

# **Regular City Commission Meeting**

**Wednesday, March 15, 2017**

**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***

***Debra Case, 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***

***Jeffrey P. Sheffel, City Attorney***

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

### **NOTES**

The City Manager places before the Commission for consideration the consent agenda items prepared by various offices and departments in the City.

The consent agenda consists of items before the City Commission that are routine and/or non-controversial, the items are voted upon by the City Commission in one motion.

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

All time certain agenda items will not be considered by the Commission earlier than the time listed for the item, however, the item may be taken up at the same time listed or later in the meeting.

Agenda items not scheduled for a specific time may be considered at any time during the meeting at the discretion of the Commission.

The following items on this agenda are time certain items.

#### **1:15 PM - Items - 12 thru 17**

#### **4:00 PM - Item - 18**

#### **5:00 PM - Item - 25**

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

### **CONSENT AGENDA**

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-2017-062](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of July 6, 2016.

**Attachments:** [Resolution July 6 2016 minutes.doc](#)  
[July 6, 2016 minutes.pdf](#)  
[Biederman conflict 07-06-16 item 44.pdf](#)  
[Biederman conflict 07-06-16 item 46.pdf](#)

**OFFICE OF THE CITY MANAGER**

6. [R-2017-063](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Expressing Support For House Bill 6003, Which Deletes From Section 509.032(7), Florida Statutes, Restrictions Preventing Local Laws, Ordinances, Or Regulations From Prohibiting Vacation Rentals And From Regulating The Duration Or Frequency Of Rental Of Vacation Rentals; Urging The Florida Legislature To Adopt The Legislation And Governor Rick Scott To Support And Approve The Legislation; Providing For An Effective Date.

**Attachments:** [Vacation Rental Reso.doc](#)

7. [R-2017-064](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Urging The Florida Legislature To Preserve Intact The Enterprise Florida, The Florida Small Business Development Center, And Visit Florida And Other Programs Which Have Helped Make Florida A Leader In Job Growth And Economic Diversification.

**Attachments:** [Small Bus Enter Visit FL Reources Reso.doc](#)

**POLICE DEPARTMENT**

8. [R-2017-065](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing An Expenditure Of State Law Enforcement Forfeiture Funds To Defray Expenses/Costs Associated With Sponsoring Special Law Enforcement Events And Programs In The Amount Of \$20,548.95.

**Attachments:** [LETF\\_special events.doc](#)  
[BIS 17-121.doc](#)

9. [R-2017-066](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing An Expenditure Of Law Enforcement Forfeiture Funds To Defray Expenses/Costs Associated With The Seizure And Processing Of Forfeiture Cases In The Amount Of \$20,181.18.

**Attachments:** [LETF\\_state forfeitures.doc](#)  
[BIS 17-119.doc](#)

10. [R-2017-067](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Expenditure Of Federal Law Enforcement Forfeiture Funds Pursuant To The Federal Comprehensive Crime Control Act To Provide Funding For Specialized Law Enforcement Training, Law Enforcement Investigations (Inclusive Of Overtime, Confidential Informant Fees), And The Acquisition Of Law Enforcement Equipment In An Amount Not To Exceed \$151,481.63

**Attachments:** [LETF\\_protracted funds.doc](#)  
[BIS 17-120.doc](#)

**DEPARTMENT OF PUBLIC UTILITIES**

11. [R-2017-068](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Renew The Attached Blanket Purchase Order Between Cathedral Corporation And The City Of Hollywood For Utility Bill Printing And Mailing Services For An Estimated Annual Expenditure Of \$265,000.00.

**Attachments:** [Reso - Cathedral Corporaton Renewal.doc](#)  
[Cathedral Corporation B002642.pdf](#)  
[Term Sheet - Cathedral Corporation - Utility Bill Printing and mailing.doc](#)  
[BIS 17-113.doc](#)

**1:15 PM TIME CERTAIN ITEM(S)**

12. [R-2017-069](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Adopting The Attached Sustainability Action Plan And Providing For An Effective Date.

**Attachments:** [resolution adopting sustainability action plan.doc](#)  
[Full SAP document 3.7.17.pdf](#)

13. [R-2017-070](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept A Grant In The Amount Of \$150,000.00 From The Florida Department Of Law Enforcement For Street Lighting Upgrades In The Liberia Community; Amending The General Capital Outlay Fund (34) Of The Fiscal Year 2017 Operating Budget Adopted And Approved By Resolution R-2016-284, As Amended, And As Detailed In The Attached Exhibit 1; Revising And Recognizing Operating Revenues; Authorizing Budgetary Adjustments And Appropriations; Authorizing The Department Of Financial Services To Establish The Accounts To Properly Monitor And Track The Revenues And Appropriations As Needed; And Further Authorizing The Appropriate City Officials To Execute All Applicable Grant Documents And Agreement.

**Attachments:** [Resolution for PW Liberia Grant Project FY 2017.docx](#)  
[Exhibit 1:Copy of Liberia Street Light Grant in FY 2017.pdf.xlsx](#)  
[FDLE and Hollywood Agreement G1605 rev.pdf](#)  
[Liberia Action Plan.pdf](#)  
[Term Sheet - FDLE Grant Agreement Street Lighting.doc](#)  
[BIS 17-122.doc](#)

14. [PO-2017-04](#) An Ordinance Of The City Of Hollywood, Florida, Amending Section 32.02 Of The Code Of Ordinances; To Provide That The Compensation Of The Members Of The City Commission Shall Be Set By Resolution.

**Attachments:** [Compensation of the City Commission 021517.docx](#)

*Second Reading*  
*No Changes Since First Reading*  
*Advertised Public Hearing*

15. [R-2017-071](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Establishing The Compensation Of The Members Of The City Commission.

**Attachments:** [Resolution for Commission Salary Increase 2017.docx](#)  
[BIS 17-117R.doc](#)

16. [PO-2017-05](#) 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"; Amending Section 33.035 Of The Code Of Ordinances Regarding The Definition Of "Beneficiary".

**Attachments:** [Ordinance Memorandum of Understanding Fire Pension Plan - Beneficiary.doc](#)  
[Definition of Beneficiary.pdf](#)

*Second Reading*

*No Changes Since First Reading*

*Advertised Public Hearing*

17. [R-2017-048](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute The Attached Memorandum Of Understanding Between The City And The International Association Of Fire Fighters, Local # 1375 ("IAFF") Amending Article 28 Section 1 To Allow For Modification Of The Definition Of "Beneficiary" Contained In The City Of Hollywood Firefighters' Retirement System ("Firefighters' Pension Plan).

**Attachments:** [Resolution Memorandum of Understanding Fire Pension Plan - Beneficiary.doc](#)  
[Memorandum of Understanding Firefighters' Pension Plan - Beneficiary.pdf](#)  
[terffpenbeneficiary.doc](#)

#### **4:00 PM TIME CERTAIN ITEM**

18. [R-2017-072](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Appointing Nine (9) To Eleven (11) Regular Members To The Charter Review Committee.

**Attachments:** [2017 - Resolution Charter Review.doc](#)  
[2017 - Charter Review Applications \(A to H\).pdf](#)  
[2017 - Charter Review Applications \(J to Z\).pdf](#)  
[2017 - Charter vote grid.doc](#)

**QUASI-JUDICIAL ITEM**

*(Rules of Procedure Attached to Agenda)*

**19. [R-2017-058](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Considering A Request For Approval Of An Amendment To The Nebraska Parking Garage Design And Site Plan (Originally Approved By Resolution R-2016-067), Generally Located At 327 Nebraska Street To Now Include A 303 Space Public Parking Garage; And Providing An Effective Date. (14-DPSV-102a)

**Attachments:** [NEBRASKAGARAGEAMENDEDESIGNSITEPLAN2017RESO.doc](#)  
[Exhibit A.pdf](#)  
[Exhibit B.pdf](#)  
[Attachment I Part I.pdf](#)  
[Attachment I Part II.pdf](#)  
[Attachment I Part III.pdf](#)  
[Attachment I Part IV Traffic Impact Analysis-Revised 2017 0119.pdf](#)  
[Attachment I Part V](#)  
[Attachment II.pdf](#)

*Continued From The March 1, 2017 Meeting*

**REGULAR AGENDA****20. [P-2017-014](#)**

Presentation By Shiv Newaldass, Chief Development Officer, On The Status Of University Station, 1203 North Federal Highway, Adams Street, and Park Road Site.

**21. [R-2017-073](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Contract Between Envirowaste Services Group, Inc. And The City Of Hollywood For The Gravity Sewer System Condition Assessment, Renewal, And Replacement Program (A.K.A. Inflow/Infiltration Reduction Program) (Level 2) - Excavated Point Repairs, As Identified In The 2007/2008 Wastewater System Master Plan, In The Amount Of \$1,166,705.00 (Project No. 16-7081).

**Attachments:** [Resolution - Envirowaste Gravity Sewer System.docx](#)  
[Contract - Envirowaste Gravity Sewer System 7081.pdf](#)  
[Bid Tabulation - Envirowaste Gravity Sewer System 7081.pdf](#)  
[Bid - Envirowaste Gravity Sewer System 7081 .pdf](#)  
[R-2016-285.pdf](#)  
[TERMSHEETEnvirowasteProject16-7081inflowinfiltrationprogam2017I.doc](#)  
[BIS 17-114.doc](#)

22. [R-2017-074](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute The Attached Contract Between American Infrastructure Technologies Corporation And The City Of Hollywood For The Gravity Sewer System Condition Assessment And Renewal And Replacement Program (A.K.A. Inflow/Infiltration Reduction Program) (Level 2), As Identified In The 2007/2008 Wastewater System Master Plan, In The Amount Of \$5,353,926.00; To Amend The Approved Fiscal Year 2017 Capital Improvement Program, As Set Forth In Exhibit A (Project No. 16-7080).
- Attachments:** [Resolution - American Infrastructure Gravity Sewer.doc](#)  
[American Infrastructure - Exhibit A.pdf](#)  
[4 Contract 7080.pdf](#)  
[5 Bid Tabulation - 7080 B Rev 020717.pdf](#)  
[7 Bid 7080 - American Infrastructure Technologies.pdf](#)  
[R-2016-285.pdf](#)  
[TERMSHEETAmericanInfrastructuregravitysewer2017.doc](#)  
[BIS 17-118.doc](#)
23. [R-2017-075](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending The One Year Action Plans For Federal Fiscal Years 2013-2014 And 2015-2016 And The Local Housing Assistance Plan For State Of Florida Fiscal Years 2015-2016 And 2016-2017; To Recognize And Appropriate Community Development Block Grant (CDBG) Program Income, Housing Investment Partnerships Program (HOME) Program Income, Neighborhood Stabilization Program (NSP-1) Program Income, State Housing Initiative Program (SHIP) Program Income; And Amending The Fiscal Year 2017 Operating Budget (R-2016-284) As Outlined In Exhibit 1 And Exhibit 2.
- Attachments:** [OYP and LHAP Reso REV.doc](#)  
[Exhibit 1 rev.pdf](#)  
[Exhibit 2.pdf](#)  
[Exhibit 3.pdf](#)  
[Exhibit 4.pdf](#)  
[BIS 17116.doc](#)
- Advertised Public Hearing*
24. [R-2017-076](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending The Procedures For Naming And Renaming Of Properties, Facilities, Parks, Streets And Memorials.
- Attachments:** [res - naming facilities-removes petitions from streets 2017.doc](#)  
[Policy for Naming ReNaming -2017.doc](#)  
[Application for Naming-Renaming of Prop Fac Parks St -2017.doc](#)  
[Application for Veterans Memorial Plaque-no changes 2017.doc](#)
25. **5:00 PM CITIZENS' COMMENTS (Total Time 30 Minutes)**

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

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

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).



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 given 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-day 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 eight 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