluate weather prediction, has determined there is a continuing risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and isolated tornadic activity for Florida's Peninsula; and

WHEREAS, the threat posed by Hurricane IAN creates considerable hardship and threatens the health, safety, and welfare of the citizens of Holly Hill and therefore requires timely precautions are taken to protect the communities, critical infrastructure, and general welfare of Holly Hill; and

WHEREAS, under the provisions of Florida Statute 252.38(5), local subdivisions have the authority to request state assistance or invoke emergency-related Mutual Aid assistance by declaring a state of local emergency; and

WHEREAS, as the City Manager, I am responsible to meet the dangers presented to the City of Holly Hill and its residents by the emergency.

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

SECTION 1. The City Commission does hereby declare that a State of Emergency exists within the City of Holly Hill, Florida.

SECTION 2. The Holly Hill Comprehensive Emergency Management Plan shall be fully executed.

SECTION 3. The City Manager is formally directed to engage all City resources to provide such assistance as can be delivered, and to coordinate all departments to provide assistance and support for the protection of life and property, to assist and coordinate with other local, county, state and federal emergency management agencies, to order evacuations and curfews as necessary, and to take any and all emergency response actions required to safeguard life and property and ensure continuity of government services and operations within the City of Holly Hill, Florida.

SECTION 4. Under this State of Emergency, as provided in Florida Statute 252.38(5), the City Manager is hereby authorized to waive procedures and formalities otherwise required by law pertaining to:

To request state assistance or invoke emergency-related mutual-aid assistance by declaring a state of local emergency in the event of an emergency affecting only one political subdivision. The duration of each state of emergency declared locally is limited to 7 days; it may be extended, as necessary, in 7-day increments. Further, the political subdivision has the power and authority to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
- b. Entering into contracts.
- c. Incurring obligations.
- d. Employment of permanent and temporary workers.
- e. Utilization of volunteer workers.

f. Rental of equipment.

g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.

h. Appropriation and expenditure of public funds.

SECTION 5. SEVERABILITY. If any section or portion 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 6. EFFECTIVE DATE. Pursuant to Florida statute 252.38(5), this State of Emergency Resolution shall take effect immediately upon adoption by the City Commission and shall be limited to seven (7) calendar days from the date of adoption, but may be extended, as necessary, in seven (7) day increments by action of the City Commission.

The within and foregoing Resolution was read before the City Commission of the City of Holly Hill, Florida at a Special Emergency Meeting held in Commission Chambers at 1065 Ridgewood Avenue, Holly Hill, Florida on the 4th day of October, 2022.

APPROVED AND AUTHENTICATED on this 4th day of OCTOBER, 2022.

Chris Via, Mayor
10/4/2022

Valerie Manning, City Clerk
10/4/2022

RESOLUTION 2022-R-82

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, FLORIDA, EXTENDING THE CURRENT LOCAL STATE OF EMERGENCY FOR ANOTHER SEVEN (7) DAYS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Hurricane Ian is a major hurricane and is projected to impact within the corporate limits of the City of Holly Hill, Florida posing a severe threat to the health safety and wellbeing of its residents; and

WHEREAS, Governor Ron DeSantis issued Executive Order 22-218 on September 23, 2022, declaring a state of emergency exists for several counties in Florida and the Florida Keys due to Hurricane Ian; and

WHEREAS, Governor Ron DeSantis issued Executive Order 22-219 on September 24, 2022, amending Executive Order 22-218 declaring a State of Emergency exists for the State of Florida with regard to Hurricane Ian; and

WHEREAS, the City Commission of the City of Holly Hill adopted Resolution 2022-R-81 Declaring A Local State of Emergency for the City of Holly Hill due to Hurricane Ian, on Tuesday, September 27, 2022; and

WHEREAS, the Florida Division of Emergency Management, working with the National Hurricane Center to evaluate weather prediction, has determined there is a continuing risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and isolated tornadic activity for Florida's Peninsula; and

WHEREAS, the threat posed by Hurricane IAN creates considerable hardship and threatens the health, safety, and welfare of the citizens of Holly Hill and therefore requires timely precautions are taken to protect the communities, critical infrastructure, and general welfare of Holly Hill; and

WHEREAS, under the provisions of Florida Statute 252.38(5), local subdivisions have the authority to request state assistance or invoke emergency-related Mutual Aid assistance by declaring a state of local emergency; and

WHEREAS, as the City Manager, I am responsible to meet the dangers presented to the City of Holly Hill and its residents by the emergency.

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

SECTION 1. The City Commission does hereby declare that a State of Emergency exists within the City of Holly Hill, Florida.

SECTION 2. The Holly Hill Comprehensive Emergency Management Plan shall be fully executed.

SECTION 3. The City Manager is formally directed to engage all City resources to provide such assistance as can be delivered, and to coordinate all departments to provide assistance and support for the protection of life and property, to assist and coordinate with other local, county, state and federal emergency management agencies, to order evacuations and curfews as necessary, and to take any and all emergency response actions required to safeguard life and property and ensure continuity of government services and operations within the City of Holly Hill, Florida.

SECTION 4. Under this State of Emergency, as provided in Florida Statute 252.38(5), the City Manager is hereby authorized to waive procedures and formalities otherwise required by law pertaining to:

To request state assistance or invoke emergency-related mutual-aid assistance by declaring a state of local emergency in the event of an emergency affecting only one political subdivision. The duration of each state of emergency declared locally is limited to 7 days; it may be extended, as necessary, in 7-day increments. Further, the political subdivision has the power and authority to waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

- a. Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community.
- b. Entering into contracts.
- c. Incurring obligations.
- d. Employment of permanent and temporary workers.
- e. Utilization of volunteer workers.
- f. Rental of equipment.

g. Acquisition and distribution, with or without compensation, of supplies, materials, and facilities.

h. Appropriation and expenditure of public funds.

SECTION 5. SEVERABILITY. If any section or portion 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 6. EFFECTIVE DATE. Pursuant to Florida statute 252.38(5), this State of Emergency Resolution shall take effect immediately upon adoption by the City Commission and shall be limited to seven (7) calendar days from the date of adoption, but may be extended, as necessary, in seven (7) day increments by action of the City Commission.

The within and foregoing Resolution was read before the City Commission of the City of Holly Hill, Florida at a Special Emergency Meeting held in Commission Chambers at 1065 Ridgewood Avenue, Holly Hill, Florida on the 4th day of October, 2022.

APPROVED AND AUTHENTICATED on this 4th day of OCTOBER, 2022.

Chris Via, Mayor
10/4/2022

Valerie Manning, City Clerk
10/4/2022



STAFF REPORT
CITY OF HOLLY HILL, FLORIDA

City Commission
Resolution

MEETING DATE: October 4, 2022
FROM: Valerie Manning
SUBJECT: A Resolution of the City Commission of the City of Holly Hill, Volusia County, Florida, Providing for a Temporary Waiver of Building Permit Fees for Anticipated Repairs to Building or Structural Damage Caused by Hurricane Ian; Providing for an Intent and Purpose of This Resolution; Providing for a Filing Period for Eligible Building Permit Applications; Providing for Severability; and Providing for an Effective Date.
NUMBER: 2022-R-83
APPLICANT:
PLANNER:

DISCUSSION:

A Resolution for a temporary waiver of building permit fees for anticipated repairs to building or structural damage caused by Hurricane Ian.

STAFF RECOMMENDATION:

Approve Resolution as submitted by staff.

MOTION:

Resolution No. 2022-83

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA, PROVIDING FOR A TEMPORARY WAIVER OF BUILDING PERMIT FEES FOR ANTICIPATED REPAIRS TO BUILDING OR STRUCTURAL DAMAGE CAUSED BY HURRICANE IAN; PROVIDING FOR AN INTENT AND PURPOSE OF THIS RESOLUTION; PROVIDING FOR A FILING PERIOD FOR ELIGIBLE BUILDING PERMIT APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLY HILL, VOLUSIA COUNTY, FLORIDA; PROVIDING FOR A TEMPORARY WAIVER OF BUILDING PERMIT FEES FOR ANTICIPATED REPAIRS TO BUILDING OR STRUCTURAL DAMAGE CAUSED BY HURRICANE IAN; PROVIDING FOR AN INTENT AND PURPOSE OF THIS RESOLUTION; PROVIDING FOR A FILING PERIOD FOR ELIGIBLE BUILDING PERMIT APPLICATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Hurricane Ian has caused extensive damage to properties within the geographic area of the City of Holly Hill; and

WHEREAS, the City Commission previously established a schedule of building permits fees by Resolution; and

WHEREAS, in order to expedite the repairs required as a result of the anticipated damage caused by Hurricane Ian and to provide relief to property owners suffering from hurricane related hardships, the City Commission desires to temporarily waive building permit fees for permit applications related to repairing such damage; and

WHEREAS, this Resolution is adopted pursuant to the Florida Municipal Home Rule Powers Act, Section 166.222, Florida Statutes, and the emergency powers vested in the City Commission pursuant to all applicable law; and

WHEREAS, the City Commission hereby finds that this Resolution is in the best interests of the citizens and businesses of the City of Holly Hill.

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

SECTION 1. Recitals. The foregoing recitals are hereby fully incorporated

herein by this reference and are deemed a material part of this Resolution.

SECTION 2. Intent and Purpose. It is the intent and purpose of this Resolution to only address building or structural damage directly caused by Hurricane Ian. This Resolution is not intended to apply to building permit applications filed with the City that are not related to repairing building or structural damage caused by Hurricane Ian. To the extent that a particular building or structure was substantially destroyed by Hurricane Ian and is beyond repair according to the City's building official, a new replacement building or structure on the same property as the substantially destroyed building or structure shall be considered a repair under this Resolution.

SECTION 3. Temporary Waiver of Building Permit Fees. The City Commission of the City of Holly Hill hereby provides that building permit fees are hereby waived for any building permit application filed with the City by an Owner/Builder only, related to repairing building or structural damage caused by Hurricane Ian. All such applications must be filed with the City's Building Department on or after September 30, 2022, but no later than December 1, 2022. Permit fees are not waived for a contractor obtaining a permit to do work for a 3rd party. For purposes of granting the building permit fee waiver, the building official or his or her designee shall be responsible for verifying that the repairs being permitted are directly related to damage caused by Hurricane Ian. Notwithstanding the fee waiver authorized by this Section, all building application, licensing, insurance, inspection, and other building permit conditions required by law shall apply.

SECTION 4. 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 5. Effective Date. This Resolution shall take effect immediately upon its

adoption.

APPROVED AND AUTHENTICATED on this 4th day of OCTOBER, 2022.