



CITY OF HOLLY HILL, FLORIDA

CITY COMMISSION

MINUTES • MARCH 16, 2020

City Commission Chamber

Special Meeting

4:00 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	

2. DECLARING A LOCAL STATE OF EMERGENCY

Mayor Via opened public participation.

Heidi Heller, Holly Hill, wanted to be sure that Mr. Khoury, Public Works Director, has topped off all the chemicals needed for water and sewage.

Mayor Via closed public participation.

Mr. Forte stated this put this emergency ordinance together with one reading. He spoke to Attorney Simpson and typically they do these by Resolution but Ormond Beach did it by Ordinance. It's an Ordinance that the city will pass as an emergency Ordinance; it does not have to be codified like the other ordinances typically do. He will read it into the record and they can go through any specific points within it as part of their discussion and at the end he has some other items that he thinks they should talk about in addition to this Ordinance. This Ordinance is presented as a first and only reading.

ORDINANCE 3025

AN ORDINANCE RECOGNIZING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE OF FLORIDA INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF A LOCAL STATE EMERGENCY ISSUED BY VOLUSIA COUNTY, AND BEING EFFECTIVE THROUGHOUT

VOLUSIA COUNTY INCLUDING THE MUNICIPALITIES SITUATED THEREIN; DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF HOLLY HILL, AUTHORIZING THE EXERCISE OF EMERGENCY MANAGEMENT PROCEDURES IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HOLLY HILL AND MEMBERS OF THE GENERAL PUBLIC; AND SETTING FORTH AN EFFECTIVE DATE.

Mayor Via opened public participation. No one spoke.

*Commissioner Currie made a motion to **APPROVE FIRST AND ONLY READING OF EMERGENCY ORDINANCE 3025**, seconded by Commissioner Johnson.*

PASSED, 5-0.

Mayor Via wanted to discuss the issue about disconnecting utilities and asked Mr. Forte for clarification on that.

Mr. Forte stated he has a number of things he'll run down. Some of it he already sent it to the Commission in email conversations that they've talked about before. The schools are closed this week for Spring Break and they are closed next week as a result of the State of Local Emergency. The city isn't allowing children to come to work. If there's a parent or an employee that needs to stay home with their child, they will have to stay home and use their accrued leave to do that. With the sick leave, they've agreed that if an employee is out because they're either sick or for any other unrelated matter, they would use their sick leave or accrued time or if somebody does have the COVID-19 virus, staff decided that if they ran out of time and they didn't have any time on the books that the city would front them up to 40 hours that they would have to pay back. There are some cities that are adopting a policy that says if you're an employee that has confirmed COVID-19, that those agencies are giving those employees up to 14 days off without having to use their accrued time. He hasn't had a chance to get through all of the details with what the Federal Government is doing in terms of the Presidential National Declaration. He doesn't know how that gets reimbursed yet. Typically, the private sector will try to get reimbursed through the Federal government or through tax credits. Generally, the city files under Category B through Florida Department of Emergency Management basically going through FEMA that if the city spent money paying employees to be out because of the COVID-19 virus or the city made purchases for equipment or they had to bring in additional staff because somebody was out that had to cover overtime for that, the city has to go through that same FEMA reimbursement process with this. He hasn't figured all that out yet. There's so much documentation that's coming in that it's overwhelming and inundated with the amount of information that's coming in. At this time, our administrative policy is that people will use their accrued leave and if they don't have leave, the city will allow them to go negative up to 40 hours that they would then reimburse the city for. The standard was not to attend meetings in an excess of 250, that's been reduced to 100 today that was reduced to 50 and now from what he understands that number has been reduced to 10. If that is in fact the case then the city should cancel all of their events at Sica Hall and our events at the club house because those will have gatherings of at least 10 people in some of those cases. So, the staff will go ahead and make that change. They will, like they do during a hurricane disaster, they will not turn water off and they will do that through the

month of April. They will require that all, late fees and penalties be applied at the time people who may not be paying now, they will have to pay that when that comes about. He will tell the Commissioners that the City of Ormond Beach made a comment that they would look at that on a case-by-case basis if somebody that is claiming a COVID-19 hardship, they will evaluate that on a case-by-case basis to determine as to whether or not they would waive those late fees and penalties. If for some reason the city operations come to a stop, where they refuse the public from coming inside the building, city staff will continue to come to work. They will clean their work spaces, they'll sanitize whatever they can, they'll catch up on work that needs to be done but we're not just going to shut down operations for people to go home, unless it reaches to that level. They've talked about the opportunity for telecommuting. There are only a certain number of employees that have the ability to telecommute, meaning doing their work from home. Scott from IT said that he has the ability to set some people up for that. There's not a lot of people that can do that. He's sure some folks in the Finance Department and HR, IT; there's some employees that can do that and his concern with those scenarios is the fairness factor. Well, you have certain employees that are allowed to work from home and be compensated and others that would go home and not be able to work from home and lose time. He's trying to keep that playing field level and not allow telecommunicating unless absolutely necessary and what he means by that is and he'll use the Finance Director as an example. If the Finance Director comes down with COVID-19 and he has to keep her out of the office for two weeks, he may need to compensate her to work from home. That's a specific example of it's easier for him to compensate her to do some work from home than to say, "stay home for two weeks and don't do anything", and that sets us very far behind. That's just an example of that. With the public restrooms, at this time, his concern is, shutting the public restrooms; the other cities are not closing their public restrooms. Holly Hill might limit the number of public restrooms that we keep open to one male and one female in the parks that have multiples so that they can be cleaned. His concern is if they close all the public restrooms, where are the people going to go that use them? And if he closes them, they're going to use the streets or the parks. He's a little bit concerned with that. The parks, in general, will remain open. Some people are going to want the fresh air to be out and to be able to be in the sunshine for a little bit. He doesn't anticipate that they will be closing the parks but again, that's going to be subject to what happens around the city and what the conditions are. He is going to encourage people to not come to City Hall. There are many ways that they can pay their utility bill. If they can pay it online or drop a payment in the mailbox out front, that's what staff is going to encourage people to do to try and avoid contact within the city. Each department employee is working to keep their work stations clean. He's asked them, the Commissioners have seen the email to try and keep their desk areas clean and keep them wiped down as often as possible. They have two areas that are visited most by the public. One, is Utility Billing area and those employees are behind glass and they do come out and wipe that area down periodically throughout the day and the other area is in the Planning Department where the employee behind the desk is open and exposed to people coming in and he gave the employee last week of operating in the Utility Billing Department behind the glass and he knows that's not something she's super excited about and this time, we'll leave things the way they are but if it looks like the cases in Volusia County are increasing, he may go ahead and shut that office down and ask the Planning Tech to work out of the Utility Billing Department and stay behind the glass so that he only has one point of contact when people are coming into City Hall and it will lessen the areas where they need to sanitize and keep clean. With that, he thinks that's all he has to report or talk about and will answer any questions the Commission may have.

Mayor Via stated a couple of things. They briefly spoke about cancelling the next City Commission meeting on March 24th, now in light of the fact that they're can't be more than 10 people gathering, can you, Mr. Forte, go over everything that's on that agenda.

Mr. Forte stated the only thing that's on that agenda right now are the minutes from the previous meeting, an MOU for ELVIS for the PD, which is not time sensitive, and a proclamation for Water Conservation Month. There are two nonessential items that are on that agenda for the 24th and they can be delayed if the Commission would like to cancel that meeting.

Mayor Via stated okay, they can discuss that. There was also a Resolution passed in New Smyrna Beach today about remote attendance of Commissioners. For instance, what NSB is looking at is we're not allowed to call in, necessarily, to make a quorum but since it's a State of Emergency, if three of the Commissioners come down with the COVID-19 virus and can't be here, it may be prudent to be able to pass a Resolution like NSB did which would allow them to make a quorum by calling in "if", and you can only do it "if" you were tested positive for the COVID-19 virus to be able to make that quorum in case they needed to make a decision quickly. Mr. Forte and himself talked a little bit about it and Mr. Forte isn't sure about the legality of it.

Mr. Forte stated he's not sure of the legality of it. When it came up on his conference call last week out of the City of New Smyrna Beach, he sort of questioned it and their response was well it came from their city attorney. The communication that he read was that a public meeting still has to remain public and they have to have a quorum present in order to perpetuate that meeting. He doesn't have a problem, Mayor Via, if he wants him to read this Resolution. He doesn't have a Resolution prepared. He can read this Resolution from New Smyrna Beach into the record in Holly Hill format for the Mayor to open to the public and take action on and then he'll just write it and we'll have it signed this afternoon that if in the case the Commission needs to do a telecommuting Commission meeting, at least they will have a Resolution in place, if they need to. If it's not legal and they can't then they can set it aside.

Mayor Via stated and it would only be during the State of Emergency as he understands it. He talked to the Mayor of New Smyrna and he questioned the legality of it and the Mayor of New Smyrna said, "Common sense has to weigh out sometimes and if there's a decision that comes up in an emergency situation and three of the Commissioners have it or whatnot then it's prudent to do that and then fight the legality of it at a later time and hopefully, common sense will win out." Mayor Via stated he would be interested in hearing Mr. Forte read through the Resolution and then the Commission can discuss it and see if they want to pass it today.

Mr. Forte read the Resolution title into the record:

**A RESOLUTION OF THE CITY OF HOLLY HILL APPROVING THE REMOTE
ATTENDANCE OF ANY MEMBER OF THE CITY COMMISSION FOR ANY CITY
COMMISSION MEETING SCHEDULED DURING THE EXISTING STATE OF
EMERGENCY DUE TO
COVID-19; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on March 9, 2020, Governor Ron Desantis passed Executive Order No. 20-52, declaring a State of Emergency throughout the State of Florida due to COVID-19; and

WHEREAS, COVID-19 is a severe acute respiratory illness that is rapidly spreading throughout the world; and

WHEREAS, eight counties in Florida have presumptive positive cases of COVID-19, including Volusia County with two; and

WHEREAS, it may become necessary for a member of the City Commission to self-quarantine in order to prevent the spread of this illness; and

WHEREAS, a member of the City Commission should be able to attend and fully participate in any City Commission meeting scheduled during this State of Emergency by telephone or other appropriate electronic means to help mitigate the spread of the illness in this community.

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

SECTION 1: The City Commission finds that the existing State of Emergency due to COVID-19 is an extraordinary circumstance and approves any individual Commissioner member's request to attend and participate in the City Commission meeting by telephone or other appropriate electronic means because of a need to self-quarantine as a result of COVID-19, as necessary, during this declared State of Emergency.

SECTION 2. This Resolution shall become effective immediately upon its adoption and shall expire on the same date as Executive Order Number 20-52.

Mayor Via asked if any member of the Commission has any questions about the Resolution.

Commissioner Penny stated he said it makes common sense but he doesn't think it's going to pass the legal threshold.

Commissioner Currie stated and that would be her issue. It is common sense and she doesn't mind moving forward with it, however, if they find out from Attorney Simpson it is not legal than she would just like it to...

Mr. Forte stated historically, when this has come up, we've always been told that a Commissioner needs to be present during a public meeting because you never know if a Commissioner is being coerced at home on voting on a certain item. That's what's always been explained to him. Hopefully, they won't get there. Again, they have those two items on the March 24th agenda; if they want to keep that meeting they certainly can, if they want to postpone or cancel that meeting.

Mayor Via stated speaking about this remote attendance, there's no harm in passing this today and then send it to Attorney Simpson.

Mr. Forte stated they can pass it and if it's not valid they can...

Mayor Via stated then they just won't call for a telecommunicating meeting.

Mr. Forte stated and hopefully, none of the Commissioners will need it.

Mayor Via stated, correct. Mayor Via asked for a motion to pass the Resolution as read by Mr. Forte.

*Commissioner Danio made a motion to **APPROVE Resolution 2020-R-13**, seconded by Commissioner Currie.*

Mayor Via opened public participation.

Heidi Heller, Holly Hill, clarified the Executive Orders number to Mr. Forte.

Mayor Via closed public participation.

Mayor Via asked if there was anyone opposed to cancelling the March 24, 2020 City Commission meeting due to the new guidelines? There was **consensus** to cancelling the meeting by the Commissioners. Mayor Via stated if something time sensitive comes up, please let him know and then they'll discuss if they need to call that meeting. It's going to be tough though if there's only 10 people allowed. How are they going to be able to have a Commission meeting.

Mr. Forte stated he would say the first 10 in the meeting stay and everybody else doesn't. He can limit staff's participation.

Commissioner Penny stated there's 9 of us up here.

Commissioner Currie stated she would rather just cancel a meeting than keep people from coming to a meeting. She will not go for that.

Mr. Forte stated they don't know how long this COVID-19 is going to last, they don't know how severe it's going to get. He will tell them in that, even with his frustration with the conference calls, we're not consistent with in each of the cities and what they are doing. It's all going to be play it by ear and see what the conditions are and then deal with it as we have facts.

Commissioner Currie stated and it's very fluid too.

Mr. Forte stated it's very fluid. The State of Emergency the Commission passed gives him a certain amount of flexibility in what he can and can't do. He's been through a lot of these Emergency Declarations, haven't had a pandemic under his belt yet but we'll take it one day at a time and we'll make the necessary changes that they need to, to keep the public as safe as they possibly can and keep their employees as safe as they possibly can.

Mayor Via stated he had a question for him or for Deputy Police Jeff Miller and Fire Chief Bland. When our first responders come in contact with someone who has symptoms is that documented and then traced back to the State to see if those people are being watched already?

Mr. Forte stated he will have to ask Fire Chief Bland to answer that part of it but from a response perspective the nurse dispatchers while they are on duty are asking additional questions of the people that are calling 9-1-1 and based on that criteria, the first responders, although they are well protected with their protective equipment that they're supposed to be wearing, they will be able to make better decisions. He knows some agencies where the fire department is no responding to these types of calls, which puts the burden solely on the transport agency to have to deal with but he knows that the Medical Director had a conference call with the Chiefs today.

Fire Chief Jim Bland stated yes, they had a conference call with their Medical Director as well as with the Volusia County Health Department. The way it works right now is that, they

have a nurse triage out at dispatch. When a call comes in they run through their list of questions and that either will or will not get a full response depending on how they answer those questions. They are looking at expanding that program right now, 7:00 AM - 7:00 PM, Monday through Friday; they are looking to extend those hours for that program to make it more efficient for us in field. He doesn't feel that they should be responding to flu calls. If they are wanting transport, only the transport unit can go. It's a non-emergency call. That in any other time, would only get that single unit but in this time it's getting a two unit response so they are looking at fixing that tomorrow.

Mr. Forte stated and that's a pre-existing response that we already had.

Chief Bland stated that's a pre-existing response, yes. If you call in with general illness; if you called in February with a general illness and you wanted transport to the hospital, they would have only gotten the ambulance but they hurt themselves by asking too many questions because one of the questions they are now asking is they are trying to figure out if they have the COVID-19 virus, is if you're short of breath. If you're short of breath, it triggers another car that says this triggers another type of response, which now gets the fire response as well. So, they are looking at fixing that tomorrow. Over the weekend, yesterday, the Fire Department had a call on Espanola that was a possible COVID-19 patient due to her granddaughter supposedly having a positive test. It turns out this lady just wanted to go get tested for no other reason than to just to be tested. The Fire Department will get notified on the front end if they've been tested by the State of Florida. Now they have private lab testing's if the test goes to QUEST of LabCorp they don't link up to the State for possibly 48 hours. If they're tested by the State the local health department knows immediately. So, the Fire Department would get that information immediately. This lady yesterday, she wasn't even tested. She went to Halifax, didn't get tested at all because she didn't meet the actual criteria to be tested. Had it been a positive patient, the Fire Department would have known immediately, well they would have known today that that patient tested positive, negatives the Fire Department doesn't hear about so they just kind of go away. If they know about it and they are on this list of how ever many people have it, he thinks its six right now that are confirmed, the Fire Department has a blurb in their dispatch notes and he just got a phone call, for anybody that's going out with flu-like symptoms, which they just had one while he was here, they got a call from dispatch saying, "your unit is responding to a flu-like symptoms call just so you know." They're working through it. They have another conference call with the Health Department and the EOC and Dr. Springer on Wednesday, the Fire Chiefs meet tomorrow to go through and kind of fine tune our requests. They do know; they'll know after the fact though in 24 hours.

Mr. Forte stated let him play this out to the next level of our first responders, whether it's police, fire or the transport agency comes in contact with a patient with flu-like symptoms and they get tested and four days later we find out that the patient tests COVID-19 positive...

Fire Chief Bland stated they would know that the next day.

Mr. Forte stated, okay.

Mayor Via stated he thought the testing took four days.

Fire Chief stated they were told it was the next day.

Mr. Forte stated so once they find out the patient tested positive, does that trigger an automatic quarantine of the first responders?

Fire Chief stated it triggers a self-quarantine, yes.

Mr. Forte stated so he's going to lose employees for 14 days?

Fire Chief stated, possibly. They still weren't clear on that...or if a test comes back negative. So, say Deltona had one today, the three responders on the truck all came down with the exact same thing, time and with the exact same symptom's they were told to self-isolate and this was this morning. Well, when they get the results back from the patient they transported, if that patient's results are negative, does that mean those people kick off self-quarantine and they don't have the answer to that yet. There's a whole lot of stuff still up in the air that first responders don't know the answers to and hopefully, by Wednesday they will have all of the millions of questions answered.

Mayor Via asked did you say that Espanola call was yesterday?

Fire Chief Bland stated yes, it was yesterday.

Mayor Via stated the Sheriff released some information on what cities were being watched and suddenly yesterday...

Fire Chief Bland stated he was on the conference call today.

Mayor Via stated so suddenly yesterday, the Holly Hill popped up as a location.

Fire Chief Bland stated Espanola is in the County, so it's not the city. The County responded to that call because they are closer.

Mayor Via stated, okay.

Commissioner Currie asked isn't there a means for our emergency personnel? She doesn't know how much the mask would help at all with them responding, either police or fire.

Fire Chief Bland stated our goal is to not respond.

Commissioner Currie stated so that's what we're going to try not do.

Fire Chief Bland stated if we do have to respond, we have certain guidelines from our Medical Director. In our case, we would be contacting that patient...because we would only be going there for flu-like symptoms. We're not going there because some dire medical emergency...

Commissioner Currie stated so, really you don't need to be there.

Fire Chief Bland stated they wouldn't have contact with us. We would speak to the them through the door, we would see if there was an underlying medical condition, if there is an underlying medical condition above flu-like symptoms, one of us is going to go in and the rest is going to wait outside. They're going to do their survey and their assessment inside the house and something new for this, we have the ability to refuse transport for the first time ever where we can say, "you will not be transported." So, this lady yesterday, if it were to happen tonight, we could go to the lady yesterday who says, "I want to go to Halifax to get a

COVID-19 test.” We could have said, “You’re not going to go in the ambulance.” In the past, we were required to transport them because they simply asked to be transported. That’s gone out the window as of today. So, we can say no and that we will notify the health department and the health department will be in contact with you. There are talks today of coming up with a, kind of like a chase car, where EVAC would provide field personnel and not a transport unit and go on the flu-like symptoms call and they would simple arrange for the health department to get in contact with that person and that person never leaves their house. They would be given a set of instructions. If it’s just the flu-like symptoms, you’re fine just staying at your house and they will be contact with you.

Commissioner Currie stated, okay. Good.

Fire Chief Bland stated that’s where they are today. They will know more tomorrow.

Commissioner Penny stated he was contacted by some people represented by *Heroes Hope* who are here today. Their concern is feeding the school kids. There are 95% free and reduced kids for lunches at the Holly Hill school and he received an email from the school board today that they will be setting up bag lunches but his concern is it’s from 10:00 am to 12:30 pm; a 2.5 hour window where if I’m a working person I’m not going to take my lunch hour and go get a bagged lunch for my kid. He called their Principal and he’s gravely concerned that they are distributing food on campuses but not at our Holly Hill school. Most of our kids are walkers or bikers, they gladly would participate. The Principal has reached out to the District and is awaiting a response but when you look at the list it looks like it’s a done deal. Commissioner Penny stated he doesn’t know what to tell these gracious volunteers here today from *Heroes Hope* to do or who to put them in touch with but it’s a concern that we have. Two of our local businesses, as he understands, are feeding kids for free; Gina’s and Olive. There may be others. Sorrento’s may be feeding kids for fee. It is a concern. The good thing is that, hopefully, this is Spring Break and hopefully, the parents have made arrangements to feed the kids that get the school breakfast and school lunch this week, which gives them five or six days to figure it out for next week but he’s sure there are some hungry kids out there. These guys from *Heroes Hope* showed up today.

Mayor Via asked if Commissioner Penny knows if UBIC is still carry on their...

Commissioner Penny stated the pantry hasn’t been closed as of yesterday.

Commissioner Danio and Currie stated the school is closed.

Commissioner Penny stated and that brings up a bigger issue. A bunch of people are going to go vote tomorrow. How would you like to be a poll worker? UBIC is one of the city’s polling precincts. It’s a complicated issue. *Heroes Hope* are here and they packed a couple of hundred lunches today.

Mayor Via asked for *Heroes Hope* to come forward and briefly speak about what they do and what they can do to help the community.

Michael Hoskins, *Heroes Hope Network*, 315 Scotland Drive, Holly Hill gave a brief description of what it is they do. He was delivered about 13,000 serving sizes food by an organization and he is prepared to go out into the community and distribute these. He brought some for the police and fire departments that they can fit into their vehicles and they can

distribute them if a call comes in. They're very easy. He has rice and beans, where all you need is hot water. They're precooked and then dehydrated so they will cook up fast, he has oatmeal that will cook up fast and macaroni and cheese. They are all prepared and dehydrated so they just have to add hot water. On that list that went out, Holly Hill did get left off. Holly Hill has 95% free and reduced lunches for kids. He is prepared to drive around in his truck all day if he has to and knock on doors and deliver meals. It would be a great help if they had the police officers and the fire department on board with this because these are really easy meals that can be just throw in their trunk and each packet has four servings in it.

Mr. Forte stated Commissioner Currie brought this to his attention and he made a phone call to the school and he's waiting to get a call back as to why Holly Hill school got left off the list. This is a very honorable action that Mr. Hoskins is taking but it presents a logistical concern for him and he would rather somehow coordinate this, other than Mr. Hoskins just driving around. There's got to be a more effect and efficient way of handling that. He doesn't know what it is yet but if he leaves him with his name and number, he'll get it figured out. Give him a day to figure it out and he will see what they can do. Mr. Forte asked where did these meals come from?

Mr. Hoskins stated the name of the organization that brought these meals to him is called "Hunger Fight" and they are all prepackaged. They are boxed up very easily and stackable. They are in sealed packets.

Mr. Forte asked how does he know these are good meals and they are not contaminated meals?

Mr. Hoskins stated well, I guess you don't but how do I know that every kids out there is going to eat.

Mr. Forte stated he can almost promise him, every kid out there is not going to eat. What I can't promise you is what we're giving them is safe.

Mr. Hoskins stated this is a legitimate organization. They can research that it has been going on...they just did over a million meals and served them into the community. They just did a big event in Georgia. Technically, they weren't supposed to bring them to *Heroes Hope* because we didn't do an event here in Holly Hill but they saw that we're actually doing it. They brought the meals to *Heroes Hope* so that the food can be distributed in Holly Hill.

Mr. Forte stated give him until tomorrow. If he can get it logistically coordinated where these students or the parents of these students or children of any age can somehow filter through a pickup kind of scenario.

Mr. Hoskins stated that's the problem though, trying to get them to a pick up spot. Not all of them are going to be able to access a pickup spot.

Mr. Forte stated maybe multiple locations.

Commissioner Penny stated they just cancelled their next Commission meeting. How logistically, Mr. Forte, if this thing is still the same or worse. Does the Mayor need to call another special meeting to then cancel the next meeting if it needs to be cancelled.

Mr. Forte stated the Mayor has the right to cancel a meeting. They're only required to have

one meeting a month. Their cancelling the second meeting in March, they have the ability to cancel the first meeting in April, which Ormond has cancelled to April 21st.

Commissioner Penny stated he doesn't know if it would be prudent to plan for that and then if it's better they hold the meeting but he's sure it would help staff in preparing for that next meeting that may never happen. If they plan to cancel the next two in a row and if some pressing matter came up and this thing instantly vaporizes, they can have their meeting. He just thinks it's best to prepare for the worst. In four weeks they should have a lot more better of an understanding of what's happening here.

Commissioner Currie stated and she believes that's a good idea because that would then free up those employees instead of trying to work on an agenda for a meeting they probably won't have, they can be working on issues of today's current events.

Commissioner Penny stated if something pressing comes up and a land use has to be scheduled for this or that to hit a deadline, the Mayor can always call a special meeting.

Mayor Via stated he would like to keep the meeting open, to be able to have the meeting. Maybe in two weeks they found out this is starting to go down, hopefully, and then they can still hold a meeting but certainly, he can cancel it on a dime if that's not the case.

City Clerk Manning reminded the Mayor he needs to give the public a 12 hour notice.

Mayor Via stated and we give much more than that. Mr. Forte, what do you think about cancelling the first meeting in April? Or should they play it by ear?

Commissioner Penny stated he just doesn't think it's going to be any better in two weeks. It's an arbitrary date that; it's going to be worse.

Commissioner Currie stated the problem is, a large majority of people are not listening to the social distancing as they should be and "that's" what is going to continue this increasing. Once we all figure out social distancing, is what we need to do for a little while, then I believe they will see a decline but not until then.

Mr. Forte stated people are treating this like it's a hurricane coming next week. The problem is, it's not going to come just next week.

Mayor Via stated that's a good point.

Mr. Forte stated they've heard a low run on toilet paper, grocery stores are being wiped out of food, although they've been told there's no shortage of trucks going back in and supplying these supermarkets. Now there's word that gas is going to become short. They have to think smart; not hoard but you don't need...you taking ten cases of toilet paper to prevent someone from getting one is not the right thing to do. These supermarkets have indicated that they are going to continue to keep their supplies up as long as the supplies are there, they're going to keep continuing to do it. As for the meeting, he doesn't have a problem keeping the meeting on the schedule and then cancelling it. It doesn't matter one way or the other to him. They cancelled the March 24th meeting, that's fine. The April meeting...you will find out that business is going to slow down. People are going to slow down, business is going to slow down. People are not coming in here to do a land use change during this time period, there's not a lot of public hearing items that are going to be coming forward.

Mayor Via stated, right. And that actually brings up a big point. If they did have a public hearing then it goes to Commissioner Penny's cancelling the meeting because you want as many people for that public meeting as possible and there is still the ban on only 10 people in a room.

Commissioner Currie stated, right.

Mayor Via stated they do have live streaming but they can't comment from live streaming.

Commissioner Currie stated and that's the problem.

Commissioner Penny stated he thinks these other cities are holding people outside of the Chambers and have them come in one or two at a time when items come up.

Commissioner Currie stated but the problem is, outside the Chambers...

Mayor Via stated they're even closer. What about this, about a week ahead, Mr. Forte and I will look at what's on the agenda and what the circumstances are around and then they will make that call. Let's not cancel it today but let's wait a week or so and see how this all plays out and then we'll go ahead and cancel it if needed. Especially, if there's only going to be able to be 10 people here because that's taken up by staff almost immediately.

Commissioner Currie stated she would like to make sure what the Police Department is doing, what measures they are able to take and what needs they may or may not have for protecting their officers.

Deputy Police Chief Jeff Miller stated the City Manager, Chief Aldrich. Lieutenant Yates and I talked about some things we are doing, especially, with the records department, they've suspended their fingerprinting, they are limiting the interaction of personal information coming through the door, our officers were given sanitizers, we've directed them to have limited contact with people, they've suspended our traffic enforcement that the FDOT grant. Basically, we want the officers to talk to people outside and not in the lobby or in their house unless it warrants it. As Fire Chief Bland said, we'll know if someone is a documented COVID-19 carrier and then at that point, the dispatcher will let them know and then they will contact a member of the command staff to receive further direction.

Commissioner Currie stated yes, it's being documented in your calls as well, right? The information?

Deputy Police Chief Miller stated from what he understands.

Commissioner Currie stated she doesn't know about the fire side but from what she understands, the police system is being documented in the calls. The police department or officers don't have any needs that the Commission needs to hear about?

Deputy Police Chief Miller stated, no. Not at this time.

Commissioner Currie stated, okay.

Deputy Police Chief Miller stated the jail...he guesses there was a rumor going around that the jail isn't taking people. They are taking people but if they're on the CDC list and they are exhibiting the COVID-19 symptoms then they are going to take a look at that but they are

taking people to the jail.

Commissioner Currie stated actually, Forrest took a prisoner out there today and they actually took their temperature and she doesn't think he was on any list or anything. She thinks they have bumped up a little bit better on what they're doing.

Deputy Police Chief Miller stated they are and he talked to the Director this morning because their staff wasn't, their information wasn't being communicated properly because that Correctional Officer told our Police Officer he's lucky he didn't have a fever, the arrestee, or he would have had to ship him out to the nearest hospital and get tested. According to the Director out there, that's not true. They bring in the nurse and they go into more standard things as far as questions.

Commissioner Currie stated Mr. Forte, she wanted to make sure that the city has enough sanitizing supplies or at least we're ordering what we can.

Mr. Forte stated they have supplies on hand. Antoine has been speaking with janitorial companies that if the city needs to bring in a third party because we had an exposure confirmed case in any of our buildings, we would bring in a company and they would decontaminate or sanitize the facilities. Staff has looked at a couple of other pieces of equipment. Some are very expensive, \$16,000-18,000 and other equipment that's a couple of hundred dollars that they may be able to use in certain areas if we need to for decontamination. As of now, our supplies are okay.

Commissioner Currie stated she's just concerned that if we're still bringing people into the building, that our staff, that we're taking every measurement possible, she wants to make sure that we are keeping our staff safe and healthy.

Mr. Forte stated as much as we possibly can.

Commissioner Currie stated, okay.

Mr. Forte stated but the only reason somebody needs to come into this building is to submit documents into the Planning Department or pay a utility bill. If they make it to where they can pay their utility bill in the drop box, because the city is not going to turn off their water if it's a day late then he can eliminate the number of people...he can talk to Stella about the timing of that but he doesn't want to close City Hall. He doesn't think they're there yet. To close the doors of City Hall and say the public's not allowed in.

Commissioner Currie stated she wants to make sure we're taking every measure possible because they're stuck here. They have no choice. We're saying you've got to work so we should be protecting them as much as possible. She wants to also make sure of any measures that need to be taken for our citizens and businesses. Her concern is, right off the top of her head, any businesses that have a large volume of customers. Now they're saying 10 people or less, the city needs to look at that and see if we, as a government, need to look at putting a measure in place to ensure there's compliance with that.

Mr. Forte stated that's going to be a tough one. Some States are trying to close bars and restaurants.

Commissioner Currie stated the only thing that she likes that they're doing is they're shutting

the dining. They're not shutting them down for take-out, pickup or delivery but it's the inside dining that they're talking about shutting down. Now, Commissioner Danio can tell us if he thinks that's an issue right now. He's in the business.

Commissioner Danio stated they have delivery but no drive-thru. He heard about the cutting down the dining area. Today, Massachusetts closed bar and restaurants. Do we have to do it or are we regulated by the...

Mr. Forte stated he doesn't think we as a city do anything like that unless it comes at the County level.

Commissioner Danio stated, okay.

Mr. Forte stated and the County level may be saying they're not going to do that unless it comes from the State level but it makes no sense for the City of Holly Hill to order the shutdown of any businesses. If someone is going to cross the border into Ormond or Daytona to do the same business. It makes no sense but this is where he thinks that all of the cities within the County and all the Counties within the State need to communicate with each other so that we're doing the same thing and we're not. What happened on Friday, he thinks was horrible. We need to start communicating and doing the same thing and enforcing the same restrictions so that it's consistent so that the public knows the conditions in this city are going to be the same conditions in another city.

Mayor Via asked was the County was on the call today with the other cities today?

Mr. Forte stated Jim Judge was on the call but the County Manager was not.

Mayor Via asked did you express your frustration with what happened on Friday?

Mr. Forte stated, yes.

Mayor Via stated because the County had to have known as well because they were with them.

Mr. Forte stated there's always a level of deniability that they were there to announce the Declaration of State of Emergency and in the announcement with what took place in the City of Daytona Beach came after. Those are the kinds of decisions that shouldn't be made at a press conference without the surrounding jurisdictions knowing what's happening. It's his opinion.

Mayor Via stated this Commission is right behind Mr. Forte. It was frustrating for him to hear it too. It could have really hurt Holly Hill.

Commissioner Currie stated she's not trying to hurt any businesses. She's just trying to see if there's anything that needs to be done to help protect our businesses and citizens.

Mr. Forte stated the City Managers are going to have a conference call every Monday, Wednesday and Friday at 9:00 AM so every other day he will have an update of what the status is, what may be changing not changing, what's being enforced and we'll just kind of stay the course with most of what the other cities are doing.

Commissioner Currie stated, okay and can you check to see if there are any permits for any

gatherings that the city has issued recently of 10 or more.

Mr. Forte stated the only thing they have are the events they have at Sica Hall, the art show has not yet been formally cancelled but it will be postponed, Sica Hall is a Council on Aging feeding location so he's going to have to talk to the COA and see how they are going to handle it, especially, with the senior population being the most vulnerable. There's no sense of the city opening Sica Hall for gatherings and putting people at risk.

Commissioner Penny asked what about the park pavilions and stuff if somebody had a family reunion with a 100 people out there?

Mr. Forte stated he doesn't think the city ever gets that many but he'll find out from Public Works.

Commissioner Danio stated they can't be no more than 10.

Commissioner Currie stated, right. That's why she wants to make sure the city doesn't have any outstanding permits where people are going to use the park for an event of 10 or more.

Mr. Forte stated you cancel somebody's permit because they wanted to rent the pavilion is not going to stop them from coming there.

Mayor Via asked but does it negate any of the city's responsibilities would have if someone came down and said the city let us do it.

Commissioner Penny stated they're going to do it anyways unless they shut the parks down.

Commissioner Currie asked Mr. Forte if he will keep the Commission in an email loop about the feeding...

Mr. Forte stated yes, he will let them know whatever he finds out. He doesn't want to inundate them with a number of emails because we get emails on COVID-19 from everybody from the local bank to FPL; there's too much information. It just becomes overwhelming that what happens is you start to delete it. A message is going to come across that you needed to read and you deleted it. He doesn't want to overwhelm the Commission with information that you may delete it and he said he sent it to them. He only wants to send them what's important.

Commissioner Danio stated this is unprecedented for sure. At the end of the day we're going to get through it. People just need to not get over worked up and have some common sense. He appreciates staff staying on top of things. Stay the course and have a little faith. We're not in control but we'll get through it.

Commissioner Johnson stated this week, everybody should already have planned what the kids will be doing because it's been a long term plan for this week; there shouldn't be a shortage of food for kids this week then next weeks a different story because nobody knew about it until a couple of days ago. There's got to be some way to communicate with the kids to see whether or not these kids need something and where to take it too and make sure they get it. If there's 10 people or less, all the daycares need to be shut down, is that correct?

Commissioner Penny stated the Boys and Girls Club just closed.

Commissioner Johnson asked what do the people do that have to work, what do they do with the kids? That's his main concern. The biggest concern is, he thinks everybody said it, is the unknown and the trust. You don't know what is going to happen. It's like going into the military, you don't know what's over the next hill, once you get there you feel better because then you know. It's the unknown and everybody has to communicate in the right direction, in the same direction because the County Chairman and the Sheriff disagreeing and people lose their trust and that makes it more of an unknown. Once people all get on the same page and they know what's happening, they know which direction to go in then it's going to take place and smooth over a lot. He thinks they need to plan on, this is the middle of March, there may not be no more school this year. This might go up into June; you have to plan for that and hope it doesn't happen. After a week or so and people understand more about what it is and where it's going to go, some of the unknown will be out of the way. The kids are his main concern.

Commissioner Penny stated Mr. Forte, you mentioned protecting the employees in Utility Billing and the Planning Department but he's just thinking, when people enter into the building if they go to the Police Department there's the glass wall there and they go to Utility Billing and the glass wall is there but if they come to the City Clerk's office they just walk right in, if they come to Code Enforcement or come to the City Manager, they just walk in, any thought to limiting access...there glass doors, they can put a sign on all the glass doors go to Utility Billing. Maybe they can rearrange and maybe two hours a day staffs that third window to help with the other departments that are not protected. Another barrier that might help the other departments who are not protected with a glass. What makes this city great is open door philosophy. He doesn't know of any other city hall in this country where you can walk in the front door and make a left or a right and you're in the City Manager's office. There's nothing stopping someone. Just another layer of protection.

1. -2020-O-3025 Ordinance

FIRST AND ONLY READING - an Ordinance Recognizing the Declaration of a Public Health Emergency Issued by the Governor of the State of Florida, Effective Throughout the State of Florida Including Volusia County and the Municipalities Situated Therein; Recognizing a Declaration of a Local State Emergency Issued by Volusia County, and Being Effective Throughout Volusia County Including the Municipalities Situated Therein; Declaring a Local State of Emergency in the City of Holly Hill, Authorizing the Exercise of Emergency Management Procedures in Order to Protect the Health, Safety, and Welfare of the Citizens of Holly Hill and Members of the General Public; and Setting Forth an Effective Date.

(Requested by Valerie Manning, City Clerk)

RESULT:	APPROVED AT FIRST AND ONLY READING EMERGENCY ORDINANCE [UNANIMOUS]
MOVER:	Penny Currie, District 2 - Commissioner
SECONDER:	Roy Johnson, District 4 - Commissioner
AYES:	Via, Penny, Currie, Danio, Johnson

ORDINANCE**2020-O-3025**

FIRST AND ONLY READING - AN ORDINANCE RECOGNIZING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE OF FLORIDA INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF A LOCAL STATE EMERGENCY ISSUED BY VOLUSIA COUNTY, AND BEING EFFECTIVE THROUGHOUT VOLUSIA COUNTY INCLUDING THE MUNICIPALITIES SITUATED THEREIN; DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF HOLLY HILL, AUTHORIZING THE EXERCISE OF EMERGENCY MANAGEMENT PROCEDURES IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HOLLY HILL AND MEMBERS OF THE GENERAL PUBLIC; AND SETTING FORTH AN EFFECTIVE DATE.

AN ORDINANCE RECOGNIZING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY ISSUED BY THE GOVERNOR OF THE STATE OF FLORIDA, EFFECTIVE THROUGHOUT THE STATE OF FLORIDA INCLUDING VOLUSIA COUNTY AND THE MUNICIPALITIES SITUATED THEREIN; RECOGNIZING A DECLARATION OF A LOCAL STATE EMERGENCY ISSUED BY VOLUSIA COUNTY, AND BEING EFFECTIVE THROUGHOUT VOLUSIA COUNTY INCLUDING THE MUNICIPALITIES SITUATED THEREIN; DECLARING A LOCAL STATE OF EMERGENCY IN THE CITY OF HOLLY HILL, AUTHORIZING THE EXERCISE OF EMERGENCY MANAGEMENT PROCEDURES IN ORDER TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF HOLLY HILL AND MEMBERS OF THE GENERAL PUBLIC; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, the World Health Organization (WHO) identified the outbreak of the Coronavirus Disease 2019 (COVID-19) to be a severe acute respiratory illness that can spread among humans through respiratory transmission, and declared COVID-19 to be a Public Health Emergency of International Concern and a pandemic; and

WHEREAS, the federal Centers for Disease Control and Prevention (CDC) deemed it necessary to prohibit or restrict non-essential international travel to or from certain countries, and has further recommended that community preparedness and prevention measures be implemented throughout the United States; and

WHEREAS, Governor Ron DeSantis, the governor of the state of Florida, issued on March 1, 2020, Executive Order 20-51 (“Establishes COVID-19 Response Protocol and Directs Public Health Emergency”) authorizing and directing the State Health Officer and Surgeon General to declare a public health emergency in the state of Florida as a result of the COVID-19 pandemic; and

WHEREAS, on March 7, 2020, the Governor further authorized and directed the State Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 (“Emergency Management - COVID-19 Public Health Emergency”), declaring a state of emergency throughout the state of Florida for a period of sixty (60) days [said expiration date being May 8, 2020] unless extended, designating for the duration of the emergency the Director of Emergency Management to be the State Coordinating Officer, designating the State Health Officer and Surgeon General to be the Deputy State Coordinating Officer and State Incident Commander, and delegating to those officers certain emergency management powers provided in Chapter 252, Florida Statutes; and

WHEREAS, on March 13, 2020, the President of the United States issued a Presidential National Emergency Declaration for COVID-19 effective throughout the United States; and

WHEREAS, section 252.38, Florida Statutes (“State Emergency Management Act”) confers to each county within the state of Florida the authority to provide orderly control and coordination of emergency operations, throughout a respective county, in periods of emergencies; and

WHEREAS, on March 13, 2020, Volusia County Council Chairman Ed Kelley declared a state of local emergency throughout Volusia County, effective for a period of seven (7) days [and expiring on March 20, 2020]; and

WHEREAS, the City of Holly Hill, as well as other municipalities within Volusia County, falls under the jurisdiction of the Volusia County emergency management program; and

WHEREAS, the State Emergency Management Act provides a municipality with authority and power to take every prudent action necessary to ensure the health, safety, and welfare of members of the general public in response to emergency crises; and

WHEREAS, section 252.38(2) of the State Emergency Management Act confers upon municipalities the authority to implement emergency management programs consistent with the emergency management programs of the state and county; and

WHEREAS, section 166.041(3)(a), Florida Statutes, authorizes the governing body of a municipality to enact an emergency resolution, or an emergency ordinance upon a 2/3 vote; and

WHEREAS, this Ordinance satisfies the requirements for the adoption of emergency ordinances in accordance with section 166.041(3)(a), Florida Statute; and

WHEREAS, the city commission of the City of Holly Hill desires to take prudent and reasonable action that is necessary to ensure the health, safety, and welfare of the citizens of Holly Hill, and members of the general public, in response to the COVID-19 emergency crises; and

WHEREAS, the City Commission of the City of Holly Hill desires to exercise emergency management powers consistent with the emergency management declarations of the Governor of the state of Florida, Volusia County, and other municipalities within Volusia County.

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

SECTION 1. The forgoing recitals are incorporated herein and shall constitute the legislative findings of the City Commission; and the powers conferred herein shall be broadly construed to ensure the protection of the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

SECTION 2. The City Commission of the City of Holly Hill hereby declares a local state of emergency throughout the municipal boundaries of the city as a result of the Coronavirus Disease 2019 (COVID-19) public health crises.

SECTION 3. Permits for outdoor events and/or outdoor activities, regardless of whether or not the event or activity is to occur on private property/facilities or public property/facilities, where the gathering of people is reasonably expected to exceed 50 in number, shall not be issued for the duration of the declaration of emergency (as determined by the declaration of emergency issued by the Governor of the state of Florida, as the said declaration currently exists or may hereafter be amended, modified, extended, or repealed), except as otherwise determined by the City Manager in accordance with the authority provided in Section Six of this Ordinance.

SECTION 4. Permits for any event and/or activity that is to occur inside any public property/facility that is owned or under the control of the city, where the gathering of people is reasonably expected to exceed 50 in number, shall not be issued for the duration of the declaration of emergency (as determined by the declaration of emergency issued by the

Governor of the state of Florida, as the said declaration currently exists or may hereafter be amended, modified, extended, or repealed), except as otherwise determined by the City Manager in accordance with the authority provided in Section Six of this Ordinance.

SECTION 5. The City Commission of the City of Holly Hill further recommends that members of the general public not attend any large gathering of people, at or in any location, where it is reasonable to expect that the number of people in attendance may exceed 50.

SECTION 6. Consistent with the emergency declarations that have been issued by the Governor of the state of Florida and Volusia County, and in accordance with the authority conferred by the State Emergency Management Act, the Charter and Ordinances of the City of Holly Hill, including but not limited to Part I- Charter and related Laws, Subpart A- Charter Article III. - Appointment Duties and Responsibilities of the City Manager, Section 20, of the Code of Ordinances (authorizing the city manager to issue administrative orders, rules, directives, and regulations), and this Ordinance, the city manager is hereby authorized and empowered to:

1) Close or limit public access to any public property/facility that is owned or controlled by the city where it is reasonable and prudent to do so in the interest of protecting the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

2) Cancel and/or reschedule events that are to occur on public property that is owned or controlled by the city where it is reasonable and prudent to do so in the interest of protecting the health, safety, and welfare of the citizens of Holly Hill, and members of the general public.

3) Not issue permits, or to suspend, revoke and re-issue permits, for outdoor/indoor events and/or outdoor/indoor activities.

4) Cancel or suspend all recreational and/or leisure activity programs on public property that is owned and/or controlled by the city.

5) Issue permits for outdoor/indoor events or activities on private or public property/facilities in the interest of the public health, safety, and welfare of the citizens of Holly Hill and members of the general public.

6) Modify or adjust the work requirements, duties, assignments, and work stations or work locations of city employees in order ensure the provision of city services (including but not limited to essential city services such as police, fire, and utility services).

7) Exercise any additional powers in furtherance of this Ordinance and consistent with the State Emergency Management Act and general laws, the codes and ordinances, and the rules and regulations of the city of Holly Hill that are reasonably necessary to protect the health, safety, and welfare of the citizens of Holly Hill, and members of the general public within the municipal boundaries of the city.

SECTION 7. In accordance with the authority provided in part I - Charter and Related Laws, Subpart A, Article II, - The City Administration, Section 15. - Special Meetings; How Called, of the Charter of the City of Holly Hill, Special meetings may be held at the call of the mayor, or, in his/her absence, at the call of the vice-mayor. The city shall provide not less than 12 hours prior notice of the meeting to the public, where practical.

SECTION 8. All emergency management powers that have been exercised, and all emergency management plans, preparations, and actions that have been taken, prior to the adoption of this Ordinance are hereby approved, affirmed, and ratified.

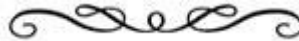
SECTION 9. This Ordinance, including any order, rule, directive, and regulation that is promulgated by the City Manager in the implementation hereof, shall constitute a local law and shall be enforceable as such in accordance with the authority prescribed by the State Emergency Management Act.

SECTION 10. This Ordinance shall be effective on the date of its adoption and it

shall remain in effect concurrent with Executive Order 20-51 ("Emergency Management - COVID-19 Public Health Emergency") issued by Governor Ron DeSantis. This Ordinance shall expire, without further action being required by the City Commission, on the date that Executive Order 20-51 expires, said date being May 8, 2020.

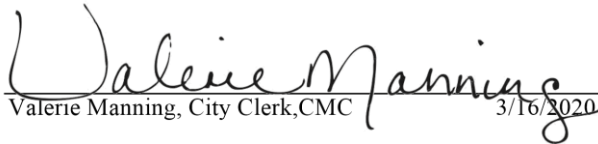
**APPROVED AND AUTHENTICATED on this 16th day of MARCH, 2020
for first and only reading.**

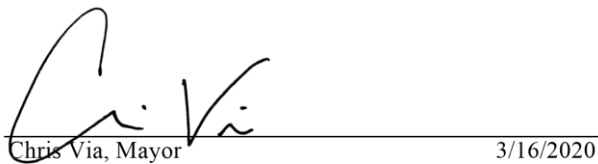
Enacted and approved this 16th day of March, 2020, in Holly Hill



3. ADJOURNMENT

The special City Commission meeting adjourned at approximately 5:10 PM.


Valerie Manning, City Clerk,CMC 3/16/2020


Chris Via, Mayor 3/16/2020