

Regular City Commission Meeting

Wednesday, August 28, 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.

1:15 PM - Items - 20 thru 21

1:30 PM - Item - 22

1:45 PM - Item - 23

2:00 PM - Items - 24 thru 25

2:15 PM - Items - 26 thru 29

5:00 PM - Item - 40

5:10 PM - Item - 30

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 19)

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-2019-223](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of March 6, 2019.

Attachments: [Reso Min - 03-06-19](#)
[March 6 2019 minutes.pdf](#)

6. [R-2019-224](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of March 20, 2019.

Attachments: [Reso Min 03-20-19](#)
[March 20 2019 Regular Meeting.pdf](#)

7. [R-2019-225](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Special City Commission Meeting Minutes Of March 20, 2019.

Attachments: [RESO-min-special 03-20-19](#)
[March 20 2019 Special Meeting.pdf](#)

COMMUNITY DEVELOPMENT DIVISION

8. [R-2019-226](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Allocation Of Community Development Block Grant Funds To Various Eligible Public Service Agency Programs And Authorizing The Appropriate City Officials To Execute An Agreement With Each Agency For A Total Allocation In The Amount Of \$327,100.00.

Attachments: [Reso CDBG 2019-2020](#)
[CEC Agreement 2019 Rev.](#)
[CIL Housing Assistance 2019 Agreement Rev.](#)
[CIL Ramps to Independence 2019 Agreement Rev.](#)
[Helping Hands Agreement 2019 Rev.](#)
[Hispanic Unity of Florida 2019 Agreement Rev.](#)
[LES Spanish IPAS Program 2019 Agreement Rev.](#)
[LES Construction Training 2019 Agreement Rev.](#)
[Russell Life Skills 2019 Agreement Rev.](#)
[Second Chance Society 2019 Agreement Rev.](#)
[South FL Institute on Aging 2019 Agreement Rev.](#)
[TermSheetCDBGGRANTS20192020.doc](#)
[BIS 19233.pdf](#)

9. [R-2019-227](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Execution Of An Agreement With Broward County For The Administration Of The City's First-Time Homebuyer Purchase Assistance Program In An Amount Not To Exceed \$139,965.50.

Attachments: [Reso Purchase Assistance Program Agreement FINAL](#)
[Purchase Assistance Program 2019 Agreement \(2\)](#)
[TermSheetBrowardCountyPurchaseAssistanceProgramAg2019.doc](#)
[BIS 19242.pdf](#)

Requires A 5/7th Vote

10. [R-2019-228](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Adopting The Amended And Restated Policy Governing The City's Housing Programs Supported By Federal, State And Other Funds.

Attachments: [Reso Housing Policy 2019](#)
[Housing Policy 003](#)
[BIS 19241.pdf](#)

DESIGN & CONSTRUCTION MANAGEMENT**11. [R-2019-229](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Ranking Architectural/Engineering Firms And Authorizing The Appropriate City Officials To Negotiate And Execute An Agreement With The Highest Ranked Firm To Provide Architectural/Engineering Design Services For The Hollywood Beach Golf Course Renovation & Clubhouse Construction Project.

Attachments: [PR 19-018 Reso Hollywood Golf Design RankingGOB2019.doc](#)
[RFQ - Architectural Consultant 2019.pdf](#)
[PR 19-018 RFQ -Oral & Initial Criteria \(ALL\)Final .pdf](#)
[TermSheetArchitectEngineeringProgandDesignHollywoodBchGolfCourseGOB](#)
[BIS 19-229.docx](#)

General Obligation Bond Project

DEPARTMENT OF FINANCIAL SERVICES**12. [R-2019-230](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending The Fiscal Year 2019 Operating Budgets Of Various Funds As Adopted And Approved By Resolution R-2018-301.

Attachments: [Reso - Budget Amendment.docx](#)
[Exhibit 1.pdf](#)
[Exhibit 2.pdf](#)
[Exhibit 3.pdf](#)
[Exhibit 4R.pdf](#)
[Exhibit 5R.pdf](#)
[Exhibit 6.pdf](#)
[Exhibit 7.pdf](#)
[Exhibit 8.pdf](#)
[Exhibit 9.pdf](#)
[BIS 19-238.docx](#)

13. [R-2019-231](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Repealing Resolution Nos. R-2011-238 And R-2018-053 Regarding The Fund Balance Policy For The City And Adopting A New Fund Balance Policy Consistent With Governmental Accounting Standards Board Statement No. 54, Fund Balance Reporting And Governmental Fund Type Definitions.

Attachments: [Revised Fund Balance Policy_v10.docx](#)
[R-2011-238](#)
[R-2018-053](#)
[BIS 19-247.pdf](#)

DEPARTMENT OF PARKS, RECREATION & CULTURAL ARTS**14. [R-2019-232](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept Safe Parks And Land Preservation Bond Program Funds For Renovations And Improvements At The Washington Park Community Center And The Dr. Martin Luther King Jr. Community Center In The Amount Of \$58,000.00; Authorizing The Appropriate City Officials To Execute The Grant Agreements And All Applicable Grant Documents with Broward County; Amending the FY 2019 Adopted Operating Budget.

Attachments: [Reso-BCSafeParksgrant.docx](#)
[Exhibit 1 Safe Park Grant for MLK Jr CC and WP CC.pdf](#)
[Grant Agreement Safe Parks Bond Allocation \(MLK Community Center\).docx](#)
[Grant Agreement Safe Parks Bond Allocation \(Washington Park\).docx](#)
[BIS 19-254.pdf](#)

POLICE DEPARTMENT**15. [R-2019-233](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept, If Awarded, The Fiscal Year 2019 Florida Fish And Wildlife Conservation Commission Derelict Vessel Removal Program Grant In The Approximate Amount Of \$12,750.00; Authorizing The Contribution Of Broward Boating Improvement Program Derelict Vessel Removal Grant Funds, In The Approximate Amount Of \$4,250.00, As Required Matching Funds For This Purpose; Authorizing The Appropriate City Officials To Execute All Applicable Grant Documents And Agreements; Amending The Fiscal Year 2019 Adopted Operating Budget (R-2018-301) Of The Police Grants Fund (Fund 113) If Awarded.

Attachments: [Resolution.docx](#)
[Application.pdf](#)
[Exhibit 1.pdf](#)
[BIS 19226.doc](#)

DEPARTMENT OF PUBLIC UTILITIES**16. [R-2019-234](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Blanket Purchase Order With Allied Universal Corporation To Renew The Agreement For Delivery Of Sodium Hypochlorite In An Estimated Annual Amount Of \$350,000.00.

Attachments: [RESO for Co-op Renewal Sodium Hypochlorite Final 28 Aug Mtg.doc](#)
[Bid Tabulation.pdf](#)
[Allied Piggybacking Request Form.pdf](#)
[Allied Universal - Sodium Hypochlorite Renewal Package.pdf](#)
[12006-372 Sodium Hypochlorite bid tab.pdf](#)
[12006-372 Sodium Hypochlorite Co-Op Final.pdf](#)
[Commission Agenda Memo 17-1079.pdf](#)
[TermSheetAlliedUniversalRenewalSodiumHyochlorite2019.doc](#)
[BIS 19-240.pdf](#)

17. [R-2019-235](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Issue A Purchase Order To Thompson Pump & Manufacturing Co., Inc. For The Purchase Of A Thompson Pump Based Upon The Florida Sheriff's Association Bid No. FSA-18-VEH16.0 (Piggyback) In The Total Amount Of \$54,165.00.

Attachments: [Reso - Thompson Pump PO fo Model 6JSCEE-DIST-4LE2T-MC Piggyback.doc](#)
[Piggyback Docs - Thompson Pump PO fo Model 6JSCEE-DIST-4LE2T-MC.pdf](#)
[TermSheetThompsonPumpPiggyback..doc](#)
[BIS 19-236.pdf](#)

18. [R-2019-236](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Issue A Purchase Order To Arroyo Process Equipment, Inc., For The Purchase Of One Ovivo C40P1 Dorr-Oliver Detritor Drive Unit In The Total Amount Of \$205,600.00 Based Upon The Sole Source Provision In Section 38.40(C)(3) Of The Purchasing Ordinance; Approving An Amendment To The Fiscal Year 2019 Capital Improvement Program.

Attachments: [Reso - Ovivo Drive Unit grit clarifier final draft 7-18-19.doc](#)
[Exhibit A Grit Clarifier REV.pdf](#)
[Quote Grit Clarifier.pdf](#)
[Grit Clarifier Drive Sole Source Form.pdf](#)
[TermSheetArroyoPurchaseOrderSoleSource.doc](#)
[BIS 19-239.pdf](#)

DEPARTMENT OF PUBLIC WORKS**19. [R-2019-237](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Interlocal Agreement With Broward County For Household Hazardous Waste And Bulk Trash And Yard Waste Drop-Off Programs For A One Year Term From October 1, 2019 To September 30, 2020.

Attachments: [REV RESO Hazardous Waste Broward County ILA.docx](#)
[ILA Household Hazardous Waste & Bulk Trash.pdf](#)
[Executed Agreement R-2018-296.pdf](#)
[R-2013-254 Household Hazardous Waste.pdf](#)
[HHW User Statistics.pdf](#)
[TermSheetBrowardCountyILAHAZARDOUSWASTE2019.doc](#)
[BIS 19228.pdf](#)

Requires A 5/7th Vote

1:15 PM TIME CERTAIN ITEM(S)**20. [PO-2019-15](#)**

An Ordinance Of The City Of Hollywood, Florida, Repealing Section 133.30 Of The Code Of Ordinances Entitled "Discharging Firearms".

Attachments: [Ordinance Repeal of Chapter 133.30.doc](#)

Second Reading
No Changes Since First Reading
Advertised Public Hearing
Police Department

21. [PO-2019-12](#)

An Ordinance Of The City Of Hollywood, Florida, Amending Article 4 Entitled "Schedule Of District, Use And Setback Regulations" By Amending Sections 4.1 And 4.2 To Clarify The Suitability Of Non-Conforming Lots; Amending Section 4.22 To Include Additional Standards Relating To Temporary Trailers And Similar Structures; Amending Section 4.3. To Provide For Additional Standards Relating To Carports; Providing For A Repealer Provision And A Severability Clause. (18-T-51)

Attachments: [1851 Ordinance 2019 0828.docx](#)
[Memo P-19-12.pdf](#)
[PO-2019-12 Memo.pdf](#)
[Attachment I, December 13, 2018 Planning and Development Board Staff Repo](#)

Second Reading

Continued From The June 19, 2019 Meeting

Planning Division

1:30 PM TIME CERTAIN ITEM

22. [R-2019-238](#)

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 Among Broward County And Participating Municipalities Regarding A Collaborative Study And Subsequent Development Of An Integrated Solid Waste And Recycling System.

Attachments: [RESO MOU with Broward County for Solid Waste Management.docx](#)
[MOU Broward County Solid Waste Management.pdf](#)
[TermSheetMOUBrowardCountyMunicipalitiesSolidWaste.doc](#)
[BIS 19227.pdf](#)

Public Works

1:45 PM TIME CERTAIN ITEM**23. [R-2019-239](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida Authorizing The Distribution Of A Preliminary Official Statement And The Execution And Distribution Of An Official Statement, Each In Connection With The Planned Issuance By The City Of Not To Exceed \$70,000,000.00 In Aggregate Principal Amount Of Its General Obligation Bonds, Series 2019; Approving The Form Of And Authorizing The Execution And Delivery Of A Disclosure Dissemination Agent Agreement And Appointing A Disclosure Dissemination Agent In Connection Therewith; And Providing For Severability.

Attachments: [DDAA Resolution.DOC](#)
[Exhibit A - POS Hollywood 2019 GOB.DOCX](#)
[Exhibit A - Appendix A.DOCX](#)
[Exhibit B - DDAA.DOC](#)
[terdisclosedisseminationagent.doc](#)
[BIS 19270 - POS .pdf](#)

Department of Financial Services

2:00 PM QUASI-JUDICIAL ITEM(S)

(Rules of Procedure Attached to Agenda)

24. [PO-2019-16](#)

An Ordinance Of The City Of Hollywood, Florida, Amending Ordinance No. O-76-25, The Hillcrest PUD Ordinance, As Amended By Resolution R-81-56, Ordinance Nos. O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-05, O-2002-34, O-2009-38, O-2013-11, O-2016-10, O-2016-14, And Ordinance O-2017-09 In Order To Modify The Final Site Plan To Reflect And Document The One Acre Land Swap With Pulte Home Company, LLC And 1100 Hillcrest Drive, LLC. (Prek-10 Charter School). (13-J-01b)

Attachments: [1301b Ordinance 2019 0828.docx](#)
[Exhibit A 1301b Boundary Survey Labeled.pdf](#)
[Exhibit B 1301b Conditions.pdf](#)
[Attachment I 1301b Application.pdf](#)
[Attachment II O-2013-11 and O-2016-14.pdf](#)

First Reading

Advertised Public Hearing

Planning Division

25. [PO-2019-17](#)

An Ordinance Of The City Of Hollywood, Florida, Amending Ordinance No. O-76-25, The Hillcrest PUD Ordinance, As Amended By Resolution R-81-56, Ordinances O-81-80, O-84-54, O-87-39, O-93-75, O-99-09, O-2000-05, O-2002-34, O-2009-38, O-2013-11, O-2016-10 And O-2017-09 By Amending Exhibit "A" Of O-2017-09 To Modify Certain Conditions Relating To An Existing FPL Easement; Further Amending Exhibit "B", The Hillcrest PUD-R Modified Site Plan (Previously Amended By Ordinance No. O-2016-10) Relating To The 645 Residential Units And Amenities, Including But Not Limited To The Golf Course. (15-JPZ-44c)

Attachments: [1544c Ordinance 2019 0828.doc](#)
[Exhibit A 1544c Conditions.pdf](#)
[Exhibit B 1544c Site Plan.pdf](#)
[Exhibit C 1544c Legal Description Plats 1&2.pdf](#)
[Attachment I 1544c Application.pdf](#)
[Attachment II O-2017-09.pdf](#)

First Reading

Advertised Public Hearing

Planning Division

2:15 PM TIME CERTAIN ITEM(S)**26. [R-2019-240](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Agreement With Waste Pro Of Florida, Inc. For Solid Waste Collection, Recyclables Collection, Yard Waste/Bulk Waste Collection And Yard Waste/Bulk Waste Disposal For An Estimated Annual Amount Of \$9,410,955.00; Declaring That It Is In The Best Interest Of The City To Waive Competitive Bidding Pursuant To Section 38.40(C)(8) Of The Purchasing Ordinance.

Attachments: [RESO Best Interest Solid Waste Bid rev.docx](#)
[Exhibit A - Best Interest Solid Waste Bid rev.pdf](#)
[Exhibit B - Best Interest Solid Waste Bid rev.pdf](#)
[TermSheet-WastePro2019BESTINTEREST.doc](#)
[BIS 19-274.pdf](#)

Public Works

Requires A 5/7th Vote

27. [R-2019-241](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Cancel Bid No. F-4609-19-PB Awarding The Bid For The Collection Of Solid Waste, Recyclables, Yard Waste/Bulk Waste And Processing And Disposal Of Yard Waste/Bulk Waste To Waste Pro Of Florida.

Attachments: [RESO Cancellation of Solid Waste Collection Bid.docx](#)
[BIS 19-267.pdf](#)

Public Works

28. [R-2019-167](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Revising The Monthly Sanitation Fee For Collection And Disposal Services Provided By The Environmental Services Division Of The Public Works Department.

Attachments: [Reso Solid Waste Fee Adjustment Final.docx](#)
[BIS 19-204R2 - Copy.pdf](#)

Continued From The July 3, 2019 Meeting

Requires A 5/7th Vote

Public Works

29. [R-2019-242](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Amending And Establishing The Franchise Fee Payable By Private Haulers Providing Commercial Sanitation Services Within The City To 30% Of Gross Receipts, Effective October 1, 2019.

Attachments: [RESO Franchise Fee Resolution.docx](#)
[O-99-029.pdf](#)
[O-2006-014.pdf](#)
[R-2016-209.pdf](#)
[Consumer Price Index - Franchise Fee.pdf](#)
[Franchise Fee Survey 2019.pdf](#)
[BIS 19230.pdf](#)

Public Works

5:10 PM TIME CERTAIN ITEM**30. [P-2019-56](#)**

Presentation By Gary Monetti, Founder And Managing Director Of Monetti And Associates, On The Independent Expert's Analysis For The P25 Communication System (CIRC/West Lake Park).

Attachments: [Monetti IE Document.pdf](#)
[Monetti IE Interviews](#)
[Current Expenditures and Project Funding Reso R-2019-193.pdf](#)
[Interlocal Agreement Broward County R-2019-192.pdf](#)
[ILA Timeline.pdf](#)
[Independent Expert Choice - MCP Signed.pdf](#)
[Monetti & Associates ProposalILA.pdf](#)
[Signed ILA - Broward and Third Pary Agmt - Monetti Consulting Agreement.PDF](#)
[Monetti Timeline.pdf](#)
[Site Plan Resolution R-2019-212.pdf](#)

ORDINANCE(S)**31. [PO-2019-18](#)**

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 52 Of The Hollywood Code Of Ordinances Entitled "Sewer Use" To Update The Regulations For Rates, Fees, Charges And Procedures.

Attachments: [CHAPTER52FINALLEGISTARREVISED AUGUST62019 DOC.docx](#)

First Reading
Public Utilities

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

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 51 Of The Hollywood Code Of Ordinances Entitled "Water" To Update The Current Regulations Relating To Accounts, Rates, And Procedures.

Attachments: [CHAPTER51WATERAMENDLEGISTARREVORDAUG6.docx](#)

First Reading
Public Utilities

33. [PO-2019-20](#)

An Ordinance Of The City Of Hollywood, Florida, Amending Chapter 54 Of The Hollywood Code Of Ordinances Entitled "Stormwater Management" To Update The Regulations For Rates, Fees, Charges And Procedures.

Attachments: [Chapter 54 Ordinance Amendment-Stormwater.docx](#)

First Reading
Public Utilities

REGULAR AGENDA**34. [P-2019-57](#)**

Presentation By Wendy Schugar-Martin, Chair, Green Team Advisory Committee, Regarding Committee Name Change And Goals.

35. [R-2019-243](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing And Approving The Appropriate City Officials To Issue Purchase Orders To Ten-8 Fire Equipment, Inc. And Rev Technical Center For The Purchase Of Two Pierce Fire Trucks And Two Rescue Transport Vehicles For Fire Rescue And Beach Safety In The Total Amount Of \$1,799,912.04 Based Upon The Florida Sheriff's Association Cooperative Bid Solicitation No. FSA18-VEF13.0.

Attachments: [Resolution rev.doc](#)
[Pierce Proposals.pdf](#)
[Rescue Proposals.pdf](#)
[FSA-Fire Contract Award Letter - 13 0 2018.pdf](#)
[FSA-Contract Terms and Conditions.pdf](#)
[R-2019-187.pdf](#)
[Term Sheet \(Cooperative Bid\)](#)
[BIS 19-253R.pdf](#)

*General Obligation Bond Project
Fire Rescue & Beach Safety*

36. [R-2019-244](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The State Revolving Fund Program; Making Findings; Authorizing The Loan Application For \$20,526,000.00 Including Capitalized Interest And Loan Service Fee For Construction Funding For The Ocean Outfall Regulatory Compliance Deep Injection Wells Project # 18-9119; Authorizing The Appropriate City Officials To Execute A Loan Agreement For The Funding; Establishing Pledged Revenues; Designating Authorized Representatives; Providing Assurances; Providing For Conflicts And Severability; Amending The Approved Fiscal Year 2019 Operating Budget For The Water And Sewer Enterprise Fund (442); Amending The Approved FY2019 - FY2023 Capital Improvement Plan.

Attachments: [Resolution - SRF Loan App for Ocean Outfall DIW DWAUGUST2019 loan #2.doc](#)
[Final version Exhibit 1 Deep Injection Wells additional SRF funding for Aug 28](#)
[BIS 19-232.pdf](#)

Public Utilities

37. [R-2019-245](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The State Revolving Fund, Authorizing Declarations Of Official Intent Under U.S. Treasury Regulations With Respect To Reimbursements From State Revolving Fund Program Proceeds For Temporary Advances Made For Payments Prior To Issuance, And Related Matters.

Attachments: [Resolution - DW SRF Declarations of Intent Authorization Ocean Outfall Deep I](#)
[BIS 19-231.pdf](#)

Public Utilities

38. [R-2019-246](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Contract With Youngquist Brothers, Inc. For Construction Services Related To Deep Injection Wells No. 3 And No. 4 Located At The Southern Regional Wastewater Treatment Plant, As Identified In The 2007/2008 Wastewater System Master Plan, In The Amount Of \$39,939,939.00; Approving An Amendment To The Fiscal Year 2019 Operating Budget And Capital Improvement Plan.

Attachments: [Reso Final Version YoungQuist Contract Ocean outfall DIWs.docx](#)
[3 Exhibit A -DIW REV.pdf](#)
[4 00500 Contract 9119.pdf](#)
[6 Complete DIW Bid Award Letter 051419.pdf](#)
[7 R-2019-094 Ocean Outfall SRF Loan Application.pdf](#)
[8 Youngquist Brothers Project 9119 Bid 4-30-19.pdf](#)
[9 Florida Design Drilling Corporation NO BID Project 9119 Bid 4-30-19.pdf](#)
[TermSheetYoungQuistDeepInjectionWells3and4bid2019.doc](#)
[BIS 19-209R.pdf](#)

Public Utilities

39. [R-2019-247](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Appointing One Member To The General Obligation Bond Oversight Advisory Committee.

Attachments: [Reso Appointment Student to GOB Committee 19.docx](#)
[Applications.pdf](#)
[2019 GOB Board Grid.doc](#)

Office of the City Manager

40. **5:00 PM CITIZENS' COMMENTS (Total Time 30 Minutes)**

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

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