

# **Regular City Commission Meeting**

**Wednesday, July 5, 2023**

**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***

***Adam Gruber, Vice Mayor - District 4***

***Caryl Shuham, Commissioner - District 1***

***Linda Hill Anderson, Commissioner - District 2***

***Traci Callari, Commissioner - District 3***

***Kevin Biederman, Commissioner - District 5***

***Idelma Quintana, Commissioner - District 6***

***George R. Keller, Jr., CPPT, City Manager***

***Douglas R. Gonzales, City Attorney***

***Patricia A. Cerny, City Clerk***

**NOTES**

As a courtesy the City is offering a new option for Citizens' Comments, other than in-person comments, for persons to participate at 5:00 PM by telephone. The option for public comment via telephone is not available for Proclamations, Presentations or other agenda items.

Advance registration is required to participate via telephone for Citizens' Comments at: <https://fl-hollywood2.civicplus.com/FormCenter/City-Clerk-12/Citizens-Comments-Telephone-Registration-291>

This registration form must be received by noon on the Tuesday prior to the meeting. Requests received after this time will not be honored. The public is encouraged to participate in-person at City Hall, 2600 Hollywood Boulevard, room 219.

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 - Item - 29 and 30**

**1:15 PM - Item - 31 thru 34**

**2:00 PM - Item - 35**

**5:00 PM - Item - 44 thru 47**

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

## **CONSENT AGENDA**

(Items # 5-28 )

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 BUDGET & PERFORMANCE MANAGEMENT**

5. [R-2023-194](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending The Fiscal Year 2023 Operating Budgets Of Various Funds As Adopted And Approved By Resolution R-2022-283; Amending The Fiscal Year 2023 Capital Improvement Plan As Adopted And Approved By Resolution R-2022-284.

**Attachments:** [Reso-Budget Amendment.docx](#)  
[Exhibits 1-12.pdf](#)

Strategic Plan Focus Area:  Financial Management & Administration

### **OFFICE OF THE CITY CLERK**


6. [R-2023-195](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of February 1, 2023.

**Attachments:** [02-01-2023 Reso - Min - Regular.docx](#)  
[February 1, 2023 minutes.pdf](#)

Strategic Plan Focus Area:  Communications & Civic Engagement

7. [R-2023-196](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of February 15, 2023.

**Attachments:** [02-15-2023 Reso - Min - Regular.docx](#)  
[February 15, 2023 minutes.pdf](#)

Strategic Plan Focus Area:  Communications & Civic Engagement

**ENGINEERING, TRANSPORTATION & MOBILITY DIVISION**

8. [R-2023-197](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Change Order To An Authorization To Proceed With DRMP Inc. To Increase The Contract Amount From \$97,570.00 To \$142,494.00 For On-Call Engineering Plan Review Support In Accordance With Section 38.48 Of The Procurement Code (Change Orders).


**Attachments:** [Resolution - DRMP Change order.docx](#)  
[ATP#2 DRMP.pdf](#)  
[DRMP Proposal/Scope of Services.pdf](#)  
[R-2021-208.pdf](#)  
[DRMP Authorization to Proceed 1114 2022.pdf](#)  
[Purchase Order No. PFY-2301722-0 0208 2023.pdf](#)  
[2023-484 Change Order with DRMP, Inc.doc](#)

Strategic Plan Focus Area:  Employee Development & Empowerment

**PLANNING DIVISION**

9. [R-2023-198](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Agreement With Kimley-Horn And Associates, Inc. To Provide An Update To The City's Comprehensive Plan In An Amount Not To Exceed \$500,000.00.

**Attachments:** [2328 Resolution 2023 0607.docx](#)  
[2023 0327 Executed Agreement.pdf](#)  
[Kimley-Horn RFQ-4611-19 \(rev. AP\).pdf](#)  
[R-2021-109.pdf](#)  
[2023-447 Term Sheet KIMLEY-HORN.doc](#)

Strategic Plan Focus Area:  Economic Vitality

**DEPARTMENT OF FINANCIAL SERVICES****10. [R-2023-199](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute An Agreement With PM AM Corporation For Alarm Billing And Collection Services, Based Upon The City Of Pembroke Pines, Florida RFP No. PD-21-02 And In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

**Attachments:** [01 Reso Alarm Billing and Collection Svcs](#)  
[02 Pembroke Pines RFP PD-21-02](#)  
[03 RFP PD-21-02 Ranking](#)  
[04 PM AM Corp Proposal](#)  
[05 PM AM Corp Agreement Pembroke Pines, FL](#)  
[2023 PM AM Alarm Billing and Collection Term Sheet.doc](#)

Strategic Plan Focus Area:  Financial Management & Administration

**DEPARTMENT OF FIRE RESCUE & BEACH SAFETY****11. [R-2023-200](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Renew A Blanket Purchase Agreement With Municipal Equipment Company, LLC For Fire Equipment, Supplies And Services In An Annual Amount Not To Exceed \$325,000.00 In Accordance With Section 38.49(C)(1) Of The Procurement Code (Renewals).

**Attachments:** [Resolution \(Municipal Equipment Company\).docx](#)  
[BPA for Municipal Equipment Company \(PA600560\).pdf](#)  
[Quote \(Municipal Equipment Company\).pdf](#)  
[Lake County, FL BID 22-730.pdf](#)  
[Lake County, FL Contract -22-730H.pdf](#)  
[PR-23-130 CM Memo CO Municipal Equipment-1.pdf](#)  
[R-2022-276 Municipal Equipment for Bunker Gear.pdf](#)  
[Warranty on Bunker Gear.pdf](#)  
[Certificate of Insurance Approval from Risk Management.pdf](#)

Strategic Plan Focus Area:  Public Safety

**DEPARTMENT OF INFORMATION TECHNOLOGY****12. [R-2023-201](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute A Blanket Purchase Agreement With CDW Government LLC For The Purchase Of Hardware, Software And Accessories For An Estimated Amount Not To Exceed \$400,000.00 For The Period From July 1, 2023 To October 30, 2024, In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

**Attachments:** [Resolution](#)  
[Purchase Agreement](#)  
[Piggyback Form](#)  
[Piggyback Checklist](#)  
[CDW Contract](#)  
[CDW 081419-Contract Extension.pdf](#)  
[2023 CDW-G Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**13. [R-2023-202](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute Blanket Purchase Agreement PA600708 With T-Mobile USA, Inc. For The Purchase Of Cellular Telephone Minutes, Data Plan Services, Products, And Related Equipment Based On NASPO Contract MA176-1 For An Estimated Amount Not To Exceed \$140,000.00 For The Period From July 1, 2023 To August 11, 2024, In Accordance With Section 38.41(C)(5) Of The Code Of Ordinances (Piggyback).

**Attachments:** [Resolution](#)  
[Purchase Agreement](#)  
[Piggyback Form](#)  
[Piggyback Checklist](#)  
[Master Agreement Amendment 1](#)  
[Master Agreement Amendment 3](#)  
[Naspo](#)  
[Naspo Combined.pdf](#)  
[2023 T-Mobile Purchase BPA Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

14. [R-2023-203](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute Blanket Purchase Agreements With SHI International Corp. For The Purchase Of Hardware, Software And Accessories For An Estimated Amount Not To Exceed \$487,500.00 For The Period From July 1, 2023 To September 15, 2026, And The OMNIA Partners Information Technology Solutions & Services Contract For An Estimated Amount Not To Exceed \$250,000.00 For The Period From July 1, 2023 To February 28, 2025, In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

**Attachments:** [Resolution](#)  
[Purchase Agreement - NASPO](#)  
[Purchase Agreement - OMNIA](#)  
[Piggyback Form - NASPO](#)  
[Piggyback Checklist - NASPO](#)  
[Piggyback Form - OMNIA](#)  
[Piggyback Checklist - OMNIA](#)  
[SHI Master Agreement with State of Utah.pdf](#)  
[NASPO Master Agreement](#)  
[NASPO Amendment 1](#)  
[NASPO Amendment 2](#)  
[NASPO Amendment 3](#)  
[SHI Contract with City of Mesa, AZ](#)  
[OMNIA Amendment 1](#)  
[OMNIA Amendment 3](#)  
[OMNIA Amendment 4](#)  
[OMNIA Amendment 5](#)  
[2023 SHI and OMNIA Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

15. [R-2023-204](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Blanket Purchase Agreement With Superior, LLC For Maintenance, Support And Additional Licenses For The Police Law Records Management System For An Estimated Amount Not To Exceed \$800,000.00 For The Period From July 6, 2023 To September 30, 2025, In Accordance With Section 38.41(C)(11)(A) Of The Procurement Code (Software And Hardware Exemption).

**Attachments:** [Resolution](#)  
[Purchase Agreement](#)  
[R-2003-418](#)  
[R-2008-394](#)  
[R-2009-121.pdf](#)  
[R-2013-263](#)  
[R-2020-188.pdf](#)  
[2023 Superior Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**16. [R-2023-205](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Blanket Purchase Agreement With Motorola Solutions, Inc. For The Purchase Of Various Motorola Equipment And Software Licenses Including Portable And Mobile Radios With Related Accessories And Computer Aided Dispatch System Licenses For An Estimated Amount Not To Exceed \$500,000.00 For The Period From July 6, 2023 To September 30, 2024, In Accordance With Section 38.41(C)(9) Of The Procurement Code (Best Interest).

**Attachments:** [Resolution](#)  
[Purchase Agreement](#)  
[Resolution R-2013-263](#)  
[Resolution R-2014-076](#)  
[Resolution R-2020-188](#)  
[2023 Motorola Term Sheet.doc](#)

Requires a 5/7 vote

Strategic Plan Focus Area:  Infrastructure & Facilities

**DEPARTMENT OF PARKS, RECREATION & CULTURAL ARTS**

17. [R-2023-206](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute An Agreement With Live Flyer, Inc. For Anchoring Limitation Area Signs In An Amount Up To \$125,000.00 Over A Two-Year Initial Term, With An Option To Renew For An Additional One-Year Period.

**Attachments:** [Resolution Standalone Anchoring Limitation Area RFP-055-23-.docx](#)  
[2 Page Agreement-live flyer - anchoring limitation area signs.doc](#)  
[\(1\)Proposal Deliverables Live Flyer.pdf](#)  
[Live Flyer, Inc. Fee Statement \(Pricing\).pdf](#)  
[RFP-055-23-SK Final Bid Packet.pdf](#)  
[RFP-055-23-SK Notice of Intent to Award.pdf](#)  
[RFP-055-23-SK Evaluation Tabulation.pdf](#)  
[Term Sheet - Live Flyer, Inc..doc](#)

Strategic Plan Focus Area:  Public Safety

18. [R-2023-207](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Construction Contract With Merrick Industrial Management Corporation For The Stanley Goldman Memorial Park PickleBall Court Renovation For A Total Cost Of \$245,676.00.

**Attachments:** [SGMP Merrick resolution.docx](#)  
[Stanley Goldman - Proposal - MIMC.pdf](#)  
[Part A Contract Form of Agreement SGMP Pickleball Courts Final 06.08.doc](#)  
[Part B General Conditions SGMP Pickleball Courts Final 06.08.docx](#)  
[Part C Supplementary General Conditions SGMP Pickleball Courts Final 06.0](#)  
[SGMP Pickleball Court Renovation Rendering.pdf](#)  
[R-2023-087 Pickleball Stan Goldman.pdf](#)  
[Term Sheet - Merrick Industrial Mgmt Corp.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

19. [R-2023-208](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Construction Contract With American Ramp Company For The Stanley Goldman Memorial Park Skatepark Replacement For A Total Of \$650,000.00.

**Attachments:** [SGMP American Ramp resolution.docx](#)  
[Part A Contract Form of Agreement SGMP Skatepark Final 06.08.docx](#)  
[Part B General Conditions SGMP Skatepark Final 0608.docx](#)  
[Part C Supplementary General Conditions SGMP Skatapark Final 0608.docx](#)  
[American Ramp Company Design Build Contract Detailed Scope of Work Exhi](#)  
[SGMP Skatepark renovation rendering.pdf](#)  
[R-2023-086 Skatepark RFQ.pdf](#)  
[Term Sheet - American Ramp Company.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**DEPARTMENT OF PUBLIC UTILITIES****20. [R-2023-209](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Issue A Purchase Order To Environmental Equipment Services, LLC, For Ross Control Valve Replacement In An Amount Up To \$449,500.00 In Accordance With Section 38.41(C)(2) Of The Procurement Code (Sole Source).

**Attachments:** [Resolution Sole Source Ross Valves EES.docx](#)  
[PO 300000006748571 PFY-2302804 .pdf](#)  
[Executed EES Sole Source Form.pdf](#)  
[Sole Source Letter - Ross.pdf](#)  
[COI Approval.pdf](#)  
[2023-438 PO with EES LLC for Ross Valves.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**21. [R-2023-210](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Blanket Purchase Agreement With Univar Solutions USA, Inc. For The Supply And Delivery Of Sodium Hydroxide 50% In An Estimated Annual Amount Up To \$720,000.00 For An Initial Term Of One Year Based On The Southeast Florida Governmental Purchasing Cooperative Group Contract No. 2023-006 In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

**Attachments:** [01 RESO Univar Solutions USA, Inc.docx](#)  
[Draft BPA PA600729 - Revised.pdf](#)  
[City of Margate Reso 23-033 and SFGP Co-op Bid # 2023-006 documentation 2](#)  
[Executed Univar Solutions USA Inc. Sodium Hydroxide WTP Piggyback Request](#)  
[Univar Solution USA Inc. Sodium Hydroxide WWTP Piggyback request form Si](#)  
[Executed Piggyback Checklist Univar Solution USA Inc. Sodium Hydroxide.pdf](#)  
[Univar Risk COI Approval.pdf](#)  
[2023-495 Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**22. [R-2023-211](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Contract With Southeastern Engineering Contractors, Inc. In An Amount Up To \$200,495.00 For Construction Services Related To The McKinley Street Interceptor Ventilation And Tyler Street Conflict Box Revision Project.

**Attachments:** [Resolution - McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.docx](#)  
[Contract - McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.pdf](#)  
[Contract Book - McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.pdf](#)  
[Bid Proposal – McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.pdf](#)  
[Bid Tabulation - McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.pdf](#)  
[Award Recommendation Letter - McKinley Street Interceptor Ventilation.pdf](#)  
[Presentation - McKinley Street Interceptor Ventilation and Tyler Street.pptx](#)  
[Sunbiz - McKinley ST Interceptor Ventilation & Tyler ST Conflict Box.pdf](#)  
[2023-490 Term Sheet Southeastern Engineering.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**23. [R-2023-212](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Contract With Shenandoah General Construction, LLC In An Amount Up To \$348,910.00 For Sunset Golf Course Ditch Cleaning Project Construction Services.

**Attachments:** [Resolution - Sunset Golf Course Ditch Cleaning.docx](#)  
[Contract - Sunset Golf Course Ditch Cleaning.pdf](#)  
[Bid Evaluation - Sunset Golf Course Ditch Cleaning.pdf](#)  
[Bid Tabulations - Sunset Golf Course Ditch Cleaning.pdf](#)  
[Award Recommendation Letter - Sunset Golf Course Ditch Cleaning.pdf](#)  
[Presentation - Sunset Golf Course Ditch Cleaning.pptx](#)  
[Sunbiz - Sunset Golf Course Ditch Cleaning.pdf](#)  
[2023-489 Shenandoah General Construction, LLC.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**24. [R-2023-213](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Renew A Blanket Purchase Agreement with Sulphuric Acid Trading Company Inc. For The Second Renewal Period In An Annual Amount Up To \$504,000.00 For The Supply And Delivery Of Sulfuric Acid In Accordance With Section 38.49(C)(1) Of The Procurement Code (Renewals).

**Attachments:** [RESO SATCO Sulfuric Acid Renewal 2023 .docx](#)  
[PA\\_300000006758576\\_PA600113 Revised.pdf](#)  
[Resolution R-2019-156.pdf](#)  
[Resolution R-2022-202.pdf](#)  
[City of Deerfield 1922 Contract Renewal - 2nd FULLY EXECUTED.pdf](#)  
[SATCO Renewal Letter 2023 Signed.pdf](#)  
[Executed SATCO Evaluation Form.pdf](#)  
[SATCO COI & RISK Approval.pdf](#)  
[2023-482 to renew BPA with Sulphuric Acid Trading Company, Inc.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**25. [R-2023-214](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Blanket Purchase Agreement With Envirowaste Services Group, Inc. For Drainage System Cleaning And Maintenance Services In An Amount Up To \$500,000.00, Based On The City Of Fort Lauderdale Contract No. 21-0878 And In Accordance With Section 38.41(C)(5) Of The City's Procurement Code (Piggyback).

**Attachments:** [Resolution-Envirowaste Piggyback.docx](#)  
[Draft BPA PA600731.pdf](#)  
[Piggyback Request Form - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[Piggyback Contract - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[City of Ft. Laud. Bid Sheet Schedule - Envirowaste Piggyback Drainage Mainte](#)  
[Piggyback Letter - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[Piggyback Checklist - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[COI - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[SunBiz - Envirowaste Piggyback Drainage Maintenance.pdf](#)  
[2023-491 Term Sheet Envirowaste Services Group.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

**DEPARTMENT OF PUBLIC WORKS****26. [R-2023-215](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Negotiate Agreements With The Three Highest-Ranked Firms, DRC Emergency Services, LLC., D & J Enterprises, Inc., And TFR Enterprises, Inc. To Provide Emergency Response And Recovery Services For A Variety Of Disaster Related Incidents.


**Attachments:** [RESO - Emergency Response and Recovery Services.docx](#)  
[DRC Emergency Services LLC.pdf](#)  
[D & J Enterprises Inc.pdf](#)  
[TFR Enterprises Inc.pdf](#)  
[Ceres Environmental Services Inc.pdf](#)  
[Southern Disaster Recovery.pdf](#)  
[AshBritt Inc.pdf](#)  
[CTC Disaster Response Inc.pdf](#)  
[Aggregate Scores Summary.pdf](#)  
[Evaluation Tabulation.pdf](#)

Strategic Plan Focus Area:  Public Safety

**27. [R-2023-216](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Purchase Order To The Peterbilt Store South Florida LLC, D/B/A The Peterbilt Store, For The Purchase Of A 2024-548 Peterbilt Cab And Chassis Dump Truck In An Amount Up To \$174,229.00 Based Upon Sourcewell Contract 060920-PMC Class 4-8 Chassis With Related Equipment, Accessories, And Services In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

**Attachments:** [Reso - Peterbilt 20 ft GT-Clean.docx](#)  
[Draft PO for Petrbilt Dump Truck 6-14-23.pdf](#)  
[Peterbilt Contract 060920.pdf](#)  
[2023 SOURCEWELL CUSTOMER PRICING Peterbilt Motors Company.pdf](#)  
[RFP and Addendums-060920 Chassis 4-8.pdf](#)  
[Signed Piggyback Request Form.pdf](#)  
[Signed Piggyback Request Checklist.pdf](#)  
[Quotation Letter City of Hollywood 548 Peterbilt with Rogers 20Yrd Dump.docx](#)  
[Presentation Package - 2023-06-01T160331.942.pdf](#)  
[Prop. Eval. 060920 Chassis 4-8.pdf](#)  
[Term Sheet - The Peterbilt Store South Florida LLC.doc](#)

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

28. [R-2023-217](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue Blanket Purchase Agreements For Citywide Plant Supply And Installation Services To A Perfect Edge, Inc. And J Gomez & Sons Corp., D/B/A Top Choice, For An Aggregate Amount Up To \$1,050,000.00.

**Attachments:** [Reso - Citywide Plant Supply-revised.docx](#)  
[Draft BPA Citywide Plant and Installation Services A Perfect Edge 6-5-23.pdf](#)  
[Draft BPA Citywide Plant and Installation Services J Gomez 6-5-23.pdf](#)  
[R-2022-025 - Citywide Palnt Supply and Installation.pdf](#)  
[PA600440 - A Perfect Edge Inc.pdf](#)  
[PA600441 - J. Gomez & Son Corp -DBA- Top Choice.pdf](#)  
[PA600442 - Nice & Smooth Landscape, Corp.pdf](#)  
[COI A Perfect Edge.pdf](#)  
[COI J. Gomez and Sons DBA Top Choice Sprinkler.pdf](#)  
[Citywide Plant Sod Supply and Installation Bid.docx](#)  
[NLS Corp Corrective Action Plan Follow Up.pdf](#)  
[Tabulation Packet for F 4694 21 PB.pdf](#)  
[Term Sheet - A Perfect Edge Inc. and J Gomez and Sons Corp.doc](#)

Strategic Plan Focus Area:  Resilience & Sustainability


### **1:00 PM PRESENTATIONS, PROCLAMATIONS AND AWARDS**

29. [P-2023-074](#) A Presentation By Steve Welsh, Hollywood Council of Civic Associations, Chair Of The Pete Brewer Scholarship Committee, Awarding Hollywood Students With The Pete Brewer Scholarship Awards.

Strategic Plan Focus Area:  Communications & Civic Engagement

30. [P-2023-075](#) A Proclamation In Recognition Of The JCC Maccabi Games® & ACCESS, August 6-11, 2023.

**Attachments:** [07-05-23-Maccabi Games.docx](#)


Strategic Plan Focus Area:  Communications & Civic Engagement

### **1:15 PM TIME CERTAIN ITEM**

31. [R-2023-218](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Setting The Proposed Maximum Millage Rate Pursuant To Section 200.065 (2)(b), Florida Statutes, And Setting The Date, Time, And Place At Which A Public Hearing Will Be Held To Consider The Proposed Millage Rate And Tentative Budget.

**Attachments:** [Maximum Millage resolution](#)

Office of Budget & Performance Management

Strategic Plan Focus Area:  Financial Management & Administration

**32. [R-2023-219](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The Provision Of Fire Rescue Services, Facilities And Programs In The City Of Hollywood, Florida; Establishing The Estimated Assessment Rate For Fire Rescue Assessments For The Fiscal Year Beginning October 1, 2023; Directing The Preparation Of An Assessment Roll; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; Providing For Conflicts And Severability.

**Attachments:** [01 Reso Fire Rescue Assess Prelim FY2024 at 97.5% \\$312](#)  
[02 Appendix A Fire Rescue Incident Rpt Situation Codes](#)  
[03 Appendix B Fire Rescue Property Use Codes](#)  
[04 Appendix C Fire Rescue Apportionment Method](#)  
[05 Appendix D Fire Rescue Rate Schedule at 97.5% \\$312](#)  
[06 Appendix E Fire Rescue Notice to Be Published at 97.5% \\$312](#)  
[07 Appendix F Fire Rescue Trim Notice at 97.5% \\$312](#)

Department of Financial Services

Strategic Plan Focus Area:  Financial Management & Administration

**33. [R-2023-220](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The Provision Of Fire Inspection Services In The City Of Hollywood, Florida; Establishing The Estimated Assessment Rates For Fire Inspection Assessments For The Fiscal Year Beginning October 1, 2023; Directing The Preparation Of An Assessment Roll; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; Providing For Conflicts And Severability.

**Attachments:** [01 Reso Fire Inspection Prelim FY2024](#)  
[02 Appendix A Fire Inspection Rate Schedule FY 2024](#)  
[03 Appendix B Fire Inspection Notice to Be Published](#)  
[04 Appendix C Fire Inspection Sample TRIM Notice](#)

Department of Financial Services

Strategic Plan Focus Area:  Financial Management & Administration

**34. [R-2023-221](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The Levying And Collecting Of A Non-Ad Valorem Assessment For The Costs Of Abating Nuisances Occurring On Real Property That Are Prohibited Under The City's Code Of Ordinances; Establishing The Estimated Assessment Amounts To Be Included On The Annual Property Tax Bills Of The Affected Property Owners Who Have Had Remedial Work Performed On Their Properties By The City; Directing The Preparation Of An Assessment Roll; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; Providing For Conflicts And Severability.

**Attachments:** [01 Reso Prelim Assess Nuisance Abate FY2024](#)  
[02 Appendix A Parcels Assessed](#)  
[03 Appendix B Nuisance Abate Notice to Be Published](#)  
[04 Appendix C Sample TRIM Notice](#)

Department of Financial Services

Strategic Plan Focus Area:  Financial Management & Administration

**2:00 PM TIME CERTAIN ITEM****35. [PO-2023-09](#)**


An Ordinance Of The City Of Hollywood, Florida, Amending The City's Comprehensive Plan By Changing The Land Use Designation For Property Located At 4100 N. Hills Drive, 2900 N. 40th Avenue, Keyser Avenue And Greens Road, Generally Located South Of North Hills Drive, North Of Sheridan Street, East Of North 56 Avenue And West Of North Park Road, From The Land Use Designation Open Space And Recreation (OSR) To Low (5) Residential (LRES) And Low Medium (10) Residential (LMRES); Amending The City's Land Use Map To Reflect The Changes. (22-L-80)

**Attachments:** [Ordinance Emerald Hills.doc](#)  
[Exhibit A Emerald Hills Legals 2023 Modified.pdf](#)  
[2280 PDB Staff Report 2023 0509.pdf](#)  
[Attachment A Application Package Part 1.pdf](#)  
[Attachment A Application Package Part 2.pdf](#)  
[Attachment A Application Package Part 3.pdf](#)  
[Attachment B Emerald Hills LUPA - Traffic Analysis - 03-06-23.pdf](#)  
[Attachment C Hollywood Affordable Housing Study Update 2022.1.docx.pdf](#)  
[Attachment D Dec. Restrictive Covenants.pdf](#)

First Reading

Advertised Public Hearing

Planning Division


Strategic Plan Focus Area:  Economic Vitality

**REGULAR AGENDA****36. [R-2023-222](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Funding Agreement With Pinnacle 441 Phase 2, A Florida Limited Liability Company, Which The City Previously Committed \$1,000,000.00 In Support For Pinnacle 441 Phase 2, A Mixed-Income Affordable Housing Project Generally Located At 6028 Johnson Street In Hollywood, Including A Minimum Of 100 New Affordable Housing Units Designated For Those Earning An Average Of 60% Of The Area Median Income Or Less; Authorizing The Appropriate City Officials To Execute All Documents Necessary To Effectuate This Resolution.

**Attachments:** [Reso-Pinnacle 441 Phase II Loan Agreement.docx](#)  
[Funding Agreement - City of Hollywood Pinnacle 441 Phase 2-with Exhibits.docx](#)

Office of the City Manager

Strategic Plan Focus Area:  Economic Vitality

**37. [R-2023-223](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Appointing One Member To The Civil Service Board.

**Attachments:** [Civil Service Board Resolution 2023 revised.docx](#)  
[David Bennett.pdf](#)

Office of Human Resources


Strategic Plan Focus Area:  Employee Development & Empowerment

**38. [R-2023-224](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida Appointing Eleven Members To The Hollywood Centennial Celebration Committee.

**Attachments:** [Reso Centennial Celebration Committee2023.docx](#)  
[R-2023-044 Hollywood Centennial Celebration Committee.pdf](#)  
[Mitchell Anton.pdf](#)  
[Richard Aube.pdf](#)  
[Vyacheslav Cherkasov.pdf](#)  
[Kenneth Crawford.pdf](#)  
[Kathleen Drabik-DiBona.pdf](#)  
[Tera Faso.pdf](#)  
[Lloyd Feinberg.pdf](#)  
[Thomas Lander.pdf](#)  
[Rachelle Letaw.pdf](#)  
[Lois Morford.pdf](#)  
[Andrew Ruffner.pdf](#)  
[Joy Satterlee.pdf](#)  
[Clive Taylor.pdf](#)  
[Centennial Celebration Grid 2.docx](#)

Department of Parks, Recreation & Cultural Arts

Strategic Plan Focus Area:  Communications & Civic Engagement

**39. [R-2023-225](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Issue An Agent Of Record Letter On Behalf Of The City To The Highest Ranked Proposer, Aon Risk Services, Inc. To Provide Brokerage Services For Property, Auto, General Liability And Workers Compensation Insurance For A Period Of Three Years, With An Option To Renew For Two Additional One-Year Periods In An Annual Amount Not To Exceed \$151,875.00.

**Attachments:** [2023 Reso Insurance Broker Services- DYH Edits \(002\).docx](#)  
[Aon Proposal.pdf](#)  
[RMA Proposal.pdf](#)  
[RSC Proposal.pdf](#)  
[RFP-060-23-WV Insurance Broker Services.pdf](#)  
[Evaluation Scoresheet -Insurance Broker Services.pdf](#)  
[Bid Protest.pdf](#)  
[Protest Response \(RFP 060-23-WV\).pdf](#)

Office of Human Resources

Strategic Plan Focus Area:



Financial Management & Administration

**40. [R-2023-226](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Change Order To The Blanket Purchase Agreement With Axon Enterprise, Inc. To Increase The Agreement Amount From \$2,693,495.20 To \$3,193,495.20 For The Purchase Of Additional Body Worn Cameras, Tasers, Software, Maintenance, And Related Equipment In Accordance With Section 38.48 Of The Procurement Code (Change Orders).

**Attachments:** [Resolution](#)  
[PA 300000006758576 PA600507 4 \(1\)](#)  
[R-2022-183-10 \(1\)](#)  
[Hollywood PD - May 2022 Quote.pdf](#)  
[Hollywood PD - May 2023 Quote.pdf](#)

Police Department

Strategic Plan Focus Area:



Public Safety

41. [R-2023-227](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Execution And Delivery Of A Master Equipment Lease/Purchase Agreement With Bank Of America, National Association And Separate Equipment Schedules For The Acquisition, Financing And Leasing Of Certain Energy Services Equipment In An Aggregate Amount Not To Exceed \$2,600,000.00; Authorizing The Execution And Delivery Of An Escrow Agreement And Related Documents; Authorizing All Incidental Actions Necessary For The Consummation Of The Contemplated Transaction.

**Attachments:** [Resolution Bank of America Lease Purchase Financing.docx](#)  
[Exhibit A - Master Lease Purchase Agreement.doc](#)  
[Exhibit B - Wilmington Trust Escrow Agreement.doc](#)

Department of Financial Services

Strategic Plan Focus Area:  Financial Management & Administration


42. [R-2023-228](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Adopting The One Year Action Plan And Projected Use Of \$1,173,389.00 In Community Development Block Grant Funds And \$581,004.00 In Home Investment Partnership Funds For Federal Program Year 2023-2024.

**Attachments:** [Resolution 1-year Action Plan for 2023-2024.docx jb DB edits.docx](#)  
[Preliminary 2023.2024 Funding Recs complete.xlsx- RRC \(002\).pdf](#)  
[Hollywood 2023 AAP Draft 5.15.pdf](#)

Advertised Public Hearing

Community Development Division

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

43. [R-2023-229](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute A Third Amendment Renewing The Agreement For Solid Waste Disposal Services With Waste Connections Of Florida, Inc. In An Estimated Annual Amount Of \$3,770,000.00 In Accordance With Section 38.41(C)(9) Of The Procurement Code (Best Interest).

**Attachments:** [Reso - Waste Connections Renewal - Clean.docx](#)  
[3rd Amendment Waste Connections.doc](#)  
[R-2013-168 - Waste Connections.pdf](#)  
[R-2018-192 - Waste Connections.pdf](#)  
[Progressive Waste Solutions dba Waste Services.pdf](#)  
[Blanket Purchase Agreement B002492.pdf](#)  
[Hollywood Disposal Offer.pdf](#)  
[Waste Connection Approved COI.pdf](#)  
[Term Sheet - Waste Connections Third Amendment.doc](#)

Requires a 5/7 Vote

Department of Public Works

Strategic Plan Focus Area:  Infrastructure & Facilities

**44. 5:00 PM CITIZENS' COMMENTS (Total Time 30 Minutes)****5:00 PM TIME CERTAIN ITEM(S)****45. [PO-2023-08](#)**

An Ordinance Of The City Of Hollywood, Florida, Changing The Zoning Designation Of The Properties Located At 2609 N. 26 Avenue And Adjacent Parcels To The North And West, Located At 200 & 300 Oakwood Boulevard, And Adjacent Parcels To The South Located At 2800, 2900, 2906, 2908-2914, 2940, 3000, 3120, 3215, 3350, 3401, 3501-3881, 3901-3921, 4001-4101, 4150 Oakwood Boulevard, 2700 Stirling Road And Oakwood Boulevard, Hollywood, Florida, Generally Located South Of Stirling Road And East Of Interstate 95, From Low Intensity Industrial And Manufacturing (IM-1) To The Planned Development (PD) District; Approving The Planned Development (PD) Master Development Plan For The Subject Property; Approving Landscape And Parking Modifications; Amending The City's Zoning Map To Reflect The Change In Zoning Designation. (22-Z-57)


**Attachments:** [Ordinance doc](#)  
[Exhibit A - Survey.pdf](#)  
[Exhibit B - Master Plan.pdf](#)  
[Exhibit C - Appendix B and D - Modifications.pdf](#)  
[PDB Staff Report and back-up\\_2023\\_0509.pdf](#)  
[Attachment A Application Package.pdf](#)  
[Attachment B Oakwood Plaza PD Design Guidelines and Master Plan.pdf](#)  
[Attachment C Existing Land Use and Zoning Map\(s\).pdf](#)  
[Attachment D Existing Zoning and Land Development Regulations \(IM-1\).pdf](#)  
[Attachment E Proposed Zoning and Land Development Regulations \(PD\).pdf](#)  
[Attachment F O 2022\\_04.pdf](#)

Second Reading

Advertised Public Hearing

No Changes Since First Reading

Planning Division


Strategic Plan Focus Area:  Economic Vitality

**46. [R-2023-230](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Considering A Request For A Variance From The Sign Code For The Properties Located At 2609 N. 26 Avenue And Adjacent Parcels To The North And West, Located At 200 & 300 Oakwood Boulevard, And Adjacent Parcels To The South Located At 2800, 2900, 2906, 2908-2914, 2940, 3000, 3120, 3215, 3350, 3401, 3501-3881, 3901-3921, 4001-4101, 4150 Oakwood Boulevard, 2700 Stirling Road And Oakwood Boulevard, Hollywood, Florida, Generally Located South Of Stirling Road And East Of Interstate 95, For The Subject Property ("Oakwood Activity Center"). (22-V-57)

**Attachments:** [Resolution for Sign Variance Rvd 3.doc](#)  
[Exhibit A.pdf](#)  
[Exhibit B.pdf](#)

Planning Division

Strategic Plan Focus Area:  Economic Vitality

### **QUASI-JUDICIAL ITEM**


**47. [PO-2023-10](#)**

An Ordinance Of The City Of Hollywood, Florida, Amending The Approved Planned Development (PD) Master Development Plan For The Property Located At 3451-3690 And 3210-3450 South Ocean Drive To Allow For The Development Of 350 Residential Units And A 500 Key Hotel In Accordance With The Recently Adopted Diplomat Activity Center Land Use Category As Approved By Ordinance No. O-2019-25; Establish Dimensional Standards For The 350 Residential Units And 500 Key Hotel; Modifying Exhibit "G" Conditions To The PD Master Plan To Incorporate The Dimensional Standards For The 350 Residential Units And 500 Key Hotel; Providing For A Severability Clause And A Repealer Clause.(23-Z-33)

**Attachments:** [Ordinance- Diplomat PD Master Plan](#)  
[Exhibit A for July 5th CC Meeting](#)  
[Exhibit G Amended Master Development Plan Conditions for 0705 CC Meeting 2333\\_PDB Staff Report and Backup\\_2023\\_0613](#)  
[Attachment A Application Package.pdf](#)  
[Attachment B Planned Development Zoning Regulations.pdf](#)  
[Attachment C Adopted Ordinances and Resolutions.pdf](#)  
[Quasi Judicial - Applicant Attachments.pdf](#)

First Reading

Planning Division

Strategic Plan Focus Area:  Economic Vitality

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

- 48. Commissioner Anderson, District 2
- 49. Commissioner Callari, District 3
- 50. Vice Mayor Gruber, District 4
- 51. Commissioner Biederman, District 5
- 52. Commissioner Quintana, District 6
- 53. Commissioner Shuham, District 1
- 54. Mayor Levy
- 55. City Attorney
- 56. City Manager
- 57. 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 Division of Engineering/Transportation & Mobility, Azita Behmardi, ADA Coordinator/City Engineer, five business days in advance at 954-921-3251 (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, City Manager, Assistant City Manager(s), City Attorney, Deputy City Attorney, and the director and assistant director(s) of each City department/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, City Manager, Assistant City Manager(s), City Attorney, Deputy City Attorney, and the director and assistant director(s) of each City department/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 five 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