

City of Hollywood

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



Meeting Minutes

Wednesday, October 1, 2014

1:00 PM

Commission Chambers Room 219

Regular City Commission Meeting

CITY COMMISSION

Peter Bober, Mayor

Patricia Asseff, Vice Mayor - District 1

Peter Hernandez, Commissioner - District 2

Traci Callari, Commissioner - District 3

Kevin Biederman, Commissioner - District 5

Richard Blattner, Commissioner - District 4

Linda Sherwood, Commissioner - District 6

Cathy Swanson-Rivenbark, City Manager

Jeffrey P. Sheffel, City Attorney

Patricia A. Cerny, City Clerk

The Regular City Commission Meeting of the City of Hollywood, Florida, was called to order by Mayor Bober on Wednesday, October 1, 2014 at 1:07 PM in the City Commission Room, Room 219, Joseph W. Watson Circle, Hollywood, Florida.

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

Present: Vice Mayor Patricia Asseff, Commissioner Peter Hernandez, Commissioner Traci Callari, Commissioner Richard Blattner, Commissioner Kevin D. Biederman, Commissioner Linda Sherwood and Mayor Peter Bober

Approval of the Consent Agenda

ACTION: A motion was made by Commissioner Callari, seconded by Commissioner Sherwood, to adopt the Consent Agenda. The motion passed unanimously (7-0).

5. **R-2014-284** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of April 2, 2014.
ACTION: This Resolution was moved by Commissioner Callari, which was seconded by Commissioner Sherwood, and adopted on the Consent Agenda. The motion passed unanimously (7-0).
6. **R-2014-285** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of April 16, 2014.
ACTION: This Resolution was moved by Commissioner Callari, which was seconded by Commissioner Sherwood, and adopted on the Consent Agenda. The motion passed unanimously (7-0).
8. **R-2014-287** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue The Attached Blanket Purchase Order Between Advanced Xerographics Imaging Systems, Inc. D/B/A Axis, Inc., And The City Of Hollywood For Billing Services For An Estimated Annual Expenditure Of \$265,000.00.

ACTION: This Resolution was moved by Commissioner Callari, which was seconded by Commissioner Sherwood, and adopted on the Consent Agenda. The motion passed unanimously (7-0).

9. R-2014-288

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue The Attached Blanket Purchase Order Between TAC Armature And Pumps And The City Of Hollywood For The Repair And Replacement Of Various Large Electric Motors And Well Pumps Throughout The City For An Estimated Annual Expenditure Of \$75,000.00.

ACTION: This Resolution was moved by Commissioner Callari, which was seconded by Commissioner Sherwood, and adopted on the Consent Agenda. The motion passed unanimously (7-0).

10. R-2014-289

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Four (4) Quitclaim Deeds Conveying Public Roadway Interests Located Along State Road 7 (US441) To The State Of Florida Department Of Transportation In Accommodation Of The Widening Of State Road 7.

ACTION: This Resolution was moved by Commissioner Callari, which was seconded by Commissioner Sherwood, and adopted on the Consent Agenda. The motion passed unanimously (7-0).

11. P-2014-062

A Proclamation In Recognition Of Breast Cancer Awareness Month - October 2014.

Commissioner Sherwood read the proclamation in recognition of Breast Cancer Awareness Month - October 2014.

Tammie Hechler, Director of Human Resources, accepted the proclamation and thanked the Commission for the recognition.

Jennifer Sollinger, explained the activities planned for the month.

Susan LeClaire and Margarita Orta, American Cancer Society, accepted the proclamation and thanked the Commission for the recognition.

12. P-2014-063

A Proclamation In Recognition Of National Work and Family Month - October 2014.

Commissioner Blattner read the proclamation in recognition of National Work and Family Month - October 2014.

Fern Canter, CARE Committee representative, and various CARE Committee members accepted the proclamation and thanked the Commission for the recognition.

Michele Anzalone, CARE Committee Member, explained various

events planned for the month.

13. P-2014-064

A Proclamation In Recognition Of Domestic Violence Awareness Month - October 2014.

Vice Mayor Asseff read the proclamation in recognition of Domestic Violence Awareness Month - October 2014.

Page Fitzgerald, Women in Distress of Broward County, accepted the proclamation and thanked the Commission for the recognition.

14. P-2014-065

A Proclamation In Recognition Of Healthy Mothers, Healthy Babies "Forget Me Not Day" - October 11, 2014.

Commissioner Callari read the proclamation in recognition of Healthy Mothers, Healthy Babies "Forget Me Not Day" - October 11, 2014.

Michelle Reese, Healthy Mothers, Healthy Babies of Broward County, accepted the proclamation and thanked the Commission for the recognition.

15. P-2014-066

Presentation By Dr. Brenda C. Snipes, Broward County Supervisor Of Elections, For An Update On The November 4, 2014 General Election.

Commissioner Biederman left the meeting at 1:45 PM and returned at 1:47 PM.

Patricia A. Cerny, City Clerk, introduced Dr. Brenda Snipes, Broward County Supervisor of Elections.

Dr. Brenda C. Snipes, Broward County Supervisor of Elections, provided a presentation updating the Commission on the November 4, 2014 general election.

7. R-2014-286

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Second Amendment To The Agreement Between JCD Golf Of Florida, Inc. And Nikki's On The Green, Inc. For The Operation Of Food And Beverage Services At Orangebrook Golf And Country Club.

Discussion ensued among members of the Commission.

Chuck Ellis, Director of Parks, Recreation and Cultural Arts, responded to questions raised by the Commission.

ACTION: Motion was made by Commissioner Blattner, which was seconded by Commissioner Sherwood, to adopt the Resolution. On a voice vote the motion passed unanimously. (7-0)

- 16. R-2014-290** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Establishment Of Pilot Sidewalk Café Program For Retail And Commercial Businesses Within The Downtown District Of The Community Redevelopment Agency For A One Year Trial Period Beginning November 1, 2014 And Ending October 31, 2015.

Sylvia Glazer, Director of Public Works, explained the intent of the resolution.

Jorge Camajo, CRA Executive Director, provided additional information.

Discussion ensued among staff and members of the Commission.

ACTION: Motion was made by Commissioner Biederman, which was seconded by Commissioner Hernandez, to adopt the Resolution with an amendment to include Federal Highway from Young Circle south to Pembroke Road. On a voice vote the motion passed unanimously. (7-0)

- 17. R-2014-291** A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending Resolution No. R-2001-59 To Expand The Geographical Area For The Current Beach Cafe Zone Within The City.

Sylvia Glazer, Director of Public Works, explained the intent of the resolution.

Sula Miller, 1410 S. Ocean Drive, #1002, expressed personal opinions/concerns.

Discussion ensued among staff and members of the Commission.

Jeffrey P. Sheffel, City Attorney, provided additional information.

ACTION: Motion was made by Commissioner Blattner, which was seconded by Commissioner Sherwood, to adopt the Resolution. On a voice vote the motion passed unanimously. (7-0)

- 18. P-2014-067** Presentation By The Hollywood Hills Civic Association Regarding "State Of The Association".

Davon Barbour, Director of Economic Development, introduced members of the Hollywood Hills Civic Association.

Josh Levy, Mardi Podesta, Mel Pollack and Pam Burgio, Hollywood Hills Civic Association Officers and Directors, provided a presentation on the state of the association.

Commissioner Blattner left the meeting at 2:36 PM and returned at 2:37 PM.

Discussion ensued among members of the Commission.

Vice Mayor Asseff left the meeting at 3:04 PM.

Discussion ensued among members of the Commission.

19. Commissioner Blattner, District 4

Hollywood Hills

Commissioner Blattner thanked the Hollywood Hills Civic Association for their presentation today. He stated the City should be concerned about maintaining the property values in Hollywood Hills and it is the responsibility of members of the Commission and the City to ensure the environment, appearance factors and code enforcement issues are addressed.

Excellence In Policing Program

Commissioner Blattner announced he will leave tonight to attend the Excellence In Policing Program in Newark, New Jersey held by the Department of Justice with Frank Fernandez, Chief of Police, and members of the City's Police Department.

All Aboard Florida

Commissioner Blattner stated everyone is excited about the potential for All Aboard Florida and the passenger rail on the FEC. He requested support for placing a resolution for All Aboard Florida on the agenda. Mayor Bober supported the request.

Fort Lauderdale-Hollywood International Airport

Commissioner Blattner provided an update on the construction of the Fort Lauderdale-Hollywood International Airport South Federal Highway exit ramp. He attended a meeting last week with representatives from the Federal Department of Transportation (FDOT) and the Aviation Department. FDOT stated the Aviation Department did not follow their own rules regarding the ramp construction nor those of Broward County, or the Federal Aviation Administration. The construction cannot be stopped at this point. Commissioner Blattner stated he believes that FDOT will take over road access issues moving forward, which will require agreement from the Broward County Administrator. He stated the process would take five years to complete, providing that FDOT would agree to redevelopment of the ramp.

Commissioner Blattner stated he does not approve of the present ramp design under construction, which should be completed in November, 2014. He stated it is the responsibility of members of the Commission from this point forward to ensure the ramp is the best it

can be by having proper lighting and signage.

Homeless

Commissioner Blattner stated he had a great experience during the three hours he spent with Lori Ann Walton, City Homeless Coordinator. He praised her compassion, knowledge, expertise and progress she has made with the City's homeless population issues. He explained they met with homeless people on Hollywood Beach, and went to three homeless encampments. He complimented the NTL staff for the excellent job they have done with the homeless population on Hollywood Beach. He stated the City is moving in the right direction with the homeless population issues and encouraged members of the Commission to ride along with Lori Ann Walton, Homeless Coordinator.

Sheridan Street Station

Commissioner Blattner stated he had a meeting with City staff and SRTA regarding how the City and SRTA can work together with FDOT to assure the Sheridan Station commercial portion of the development will take place as a partner with the Department of Transportation (DOT) and how the City can be given some assurance the Sheridan Station will be on the FEC.

Smoking Ban on the Beach

Commissioner Blattner suggested an agenda item to discuss a ban on smoking on Hollywood Beach and various beach/Broadwalk issues. Mayor Bober and Commissioner Sherwood concurred. Commissioner Callari agreed with banning smoking on the beach and suggested the topic should be a stand-alone item. Jeffrey P. Sheffel, City Attorney, stated a ban on smoking would have to be a stand-alone Ordinance or combined with other beach and Broadwalk regulatory issues.

20. Commissioner Biederman, District 5

Fort Lauderdale-Hollywood International Airport

Commissioner Biederman thanked Commissioner Blattner for his work on the Fort Lauderdale-Hollywood International Airport exit ramp issue.

Smoking Ban on the Beach

Commissioner Biederman questioned the City Attorney regarding the legality of posting signage on the beach without an Ordinance to request no smoking on the beach. Jeffrey P. Sheffel, City Attorney, stated that could be an option.

Code Enforcement

Commissioner Biederman stated three new Code Enforcement Officers have been approved for FY 2015. He questioned whether

there has been any thought for a Code Enforcement Officer to work evening hours or on Sundays, which is the peak period for parking violations. He explained residents have stated parking on sidewalks has been a problem during these timeframes.

Civic Association Meetings

Commissioner Biederman encouraged residents to participate in their Civic Associations.

Commissioner Chat

Commissioner Biederman encouraged residents to contact him with any City issues. He announced the next Commissioner Chat at Sonny's Steak Hoagies on October 6, 2014 at 6:00 PM.

21. Commissioner Sherwood, District 6

Paint Palette

Commissioner Sherwood requested members of the Commission approve a paint palette. She stated there are houses with poor color choices that negatively impact home values and deter potential home sales.

Fort Lauderdale-Hollywood International Airport

Commissioner Sherwood requested that the MPO improve the existing airport exit signage to the City.

Recycling Bins

Commissioner Sherwood requested feedback from staff for the approval of the Beverly Hills Condominium development to purchase six 95 gallon recycling bins from the City. The recycling vendor for the Beverly Hills Condominium will not provide additional bins

Candidacy Announcement

Commissioner Sherwood announced she has filed to run in the 2016 election for her Commission seat, District 6.

City Commission Team Building

Commissioner Sherwood suggested that a team building seminar or weekend retreat be held for members of the Commission.

FY 2015 Budget

Commissioner Sherwood stated that at the budget meeting a resident accused her of reading the budget for only one hour which was taken out of context. She explained she took an extensive period of time to review the budget over many days and months.

22. Vice Mayor Asseff, District 1

Vice Mayor Asseff was absent.

23. Commissioner Hernandez, District 2

Dandee Donuts

Commissioner Hernandez thanked Dandee Donuts for providing members of the Commission with donuts today.

Hispanic Business Networking

Commissioner Hernandez displayed Hola Latino magazine. He explained that the Hollywood Chamber of Commerce is doing a great job promoting small Hispanic businesses in the City and has created the Hispanic Network Group committee.

Commissioner Hernandez stated he spoke at a Hispanic Network Group meeting on his business experiences in the City and explained to the attendees that networking and social media advertising creates awareness and is the key to success. He commended the Chamber of Commerce for promoting small businesses in the City.

Highland Gardens

Commissioner Hernandez stated the Highland Gardens community would like to know the status of the electric wraps and the traffic lights for their community. Cathy Swanson-Riverbark, City Manager, responded staff will look into it.

Pop's Barbeque

Commissioner Hernandez stated there have not been any complaints about late night activity at Pop's Barbeque since the extended hours license was revoked and he thanked Frank Fernandez, Chief of Police.

Playhouse Workshop

Commissioner Hernandez stated he had requested a Playhouse workshop in July and would like to know when it will take place.

Civic Associations

Commissioner Hernandez stated the Royal Poinciana Civic Association has expressed interest in merging with the Parkside Civic Association recognizing larger civic associations have a greater level of interest from residents and businesses.

24. Commissioner Callari, District 3

Paint Palette

Commissioner Callari stated she requested the paint palette to be approved approximately one year ago and would like to know when it

would be in effect. Cathy Swanson-Rivenbark, City Manager, stated it is part of the property standards being worked on.

Code Violations

Commissioner Callari conveyed her appreciation to the Hollywood Hills Civic Association on raising the issue regarding community standards. She stated additional code violation issues to be addressed include illegal conversions, mold on roofs, and porta-potties attached to homes. She complimented Albert "Skip" Margerum, Code Enforcement Manager, for accepting the challenges he is facing in his new position.

Fort Lauderdale-Hollywood International Airport

Commissioner Callari stated her appreciation to Commissioner Blattner for his involvement with the Fort Lauderdale-Hollywood International Airport exit ramp issue and the importance of continuing to stay abreast of the situation.

New Homeless Coordinator Meeting

Commissioner Callari stated she requested to meet with the new Homeless Coordinator soon after she was hired and is disappointed a meeting has not been scheduled. She reiterated her request to meet.

Marine Tour

Commissioner Callari stated she is looking forward to a marine tour of the C 10 canal to determine what code violations need to be addressed and observe the condition of seawalls.

Breast Cancer Awareness Month

Commissioner Callari stated the importance of showing support for breast cancer survivors, caregivers, family members and those individuals affected indirectly by the disease.

E-911

Commissioner Callari announced E 911, the Regional Consolidated Dispatch System, has been converted and encouraged everyone to update their records to reflect the new non-emergency number for police department and fire department calls. The new number is 954-764-Help.

Homeless Encampments

Commissioner Callari complimented Mark Hazel, NTL Police Officer, for the work he has done with the assistance of the Department of Public Works and FDOT to eliminate the homeless population along the railroad tracks and the encampments behind Johnson Street and Taft Street. He has been working with Lori Ann Walton, Homeless Coordinator, who has assisted with relocating the homeless and

providing them with resources.

Injured Firefighter Update

Commissioner Callari announced Derek Avilez, Firefighter, who was seriously injured four years ago yesterday is doing well. She praised him for his diligence in striving to improve and thanked the City for providing him with work during his recuperation period.

25. Mayor Bober

Police Department

Mayor Bober complimented the Police Department for increasing visibility of Police Officers throughout the City.

Climate Change

Mayor Bober stated he is pleased that a part-time Sustainability Coordinator position was approved in the FY 2015 budget.

Mayor Bober announced he was a guest speaker at a local college recently and one of the questions raised was what he believes are the biggest challenges that face the City. His response to the students was that a major concern and threat is climate change and its effect on our existence. He stated rising seas and salt water intrusion has a direct correlation to the quality of our drinking water. He is a member of the Water Resource Task Force which works with the Broward League of Cities and Palm Beach County to ensure we have fresh water drinking supply in the future. He stated that the next highest challenge is the City's financial stability and pensions.

Respect

Mayor Bober stated one of the most touching moments of today's meeting was the personal experiences Commissioner Sherwood shared about the number of people close to her she has lost due to cancer. He explained everyone has had personal experiences dealing with traumatic situations. He stated respect is recognizing differences in people and experiences they have had to deal with. He emphasized the importance of decorum and encouraged people to treat each other with respect.

26. City Attorney

Part-Time Contractor

Jeffrey P. Sheffel, City Attorney, stated a part-time contractor is coming to the end of the maximum allocation of \$50,000.00 for FY 2014 that the City Manager is authorized to approve. Matthew Lalla, Director of Financial Services, stated he identified an item that exceeded the \$50,000.00 threshold by \$450.00. He explained the City hired a former employee who retired in 2012 to work as a part-time

independent contractor due to his extensive experience with utility billing. He explained the contractor has been involved in the transition of utility billing from DMA to in-house and the conversion from the old to new utility billing software program. Staff is seeking Commission approval of a resolution to increase the maximum limit the City Manager is authorized to approve to \$56,000.00.

Extensive discussion ensued among staff and members of the Commission regarding the legal and IRS requirements of a contractor, the number of contractors currently employed city-wide and from which department and line item the contractor in utility billing is paid. Matthew Lalla, Director of Financial Services, explained the maximum number of contractors citywide is about twelve. He stated they are not on payroll and receive a 1099 at the end of the year for their professional services. Payments for professional services of the utility billing contractor are charged to the water and sewer fund and the line item is Professional Services.

Extensive discussion ensued among staff and members of the Commission to clarify the reason the contractor position is categorized a sole source. Jeffrey P. Sheffel, City Attorney, stated a sole source contract is for the purpose of the Procurement Code and does not require a unanimous vote. The part-time Contractor is the only person with extensive experience in the utility billing process and the reason the position is categorized as a sole source contract.

Mayor Bober stated the proposed resolution does not stipulate a maximum dollar limit and suggested a motion to cap at \$56,000.00.

ACTION: Motion was made by Commissioner Blattner, which was seconded by Commissioner Sherwood, to adopt the resolution with an amendment to cap the amount at \$56,000.00.

Commissioner Biederman left the meeting at 4:06 PM and returned at 4:07 PM.

Discussion ensued among members of the Commission on the motion, need to have additional information prior to voting on the proposed resolution, justification for the part-time Contract position, and reasons for selecting the former employee rather than following the established recruitment procedure.

Commissioner Blattner left the meeting at 4:08 PM and returned at 4:10 PM.

Steve Joseph, Director of Public Utilities, stated the part-time contractor position originated in the Treasury Division as a contractor and there are no unfilled budgeted positions in the Department of Public Utilities.

Mayor Bober questioned whether the non-agendaed item can be moved to the next agenda. Jeffrey P. Sheffel, City Attorney, responded affirmative.

ACTION: Motion was made by Commissioner Hernandez, which was seconded by Commissioner Callari, to call the question. On a voice vote the motion passed 6-0. Vice Mayor Asseff was absent.

ACTION: The motion to approve the amended resolution with a cap of \$56,000.00 on a voice vote failed 3-3. Commissioner Hernandez, Commissioner Callari and Commissioner Biederman were opposed. Vice Mayor Asseff was absent.

27. City Manager

E-911

Frank Fernandez, Chief of Police, presented an update on the transition to the County-wide Broward Sheriff's Office E 911 Regional Consolidated Dispatch System effective this morning. He stated the transition is going very well and will continue to be monitored closely over the next few days.

Cathy Swanson Rivenbark, City Manager, stated she chose not to present the E-911 update because she learned 25 minutes ago that it is in effect. She explained staff is reviewing processes and trying to follow procedures.

Transhire

Cathy Swanson-Rivernbark, City Manager, stated she would like to address comments presented in the Commission meetings on September 3, 2014 and September 17, 2014 in reference to her integrity, and being accused of insubordination related to the Transhire contract issue. She explained she paid for the transcript of the September 3, 2014 Commission meeting at her own personal expense, and she read into the record item number 27, page 25 of 52.

28. The meeting adjourned at 4:17 PM.

Patricia A. Cerny, MMC
City Clerk
Hollywood, Florida

Approved on:
