

Regular City Commission Meeting

Wednesday, March 20, 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 - 26 thru 28

1:15 PM - Items - 29 thru 30

1:30 PM - Items - 31 thru 32

2:00 PM - Item - 33

2:30 PM - Items - 34 thru 36

5:00 PM - Item - 43

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 25)

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 THE CITY CLERK

5. [R-2019-042](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Accepting The Certified Results Of The 2019 Special Referendum Election Held On March 12, 2019.

Attachments: [R-gen-CERTFY-2019.doc](#)

DEPARTMENT OF DEVELOPMENT SERVICES

6. [R-2019-043](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Green Team To Solicit Donations In Support Of Their Outreach Activities, Including Funtastic Friday Goes Green.

Attachments: [FFGG Donations Reso.docx](#)

ENGINEERING DIVISION

7. [R-2019-044](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Right-Of-Way Occupancy Permit With Hollywood Boulevard Investments, LLC, For The Placement of An Awning Structure Projecting Over The Public Rights-Of-Way At 1948 Hollywood Boulevard.

Attachments: [1 EN19-035 Reso 1948 Hollywood Boulevard.docx](#)
[3 Awning Encroachment Permit - 1948 Hollywood Boulevard.pdf](#)
[4 Exhibit A Site Plan.pdf](#)
[TermSheetROWOccupancyPermitmishewileystreet.doc](#)

8. [R-2019-045](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Right-Of-Way Occupancy Permit With Hollywood 2006 Realty, LLC, For The Placement Of A Storefront Overhang Structure Across The Eduardo Building Located At 2006 Hollywood Boulevard, Which Will Project Over The Public Right-Of-Way.

Attachments: [1 EN19-037 Reso 2006 Hollywood Boulevard.docx](#)
[3 Encroachment Permit 2006 Hollywood Boulevard.pdf](#)
[4 Exhibit A-Site Plan 2006 Hollywood Boulevard.pdf](#)
[TermSheetROWOccupancyPermitBroadwalkinvestmarnacitassurfrd.doc](#)

9. [R-2019-046](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue and Execute An Authorization To Proceed No. 11 With Saltz Michelson Architects, Inc. To Provide Additional Professional Architectural And Engineering Services For Construction Phase Professional Services For The New Fire Station No. 45 In The Amount Of \$21,298.83.

Attachments: [RESO Saltz Michelson Arch. - ATP 11 - Jan 2019 \(003\)Rev1.doc](#)
[ATP 11 - Saltz Michelson.pdf](#)
[ATP 11 - Invoices.pdf](#)
[TERMSHEETSALTZMICHELSONATPFIRESTATION45.DOC](#)
[BIS 19-104.docx](#)

DEPARTMENT OF FINANCIAL SERVICES

10. [R-2019-047](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending The Fiscal Year 2019 Adopted Budget (R-2018-301); Revising Operating Revenues, Authorizing Budgetary Transfers And Adjustments, Reauthorizing And Re-Appropriating Certain Funding; And Providing An Effective Date.

Attachments: [Reso - Budget Amendment.doc](#)
[Exhibit 1 REV.pdf](#)
[Exhibit 2R.pdf](#)
[Exhibit 3R.pdf](#)
[Exhibit 4.pdf](#)
[Exhibit 5R.pdf](#)
[Exhibit 6R.pdf](#)
[Exhibit 7R.pdf](#)
[Exhibit 8.pdf](#)
[BIS 19-100.doc](#)

11. [R-2019-048](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending the Number and Type of the Authorized Positions and Adjusting the Assignments Of The Authorized Positions For Each Department For The Fiscal Year 2019 As Previously Established (R-2018-303).

Attachments: [PosCntrl.docx](#)
[Exhibit 1.pdf](#)
[Exhibit 2.pdf](#)
[BIS19-107.doc](#)

DEPARTMENT OF FIRE RESCUE & BEACH SAFETY

12. [R-2019-049](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Purchase Order With Commercial Laundry Equipment Company, Inc. For The Purchase Of Unimac Commercial Grade Washers And Dryers For Various Locations Within The Fire Department For An Amount Not To Exceed \$94,250.00.

Attachments: [Res Commercial Laundry-F-4602-19-JE.doc](#)
[F-4602-19-JE - Supplier Tab Report.pdf](#)
[F-4602-19-JE \(Commercial Laundry\).pdf](#)
[F-4602-19-JE \(Begus Online\).pdf](#)
[Commercial Laundry Backup.pdf](#)
[AwardLetterAFG.pdf](#)
[R-2017-308 AFG.pdf](#)
[Term Sheet Unimac \(Bid\).doc](#)
[BIS 19-102.docx](#)

DEPARTMENT OF INFORMATION TECHNOLOGY

13. [R-2019-050](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute A Purchase Agreement And Maintenance Agreement With Express Radio, Inc., For The Purchase And Five Year Maintenance Of A Local Government UHF Radio System In An Initial Amount Not To Exceed \$850,000.00 And A Recurring Annual Amount Not To Exceed \$50,000.00.

Attachments: [Reso Local Govt Radio Purchase](#)
[COH Purchase Contract-F](#)
[COH MAINTENANCE AGREEMENT_G](#)
[bid_317702](#)
[VERIFIED_Express Radio Justification Letter 09 28 18](#)
[terexpressradio.doc](#)
[BIS 19-110.doc](#)

DEPARTMENT OF PARKS, RECREATION & CULTURAL ARTS

14. [R-2019-051](#) 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 Boardwalk, And Related Activities.

Attachments: [ResoMemorial Fitness Zones.doc](#)
[Memorial Fitness Zone Agreement.pdf](#)
[Term Sheet - South Broward Hospital District d.b.a Memorial Healthcare System](#)
[BIS 19-120.docx](#)

15. [R-2019-052](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Apply For, And If Awarded, Accept The 2019/20 Florida Inland Navigation District Waterway Assistance Grant For Phase I Of The Mooring Field Project For North And South Lakes In The Approximate Amount Of \$150,000.00; Authorizing The Appropriate City Officials To Execute All Applicable Grant Documents And Agreement(s).

Attachments: [Reso FIND 2020.docx](#)
[Exhibit 1 FIND.pdf](#)
[FIND Application Part 2 2019.pdf](#)
[BIS 19-121.docx](#)

POLICE DEPARTMENT

16. [R-2019-053](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept 2018 Department Of Homeland Security Grant Funds From The City Of Miami In The Approximate Amount Of \$115,000.00 To Enhance Public Safety And Emergency Management Urban Area Security Initiative Approved Projects And Equipment; Further Authorizing The Appropriate City Officials To Execute The Attached Memorandum Of Agreement With The City Of Miami (And All Other Applicable Sub-Grant Documents And Agreements); And Amending The Fiscal Year 2019 Operating Budget (R-2018-301).

Attachments: [Resolution.doc](#)
[Exhibit 1.pdf](#)
[UASI Grant FY 2018 Memorandum of Agreement.docx](#)
[Executed-City of Miami-Exhibit 1.pdf](#)
[Line Item Budget Detail-Exhibit 2.pdf](#)
[Term Sheet.docx](#)
[BIS 19099.doc](#)

DEPARTMENT OF PUBLIC UTILITIES

17. [R-2019-054](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Agreement With Broward County, Florida, For Billing Payment Services Related To Use Of The Broward County Landfill For Disposal Of Storm Water Debris.

Attachments: [01 Resolution - Broward County Agreement for Landfill Billing.docx](#)
[ZZ110 20190122 BC Landfill Agreement with Hollywood.pdf](#)
[TermSheetBwdCountyLABillingServicesLandfill.doc](#)
[BIS 19-098.doc](#)

Requires A 5/7th Vote

18. [R-2019-055](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Approve A Blanket Purchase Order With Tripp Electric Motors, Inc. For Pump And Motor Repair Services In An Estimated Annual Amount Of \$135,000.00.

Attachments: [01 Resolution - Tripp Piggyback BPO for Motor Pump Repairs.doc](#)
[02 BPO PA600048 - Tripp Piggyback for Motor Pump Repairs.pdf](#)
[03 Piggyback Documents - Tripp BPO for Motor Pump Repairs.pdf](#)
[04 Martin County Agreement - Tripp Piggyback BPO for Motor Pump Repairs.pdf](#)
[05 Martin County Bid \(RRFB2018\) - Tripp Piggyback BPO for Motor Pump Repairs.pdf](#)
[Term Sheet - Tripp Electric Motors, Inc..doc](#)
[BIS 19-103.doc](#)

19. [R-2019-056](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing Appropriate City Officials To Issue A Purchase Order To Ranch Cryogenics, Inc. For Services Related To Cryogenic Plant Reboiler Condenser Heat Exchanger Replacement, Located At The Southern Regional Wastewater Treatment Plant, In The Amount Of \$683,912.50; Increasing The Amount Of Blanket Purchase Order B002566 With Airgas Inc. By An Additional Amount Of \$300,000.00 For Liquid Oxygen Supply During The Project; Approving An Amendment To The Fiscal Year 2019 Capital Improvement Program. (Project No. 18-9418)
- Attachments:** [01 Resolution - Ranch Cryogenics PO & Airgas BPO Increase.docx](#)
[02 Exhibit A - Ranch Cryogenics PO & Airgas BPO Increase.pdf](#)
[03 Bid Tabulation - Ranch Cryogenics PO & Airgas BPO Increase.pdf](#)
[R-2018-265.pdf](#)
[Term Sheet - Ranch Cyrogenics, Inc..doc](#)
[Term Sheet - Airgas, Inc. - Liquid Oxygen BPO Increase.doc](#)
[BIS 19-109.doc](#)
20. [R-2019-057](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Acquisition And Acceptance Of A Lift Station Easement For The Construction Of A New Sewage Lift Station Located At 7676 Davie Road Extension As Part Of The Approved Driftwood Septic To Sewer Conversion Phase II Capital Improvement Project. (Project Number. 18-7088)
- Attachments:** [01 Resolution - 7676 Davie Rd Ext Easement Purchase for LS A-15.docx](#)
[02 Executed Easement - 7676 Davie Rd Ext Easement Purchase for LS A-15.p](#)
[BIS 19-106.doc](#)
21. [R-2019-058](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Blanket Purchase Order With Cedenos Comfort Cooling, LLC For HVAC Equipment Preventative Maintenance And Repair Services In An Estimated Annual Amount Of \$172,260.00.
- Attachments:** [01 Resolution - Cedenos BPO for HVAC Maintenance.doc](#)
[B00XXXX Cedenos Comfort Cooling_Rev1.pdf](#)
[Notice of Intent to Award F-6000-18-RL.PDF](#)
[Packet for Bid F-6000-18-RL.PDF](#)
[Term Sheet - Cedenos Comfort Cooling LLC.doc](#)
[BIS 19-101.doc](#)

22. [R-2019-059](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Approve The Issuance Of A Blanket Purchase Order With ASE Telecom & Data, Inc. For Fiber Optic Network Infrastructure Upgrades And Improvements Related To The Main Public Utilities Facilities, The Water Treatment Plant, The Southern Regional Wastewater Treatment Plant And The Underground Utilities Compound In An Estimated Annual Amount Of \$150,000.00; Approving An Amendment To The Fiscal Year 2019 Capital Improvement Program.

Attachments: [01 Resolution - ASE Telecom Data Piggyback \\$150K.doc](#)
[06 Exhibit A - ASE Telecom BPO rev1.pdf](#)
[02 Piggyback Broward County - ASE Telecom BPO Fiber Optics.pdf](#)
[03 Bid Tabulation - ASE Telecom Piggyback BPO Fiber Optics.pdf](#)
[04 Contract Renewal #1 - ASE Telecom Piggyback BPO Fiber Optics.pdf](#)
[05 Quotation - ASE Telecom Piggyback BPO Fiber Optics.pdf](#)
[TERMSHEETASETELECOMPIGGYBACKFIBERNETWORK.DOC](#)
[BIS 19-105.doc](#)

DEPARTMENT OF PUBLIC WORKS

23. [R-2019-060](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue Purchase Orders To Coastal Industries USA, LLC, Doing Business As Water Wizard/Rust Wizard (Primary), Luke's Landscaping, Inc., Doing Business As Lukes-Sawgrass Landscape (Secondary), And Tensua, Inc. (Tertiary), On A Rotational Basis, For Citywide Irrigation Maintenance And Repair Services For A Combined Amount Not To Exceed \$300,000.00.

Attachments: [REV RESO Irrigation Installation and Maintenance.docx](#)
[PA 300000006758576 PA600063 0-1.pdf](#)
[PA 300000006758576 PA600064 0.pdf](#)
[PA 300000006758576 PA600065 0.pdf](#)
[TERMSHEETIRRIGATIONMAINTENBESTINTERESTPO.DOC](#)
[BIS 19-115r.docx](#)

Requires A 5/7th Vote

24. [R-2019-061](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue Purchase Orders To Tenusa, Inc. (Primary) And Orchidman Landscape Artisans, Corp. (Secondary) On A Rotational Basis For Citywide Landscape Design And Field Services In An Amount Not To Exceed \$350,000.00.

Attachments: [REV RESO Plants and Shrubs.docx](#)
[BPA Tenusa -PA600066.pdf](#)
[BPA Orchidman - PA600067.pdf](#)
[TERMSHEETLANDSCAPEDESIGNBESTINTEREST2019.DOC](#)
[BIS 19-117.docx](#)

Requires A 5/7th Vote

25. [R-2019-062](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue Purchase Orders To J. Gomez & Sons Corp., d/b/a Top Choice Sprinkler Systems & Landscaping (Primary), Visualscape Inc., (Secondary), And Superior Landscaping & Lawn Service, Inc., (Tertiary) On A Rotational Basis, For City-wide Tree Supply, Relocation And Installation Services, For A Combined Amount Not To Exceed \$300,000.00.

Attachments: [REV RESO Tree Supply and Installation.docx](#)
[BPO REVISED - J. Gomez dba Top Choice PA600077.pdf](#)
[BPO REVISED Superior Landscaping PA600070 .pdf](#)
[BPO REVISED Visualscape PA600069.pdf](#)
[TERMSHEETTREESUPPLYRELOCATIONINSTALLATIONBESTINTEREST20 BIS 19-118.docx](#)

Requires A 5/7th Vote

1:00 PM PRESENTATIONS, PROCLAMATIONS AND AWARDS

26. [P-2019-11](#) A Proclamation In Recognition Of Red Cross Month - March 2019.
- Attachments:** [Red Cross.docx](#)
27. [P-2019-12](#) A Proclamation In Recognition Of Florida Bicycle Month - March 2019.
- Attachments:** [Florida Bicycle Month - 2019.docx](#)
28. [P-2019-13](#) A Proclamation In Recognition Of No Smoking And No Vaping With Love Sign Awareness Day - March 20, 2019.
- Attachments:** [No Smoking and No Vaping With Love.docx](#)

1:15 PM TIME CERTAIN ITEM(S)

29. [P-2019-14](#) Presentation By Marty Kiar, Broward County Property Appraiser, Regarding The Joint Efforts With The City Of Identifying Fraudulent Homestead Exemptions By Referencing City Utility Bills.
30. [PO-2018-22](#) An Ordinance Of The City Of Hollywood, Florida, Amending The Zoning And Land Development Regulations By Amending Article 2 Entitled "Definitions" And By Repealing And Replacing Article 8 Entitled "Sign Regulations;" And Providing For Severability, Inclusion In The Code, And For Conflicts. (18-T-02)

Attachments: [1802_Ordinance_2019_0116.docx](#)
[Attachment I.pdf](#)
[Attachement II.pdf](#)
[Attachement III.pdf](#)

Second Reading
Advertised Public Hearing
Planning Division

1:30 PM TIME CERTAIN ITEM(S)**31. [PO-2019-02](#)**

An Ordinance Of The City Of Hollywood, Florida, Amending Article 4, Section 4.1c. Of The Zoning And Land Development Regulations Entitled "Single Family Districts" To Revise The Front Setback Requirements For Lakefront Properties Located Within The Lakes Area Historic Multiple Resource Listing District. (18-T-54)

Attachments: [1854 Ordinance 2019 0206.doc](#)
[1854 Attachment I.pdf](#)

Second Reading

No Changes Since First Reading

Advertised Public Hearing

Planning Division

32. [PO-2019-03](#)

An Ordinance Of The City Of Hollywood, Florida, Amending Article 7 Of The Zoning And Land Development Regulations Entitled "Off Street Parking And Loading" By Amending Section 7.1., "General Provisions", To Revise The Regulations Relating To Curbing, Tandem Parking, And Parking Lifts; Providing For A Severability Clause And A Repealer Provision. (18-T-52)

Attachments: [1852 Ordinance 2019 0206.doc](#)
[1852 Attachment I.pdf](#)

Second Reading

No Changes Since First Reading

Advertised Public Hearing

Planning Division

2:00 PM TIME CERTAIN ITEM**33. [PO-2019-05](#)**

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 71 Of The Code Of Ordinances, Entitled "Traffic Regulations", To Prohibit The Operation Of Motor Scooters; Amending Chapter 127 Entitled "Other Businesses", To Prohibit The Sale, Rental Or Leasing Of Motorized Scooters And Go-Peds; Providing For Severability And A Repealer Provision.

Attachments: [scooterordfinal.doc](#)

Second Reading

Advertised Public Hearing

Office of the City Attorney

2:30 PM TIME CERTAIN ITEM(S)

34. [R-2019-063](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Ratifying And Authorizing The Appropriate City Officials To Execute The 2017 - 2018 Collective Bargaining Agreement With The Hollywood Professional Firefighters, Local 1375.

Attachments: [Resolution 2017-2018 IAFF Collective Bargaining Agreement.doc](#)
[FINAL Fire 10.01.2017 - 9.30.2018 clean.pdf](#)
[Summary of Negotiated Changes IAFF FY18.docx](#)
[BIS 19124.doc](#)

Office of the City Attorney

35. [R-2019-064](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Ratifying And Authorizing The Appropriate City Officials To Execute The 2018 - 2021 Collective Bargaining Agreement With The Hollywood Professional Firefighters, Local 1375.

Attachments: [Resolution 2018-2021 IAFF Collective Bargaining Agreement.doc](#)
[FINAL Fire 10.01.2018 - 9.30.2021.pdf](#)
[Summary of Negotiated Changes IAFF 2018-2021.docx](#)
[BIS 19125R.doc](#)

Office of the City Attorney

36. [PO-2019-06](#) An Ordinance Of The City Of Hollywood, Florida, Amending The Subchapter Of Chapter 33 Of The Code Of Ordinances Titled "Firefighter's Pension And Retirement"; Incorporating Various Changes To The Retirement System Contained In The Collective Bargaining Agreement Between The Hollywood Professional Fire Fighters, Local #1375, And The City Of Hollywood, Including Changes Relating To Membership, Eligibility, Normal Retirement Benefit, And The Resolution Of Issues Related To The City's Reduction Of Pension Benefits In 2011; Further Amending Chapter 33 By Removing Outdated And Obsolete Provisions.

Attachments: [firepensionfinal3.docx](#)
[Hollywood Fire Impact Statement 2-21-19.pdf](#)
[BIS 19094 v4.docx](#)

Second Reading

Advertised Public Hearing

Requires A 5/7th Vote

Office of the City Attorney

ORDINANCE(S)

37. [R-2019-065](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Memorandum Of Understanding Between The City And Hollywood, Florida, City Employees, Local 2432 ("AFSCME") Regarding Reemployment Of Retirees Who Have Attained Age 62.

Attachments: [mouafscmereemployretiree.doc](#)
[mouafscmereemployafterretire.docx](#)

Office of the City Attorney

38. [PO-2019-01](#) An Ordinance Of The City Of Hollywood, Florida, Amending Section 33.025 Of The Code Of Ordinances, "Employees' Retirement Fund", Providing Effective Dates For Certain Provisions; Providing For Required Updates Related To Credited Service; Providing For A Definition Of Net Market Rate Of Return For Drop Participants; Providing For Required Updates Related To Direct Rollovers; Providing For Maximum Pension Limitations; Providing For Required Minimum Distributions; Providing For The Preclusion Of Prohibited Transactions; Providing For An Expression Of Intent That The Plan Remain Qualified Under The Internal Revenue Code; Providing For Reemployment After Retirement; Providing For Codification, Severability And Conflict.

Attachments: [oirsdeterminationletterclean.docx](#)

Second Reading

No Changes Since First Reading

Continued From The February 6, 2019 Meeting

Requires A 5/7th Vote

Office of the City Attorney

39. [PO-2019-07](#) An Ordinance Of The City Of Hollywood, Florida, Amending Ordinance O-2018-18 Of The Code Of Ordinances, Which Repealed The Regulations Relating To Provisional Parking Lots Within The Downtown And Beach Districts Of The Community Redevelopment Agency, To Revise Section 4 Of Ordinance No. O-2018-18 To Extend The Timeframe For Provisional Parking Lots Without Permits To Cease And Desist On September 30, 2019, Or 30 Days From The Completion Date Of The Nebraska Street Parking Garage, Whichever Is Earlier.

Attachments: [O-2018-18 Amended Ordinance Provisional Parking](#)

First Reading

Planning Division

QUASI-JUDICIAL ITEM(S)

(Rules of Procedure Attached to Agenda)

40. [R-2019-066](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving Amendments To The Plat Notations On The "Port 95 Commerce Park" Plat, By Revising The Non-Vehicular Access Line Along The South Side Of SW 42nd Street Of The Platted Property. (P-16-05)

Attachments: [EN19-033 Reso.doc](#)

[Exhibit A Location Map.pdf](#)

[Exhibit B Existing NVAL.pdf](#)

[Exhibit C Proposed NVAL.pdf](#)

[Plat PORT 95 COMMERCE PARK.pdf](#)

[Site and Engineering Exhibits.pdf](#)

Engineering Division

41. [R-2019-067](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The “Eli’s Hollywood Center” Plat, Generally Located On The South East Corner Of Hollywood Boulevard And State Road 7. (P-18-05)

Attachments: [EN19-036 Reso-Elis Hollywood Center Plat.doc](#)
[En19-036 Exhibit A ELI'S HOLLYWOOD CENTER PLAT - REVISED LAYOUT.](#)
[EN19-036 Exhibit B Eli's Hollywood Center \(053-MP-18\) DRR & Notification of F](#)
Engineering Division

REGULAR AGENDA

42. [R-2019-068](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Appointing City Commission Members As The Voting And Alternate Voting Delegates For The Broward County League Of Cities For 2019.

Attachments: [R-bro-leg-appt.DOC](#)
Office of the City Clerk

43. **5:00 PM CITIZENS' COMMENTS (Total Time 30 Minutes)**

COMMENTS BY THE CITY COMMISSION, CITY ATTORNEY & CITY MANAGER

44. Commissioner Hernandez, District 2
45. Vice Mayor Callari, District 3
46. Commissioner Blattner, District 4
47. Commissioner Biederman, District 5
48. Commissioner Sherwood, District 6
49. Commissioner Shuham, District 1
50. Mayor Levy
51. City Attorney
52. City Manager
53. **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.

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