

Regular City Commission Meeting

Wednesday, October 16, 2019

1:00 PM

City of Hollywood



Hollywood City Hall
2600 Hollywood Blvd
Hollywood, FL 33020
<http://www.hollywoodfl.org>

Commission Chambers Room 219

CITY COMMISSION

Josh Levy, Mayor

Traci Callari, Vice Mayor - District 3

Caryl Shuham, Commissioner - District 1

Peter Hernandez, Commissioner - District 2

Richard Blattner, Commissioner - District 4

Kevin Biederman, Commissioner - District 5

Linda Sherwood, Commissioner - District 6

Dr. Wazir Ishmael, City Manager

Douglas R. Gonzales, City Attorney

Patricia A. Cerny, City Clerk

NOTES

The Consent Agenda is comprised of items prepared by various offices and departments in the City. These items are routine and/or non-controversial in nature, and may be voted upon by the Commission in one motion as listed below.

The regular agenda consists of items that must be discussed or that could be considered controversial, and are voted upon by the Commission individually.

Agenda items not scheduled for a specific time may be considered at any time during the meeting, at the Commission's discretion. However, time certain items will not be considered by the Commission earlier than the time listed for those items, although those items may be taken up at a later time.

The following items on this agenda are time certain items.

1:00 PM - Items - 14 thru 17

1:30 PM - Item - 18

1:45 PM - Items - 19 thru 20

2:00 PM - Item - 20A

5:00 PM - Item - 23

5:15 PM - Item - 21

1. **Moment of Silence**
2. **Pledge of Allegiance**
3. **Recognition of Veterans, Active Service Personnel & Their Families**
4. **Roll Call**

CONSENT AGENDA

(Items 5 thru 13)

If a citizen wishes to comment on a specific item, he/she should submit a comment card to the City Clerk before the Commission approves the consent agenda.

OFFICE OF HUMAN RESOURCES

5. [R-2019-299](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Providing For The Annual Revision Of The Comprehensive Pay Plan For All Non-Represented Employees.

Attachments: [Reso - FY 20 Compensation Plan Staff Summary.docx](#)
[Compensation Plan FY20 strike through version docx TH.pdf](#)
[Compensation Plan FY20 clean version.pdf](#)
[BIS 20-002.docx](#)

OFFICE OF COMMUNICATION, MARKETING & ECONOMIC DEVELOPMENT

6. [R-2019-300](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Recommending Project Palladium Be Approved As A Qualified Target Industry Business Pursuant To Section 288.106, Florida Statutes; Providing For Local Financial Support In The Form Of Cash For The Qualified Target Industry Tax Refund With High-Impact Sector Bonus.
- Attachments:** [Reso - Project Palladium.docx](#)
[Project Palladium Information \(1\).pdf](#)
[BIS 19300.docx](#)
7. [R-2019-301](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Grant A Letter Of Approval To Allow The Hollywood Historical Society To Renovate The Garage Of The Hammerstein House.
- Attachments:** [Reso - Hammerstein House](#)
[Exhibit A Hammerstein House Letter & Estimate](#)
[Hammerstein House 1988 Lease and Amendments \(002\).pdf](#)
8. [R-2019-302](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue The Attached Blanket Purchase Order With Tribune Direct, D/B/A Conversion Alliance, For The New Horizons Quarterly Newsletter In An Estimated Annual Amount Of \$75,000.00.
- Attachments:** [Reso - Tribune Direct .doc](#)
[New Horizons Quarterly Newsletter RFP.pdf](#)
[New Horizons Bid Responses - Tribune Direct and Print Dynamics.pdf](#)
[Term Sheet - Tribune Direct dba Conversion Alliance.doc](#)
[BIS 19-303R.pdf](#)

DEPARTMENT OF INFORMATION TECHNOLOGY

9. [R-2019-303](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute A Software Maintenance Agreement With Superior, LLC. For Maintenance And Support Of The Police Law Records Management System With An Initial One Year Term And Subsequent Automatic Annual Renewals In An Estimated Amount Of \$600,000.00 Over Four Years.
- Attachments:** [RMS-Resolution](#)
[Hollywood, FL Superior Solutions Maintenance Agreement R 9.19.19 for countersuperion.doc](#)
[BIS 19-305R.docx](#)

DEPARTMENT OF PARKS, RECREATION & CULTURAL ARTS

10. [R-2019-304](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Agreement With The South Broward Hospital District, D/B/A Memorial Healthcare System, For Donation Of Outdoor Fitness Equipment For Hollywood Beach Broadwalk And Related Activities.
- Attachments:** [Reso Memorial Fitness Zones](#)
[Memorial Fitness Zone agreement](#)
[Term Sheet - SBHD dba Memorial Healthcare System - FitnessEquipment.doc](#)
[BIS 19-296R.pdf](#)
11. [R-2019-305](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Miscellaneous Appropriations Grant Agreement With The Hollywood Art And Culture Center, Inc., For The Provision Of Cultural Services Through Visual Arts, Performing Arts And Educational Programming, In The Amount Of \$175,000.00.
- Attachments:** [Reso \\$175K Art Culture Center 2019-2020](#)
[HACC Misc App Agrmnt 2019 175k](#)
[Addendum A 2019-20 Scope of Services - 9-23-19](#)
[Term Sheet - Art and Culture Center, Inc. \\$175,000.doc](#)
[BIS 19-299.docx](#)
12. [R-2019-306](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Agreement With The Hollywood Art And Culture Center, Inc., For The Purpose Of Coordinating And Managing Cultural Arts Programming Services At Hollywood Central Performing Arts Center In The Amount Of \$70,000.00.
- Attachments:** [Reso HACCHCPAC2019-\\$70K](#)
[HACC-HCPACAGR 2019-\\$70K](#)
[Term Sheet - Art and Culture Center, Inc. \\$70,000.doc](#)
[BIS 19-304R.docx](#)
- Requires A 5/7th Vote*

DEPARTMENT OF PUBLIC UTILITIES

13. [R-2019-307](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Authorization To Proceed For Work Order Number LH-19-03 With Lighthouse Utility Consulting, Inc. To Provide Professional Services For A Water And Sewer Reserve Capacity Charge Study And A Sewer Expansion Funding Study In The Amount Of \$154,462.00.

Attachments: [Resolution - Lighthouse Utility Reserve Capacity Rate Study - \\$154462.00 Upc ATP - LH-19-03 Reserve Capacity Charge and Sewer Expansion Funding Study R-2015-250 Rate Consulting-RFQ-4464-15-RL Signed 8-26-2015 .pdf](#)
[Proposal - Reserve Capacity Charge and Sewer Expansion Funding Study 08.2 Lighthouse - Contract Renewal 11-16-2018 to 11-15-2021.pdf](#)
[TermSheetATPLIGHTHOUSEUTILITYSTUDY2019.doc](#)
[BIS 19-283.docx](#)

1:00 PM PRESENTATIONS, PROCLAMATIONS AND AWARDS

14. [P-2019-71](#) A Proclamation In Recognition Of National Friends Of Libraries Week, October 20-26, 2019.
Attachments: [10-16-19 Natl Friends ofLibrary Wk.docx](#)
15. [P-2019-72](#) A Proclamation In Recognition Of National School Lunch Week, October 14-18, 2019.
Attachments: [10-16-19 Natl School Lunch.docx](#)
16. [P-2019-73](#) A Proclamation In Recognition Of Rotary International Polio Day - October 24, 2019.
Attachments: [10-16-19 Rotary International Polio Day.docx](#)
17. [P-2019-74](#) Recognition Of The October 2019 Diamond Service Award Nominees By The Diamond Service Award Selection Committee. Presentation Of The October 2019 Diamond Service Award Recipient By The Diamond Service Award Selection Committee. Presentation Of The October 2019 Service Awards By Jennifer Solinger, Human Resources Administrator To 146 City And Two Community Redevelopment Agency Employees In Recognition Of Their Years Of Service.

1:30 PM TIME CERTAIN ITEM

18. [P-2019-75](#) Presentation By James Mirras, Co-Founder Of Circuit, Providing An Update On The Sun Shuttle Service.

1:45 PM QUASI-JUDICIAL ITEM(S)

(Rules of Procedure Attached to Agenda)

19. [PO-2019-23](#)

An Ordinance Of The City Of Hollywood, Florida, Amending The Revised Artspark Village Master Development Plan As It Relates To Arstpark Village-B Parc Place (Originally Approved By Ordinance No. O-2008-18, As Amended And Restated By Ordinance No. O-2011-12 And Revised By Ordinance No. O-2018-14), Pursuant To The City's Zoning And Land Development Regulations. (17-DPVJ-04a)

Attachments: [1704a CC Ordinance 2019 1002.doc](#)
[Exihibit A.pdf](#)
[Attachment I part I.pdf](#)
[Attachment I part II.pdf](#)
[Attachment I part III.pdf](#)
[Attachment II.pdf](#)
[Attachment III.pdf](#)
[Attachment IV.pdf](#)

Second Reading

No Changes Since First Reading

Advertised Public Hearing

Planning Division

20. [R-2019-308](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Considering A Request For An Amendment To The Design And Site Plan (Originally Approved By Resolution No. R-2018-320) For The Construction Of A Multi-Phased Mixed-Use Development Project, Village-B Of The Arts Park Master Development Plan, Known As Parc Place, Consisting Of 433 Residential Units, Approximately 26,000 Square Feet Of Retail Space And Associated Parking Including 890 Parking Spaces. (17-DPVJ-04a)

Attachments: [1704a CC Resolution 2019 1016.docx](#)
[Exihibit A.pdf](#)
[Exihibit B.pdf](#)

Planning Division

2:00 PM TIME CERTAIN ITEM**20A. [P-2019-76](#)**

Presentation By Jill Young, Director Of Demographics & Enrollment Planning And Joseph Beck, Demographer Specialist To Provide An Update On The October 8, 2019 Broward School Board School Proposals Workshop.

Office of the City Manager

5:15 PM TIME CERTAIN ITEM**21. [R-2019-309](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Making Findings And Designating As A Brownfield Area Within The City Of Hollywood, Real Property Located At 2210 And 2110 Adams Street, Hollywood, Florida 33020, And Identified By Folio Nos. 514216011380 And 514216011460, Pursuant To Section 376.80(2)(C), Florida Statutes, For The Purpose Of Rehabilitation, Job Creation And Promoting Economic Redevelopment; Authorizing The City Of Hollywood To Notify The Florida Department Of Environmental Protection Of The Designation.

Attachments: [Resolution Second Reading \(V1\) & Exhibits A & B.docx](#)
[Brownfield Area Designation Request for Pinnacle at Peacefield, Ltd.pdf](#)
[Noticing Information.pdf](#)
[BIS 19301.doc](#)

Development Services
Advertised Public Hearing

REGULAR AGENDA**22. [R-2019-310](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing And Approving The Appropriate City Officials To Issue A Purchase Order To Ten-8 Fire Equipment, Inc. For The Purchase Of A Pierce Velocity 100' Ladder Tower For Fire Rescue And Beach Safety In The Total Amount Of \$1,311,658.00 Based Upon The Florida Sheriff's Association Cooperative Bid Solicitation No. FSA18-VEF13.0 In Accordance With Section 38.40(C)(5) Of The Purchasing Ordinance (Piggyback).

Attachments: [Res Purchase of an Aerial-Platform.doc](#)
[Ten-8 - Hollywood-Tower 738-Equipment Proposal-w-o prepay-PDF \(2\).pdf](#)
[FSA-Fire Contract Award Letter - 13 0 2018.pdf](#)
[FSA-Contract Terms and Conditions.pdf](#)
[R-2019-187.pdf](#)
[GO Bond Resolution.pdf](#)
[Platform Piggyback Form.pdf](#)
[BIS 19-302.docx](#)

Fire Rescue & Beach Safety
General Obligation Bond

23. 5:00 PM CITIZENS' COMMENTS (Total Time 30 Minutes)

**COMMENTS BY THE CITY COMMISSION, CITY ATTORNEY & CITY
MANAGER**

24. Commissioner Hernandez, District 2
25. Vice Mayor Callari, District 3
26. Commissioner Blattner, District 4
27. Commissioner Biederman, District 5
28. Commissioner Sherwood, District 6
29. Commissioner Shuham, District 1
30. Mayor Levy
31. City Attorney
32. City Manager
33. **ADJOURNMENT**

Any person who wishes to speak must first complete a comment card from the City Clerk. Comment cards must be returned to the City Clerk within the first five minutes after the start of the agenda item. After being recognized, approach the podium, give your name and address, identify your client or clients (if applicable). A citizen's time is not transferable to any other person.

Citizens' Comments shall be held on the Third Wednesday of each month at the Regular City Commission Meeting in the City Commission Chambers, Room 219, at 5:00 PM.

Lobbyist registration is required if any person, firm or corporation is lobbying the City Commission on any petition or issue, pursuant to the Section 30.15 of the Code of Ordinances.

Any person wishing to appeal any decision made by this Commission with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes 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 made.

Two or more members of the same city board, commission, or committee, who are not of this Commission, may attend this meeting and may, at that time, discuss matters on which foreseeable action may later be taken by their board, commission or committee.

Persons with disabilities who require reasonable accommodations to participate in City programs and/or services may call the Office of the City Manager five business days in advance at (954) 921-3201 (voice). If an individual is hearing or speech impaired, please call 1-800-955-8771 (V-TDD).

Disclosure Of Real Estate Interests And Business Relationships - When an agenda item involves the use or development of land, each member of the City Commission, the City Manager, the Assistant City Manager, the City Attorney, the Deputy City Attorney, and the director and assistant director(s) of each City department and City office shall disclose orally, at the time the City Commission begins to discuss the item, or in writing to the City Clerk prior to the publication of the agenda, any significant interest (as defined below) that such City official or employee or any relative of such City official or employee has in land located within 300 feet of the land that is the subject of the item. When an agenda item involves an invitation for bids, request for proposals, request for qualifications, request for letters of interest, or other competitive solicitation, each member of the City Commission, the City Manager, the Assistant City Manager, the City Attorney, the Deputy City Attorney, and the director and assistant director(s) of each City department and City office shall disclose orally, at the time the City Commission begins to discuss the item, or in writing to the City Clerk prior to the publication of the agenda, any client or business relationship that such City official or employee or any relative of such City official or employee has with any business entity that has submitted a response to the competitive solicitation. "Significant interest" means ownership of more than 5 percent of the value of the land.

Persons attending meetings shall remain seated at all times unless called upon to speak, will not call out comments during the meeting or make inappropriate hand or facial gestures.

Please silence all cell phones prior to entering the meeting.

QUASI-JUDICIAL HEARING PROCEDURES
AND RULES FOR EX-PARTE COMMUNICATIONS

I. Scope and Applicability. These procedures shall apply to all quasi-judicial hearings held by the City Commission or by any Board or Committee (hereinafter referred to as "Boards") which holds quasi-judicial hearings. The City Attorney shall determine which matters are quasi-judicial in nature and shall direct the City Clerk or Board liaison to designate specially such matters on the agenda.

II. Proceedings. Mayor, Vice Mayor or other presiding officer (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney or legal advisor shall represent the City Commission or Board, rule on all evidentiary and procedural issues and objections, and advise the City Commission or Board as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

III. Unauthorized Communications. In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. In accordance with Section 286.0115(1), Florida Statutes, ex parte communications with City Commissioners or Board members in quasi-judicial matters is permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners or Board members:

1. The substance of any ex parte communication with a City Commissioner or Board member which relates to a quasi-judicial action pending before the Commission or Board is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

2. A City Commissioner or Board member may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission or Board shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. City Commissioners or Board members may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1, 2 and 3 must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are give a reasonable opportunity to refute or respond to the communication.

IV. Witnesses and Supporting Materials. At least eight City business days before a

quasi-judicial hearing.

A. Staff shall prepare a report, recommendation and supporting materials, a copy of which shall be available to the applicant, appellant and to the public at the City Clerk's Office. Included in the supporting materials will be copies of all exhibits and documents upon which staff's recommendation is based.

B. The Applicant and the Appellant, if applicable, shall submit a detailed outline of the argument in support of their application, copies of all exhibits which will be presented at hearing and the names and addresses of all witnesses who will be called to testify in support of the application (including resumes for any witness the party intends to qualify as an expert).

C. The eight City business day deadline is necessary to ensure the Commission or Board members are given sufficient opportunity to review the written submissions prior to the hearing, and shall be strictly observed. Should the eight City business day deadline be missed by either staff or the Applicant, the item may be continued at the discretion of the City Commission or Board to the next available agenda.

V. Party Intervenors.

The City Attorney may allow a person to intervene as a Party Intervenor if they meet the following requirements:

A. The person must have an interest in the application, which is different than the public at large.

B. At least three days prior to the hearing, the person shall submit a written request to intervene including: a detailed outline of their interest in the application and argument in favor or against it, copies of all exhibits which will be presented at the hearing and the names and addresses of all witnesses who will be called to testify on their behalf (including resumes for any witness the person intends to qualify as an expert).

VI. Conduct of Hearing.

A. The Presiding Officer shall call the proceeding to order and announce that the hearing has begun.

B. The Presiding Officer, City Attorney or legal advisor shall inquire whether all parties, members of the public and Commission or Board members agree to waiving the quasi-judicial hearing.

C. When the quasi-judicial hearing is not waived, the City Attorney, legal advisor or Presiding Officer shall explain the rules concerning procedure, testimony, and admission of evidence.

D. When the quasi-judicial hearing is not waived, the City Clerk or staff liaison shall swear in all witnesses who are to testify at the hearing.

E. The order of proof shall be as follows:

1. A representative of the City's staff (or outside counsel) shall briefly describe the Applicant's request, introduce and review all relevant exhibits and evidence, report staff's recommendation, and present any testimony in support of staff's recommendation. Staff shall have a maximum of 30 minutes to make their full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

2. The Appellant, if applicable, (or his/her representative or counsel) shall present evidence and testimony in support of the application. Appellant shall have a maximum of 30 minutes to make its full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

3. Any Party Intervenor (or his/her representative or counsel) shall present evidence and testimony in support of or opposed to the application. A Party Intervenor shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board Member.

4. The Applicant (or his/her representative or counsel) shall present evidence and testimony in support of the application. Applicant shall have a maximum of 30 minutes to make his/her full presentation, including opening statement and all direct presentation by witnesses, but excluding any cross-examination or questions from the Commission or a Board member.

5. Any other persons present who wish to submit relevant information to the City Commission or Board shall speak next for a maximum of three minutes each (excluding any cross-examination or questions from the Commission or a Board member). Members of the public will be permitted to present their non-expert opinions, but the Commission or board will be expressly advised that public sentiment is not relevant to the decision, which must be based only upon competent and substantial evidence.

6. The Appellant will be permitted to make final comments, if any (maximum of five minutes).

7. The Applicant will be permitted to make final comments, if any (maximum of five minutes).

8. The Party Intervenor will be permitted to make final comments, if any (maximum of five minutes).

9. The City's staff will make final comments, if any (maximum of five minutes).

10. At the discretion of the Presiding Officer, the Applicant may be permitted to respond to the final Party Intervenor and staff comments and recommendations (maximum of three minutes).

G. The City Attorney or legal advisor will advise the City Commission or Board as to the

applicable law and the factual findings that must be made to approve or deny the application.

H. The City Commission or Board will conduct open deliberation of the application. The Presiding Officer shall have the discretion to reopen the proceeding for additional testimony or argument by the parties when an outcome substantially different than either the granting or denial of the application is being considered. After deliberations, a vote shall be taken to approve, approve with conditions or deny the application.

VII. Examination by Commissioners and City Attorney or Legal Advisor. Commissioners, Board members and the City Attorney or Legal Advisor may ask questions of persons presenting testimony or evidence at any time during the proceedings until commencement of deliberation.

VIII. Cross-Examination of Witnesses. After each witness testifies, the City staff representative, the Applicant's representative, Appellant's representative, and/or the Party Intervenor's representative shall be permitted to question the witness, but such cross-examination shall be limited to matters about which the witness testified and shall be limited to five minutes per side. Members of the public will not be permitted to cross-examine witnesses. Cross-examination shall be permitted only as would be permitted in a Florida court of law.

IX. Rules of Evidence.

A. All evidence of a type commonly relied upon by reasonably prudent persons in the conduct of their affairs shall be admissible, whether or not such evidence would be admissible in a court of law in Florida. Irrelevant, immaterial, harassing, defamatory or unduly repetitive evidence shall be excluded.

B. Hearsay evidence may be used for the purposes of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in a civil action.

C. Documentary evidence may be presented in the form of a copy or the original. Upon request, parties shall be given an opportunity to compare the copy with the original.

X. Statements of Counsel. Statements of counsel, or any non-attorney representative, shall only be considered as argument and not testimony unless counsel or the representative is sworn in and the testimony is based on actual personal knowledge of the matters which are the subject of the statements.

XI. Continuances and Deferrals. The City Commission or Board shall consider requests for continuances made by City staff, the Applicant, the Appellant or a Party Intervenor and may grant continuances in its sole discretion. If, in the opinion of the City Commission or Board, any testimony or documentary evidence or information presented at the hearing justifies allowing additional research or review in order to properly determine the issue presented, then the City Commission or Board may continue the matter to a time certain to allow for such research or review.

XII. Transcription of hearing.

A. The City Clerk or staff liaison shall preserve the official transcript of the hearing through tape recording and/or video recording.

B. The Applicant, Appellant or Party Intervenor may arrange, at its own expense, for a court reporter to transcribe the hearing.

C. The Applicant, Appellant or Party Intervenor may request that all or a part of the transcript of a hearing be transcribed into verbatim, written form. In such case, the Applicant, Appellant or Party Intervenor requesting the transcript shall be responsible for the cost of production of the transcription and the transcription shall become the official transcript.

XIII. Maintenance of Evidence and Other Documents. The Office of the City Clerk or staff liaison shall retain all of the evidence and documents presented at the hearing unless any such evidence is too large to be stored by the City Clerk or staff liaison. In that event, such evidence will be stored in the Community Planning and Development Department.

XIV. False Testimony. Any willful false swearing on the part of any witness or person giving evidence before the Commission or Board as to any material fact in the proceedings shall be deemed to be perjury and shall be punished in the manner prescribed by law for such offense.

XV. Failure of Applicant to Appear. If the Applicant, the Appellant or Party Intervenor or their representative fails to appear at the time fixed for the hearing, and such absence is not excused by the Commission or Board, the Commission or Board may proceed to hear the evidence and render a decision thereon in absentia.

XVI. Subpoena Power. The Applicant, the Appellant or Party Intervenor or City's staff shall be entitled to compel the attendance of witnesses through the use of subpoenas. All such subpoenas shall be issued by the City Clerk at the request of the Applicant, Appellant or City's staff.

R-2016-334, 11/2/2016