

Regular City Commission Meeting

Wednesday, July 6, 2022

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

Caryl Shuham, Vice Mayor - District 1

Linda Hill Anderson, Commissioner - District 2

Traci Callari, Commissioner - District 3

Adam Gruber, 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 28 - 29

1:30 PM - Item - 30

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 - 27)

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 ATTORNEY

5. [R-2022-184](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Implement A Settlement With Lindsey Mancur In The Amount Of \$1,311,121.00.

Attachments: [RESOFORM \(Mancur\).doc](#)

Strategic Plan Focus Area:  Financial Management & Administration

6. [R-2022-185](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Implement A Settlement In Litigation Styled West Construction, Inc. v. City Of Hollywood, Florida.


Attachments: [2022 Reso West Settlement.doc](#)

Strategic Plan Focus Area:  Financial Management & Administration

OFFICE OF THE CITY CLERK


7. [R-2022-186](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of February 2, 2022.

Attachments: [2.2.2022 - Reso - Min - Regular.docx](#)
[February 2, 2022 minutes.pdf](#)

Strategic Plan Focus Area:  Communications & Civic Engagement

8. [R-2022-187](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The Regular City Commission Meeting Minutes Of February 16, 2022.

Attachments: [2.16.2022 - Reso - Min - Regular.docx](#)
[February 16, 2022 minutes.pdf](#)

Strategic Plan Focus Area:  Communications & Civic Engagement

OFFICE OF HUMAN RESOURCES

9. [R-2022-188](#) A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Bind The Renewal Of Flood Insurance Policy With Hartford Fire Insurance Company For The City-Owned Beach Maintenance Facility Located At 102 South Ocean Drive, For A Not To Exceed Amount Of \$1,598.00.


Attachments: [Resolution 2022 Flood Insurance Beach Maintenance Facility Amended - DYH Backup for 2022 Beach Maintenance Renewal Policy.pdf](#)

Strategic Plan Focus Area:  Financial Management & Administration

COMMUNITY DEVELOPMENT DIVISION**10. [R-2022-189](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Second Amendment To The License Agreement With Washington Park Child Care Center, Inc. To Extend The Term Of The License Agreement For The Operation Of The Washington Park Child Care Center Located At 5731 Pembroke Road And The Adjacent Parcel.

Attachments: [WPCC Amendment Reso.docx](#)
[WPCC Second Amendment License Agreement.pdf](#)
[WPCC First Amendment.pdf](#)
[WPCC Original License Agreement.pdf](#)
[TermSheetSecondAmendmentWashingtonParkDayCareLicenseAg.doc](#)

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

DEPARTMENT OF DESIGN & CONSTRUCTION MANAGEMENT**11. [R-2022-190](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Execute An Agreement With Cummins Cederberg, Inc. For Surveying, Engineering, And General Consulting Services For The Holland Park Tidal Barrier Protection Project, A General Obligation Bond Project, Funded With A Florida Department Of Environmental Protection Grant In The Amount Of \$294,997.80.

Attachments: [Resolution - Holland Park Tidal Flooding](#)
[Professional Service Agreement- Cummins Cederberg](#)
[Proposal - Cummins Cederberg](#)
[Certificate of Insurance](#)
[Executed Agreement](#)
[Amendment 1 to Agreement](#)
[03-R-2020-072](#)
[04-R-2020-275](#)
[05-R-2021-027](#)
[TermSheetCumminsCederbergPSAHollandParkTidalBarrierProjectDesign.doc](#)

GOB Project

Strategic Plan Focus Area:  Resilience & Sustainability

12. [R-2022-191](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Authorization To Proceed With Atkins North America, Inc. To Provide Professional Engineering Services For The Design Of Traffic Calming Improvements Within Various Districts, A General Obligation Bond Project, In The Amount Of \$283,285.89.

Attachments: [RESO - Atkins Traffic Calming Updated](#)
[Atkins North America ATP - Mayor REV](#)
[Hollywood Traffic Calming Design Proposal](#)
[Atkins Contract - SIGNED](#)
[R-2018-400 signed Prof Eng](#)
[R-2020-056 Signed Reso](#)
[R-2021-230](#)
[Atkins COI](#)
[Atkins COI- Professional Liability](#)
[Atkins Sunbiz](#)
[TermSheetATPATkinsNorthAmericaTrafficCalmingProgramDesignvardistricts.do](#)

GOB Project

Strategic Plan Focus Area:  Infrastructure & Facilities

13. [R-2022-192](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Contract for Consulting/Professional Services With PMA Consultants, L.L.C. For Schedule Update Services In An Amount Not To Exceed \$98,558.00 Over A One-Year Period In Accordance With Section 38.41(C)(11)(i) Of The Procurement Code.

Attachments: [Resolution PMA PSA](#)
[Agreement - PMA GOB SCHEDULE UPDATES](#)
[CIO PMA-Consultants](#)
[PMA Sunbiz](#)
[TermSheetPMAScheduleSvcContractProf.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

14. [R-2022-193](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Construction Management At Risk Phase II Construction Services Agreement With State Contracting & Engineering Corporation For The Surf Road Reconstruction Project At Balboa Street, For A Total Guaranteed Maximum Price Of \$439,679.00.


Attachments: [RESO SCEC - Surf Road DCM](#)
[Surf Road Phase II Construction Management](#)
[Executed Phase I Contract - State Contracting and Engineering](#)
[Final Construction Drawings](#)
[GMP - Surf Road](#)
[R-2019-354](#)
[COI- SCEC](#)
[R-2019-025](#)
[State Contracting SunBiz](#)
[TermSheetStateContractingCMARPhaseIISurfRoadProject.doc](#)

Strategic Plan Focus Area:  Resilience & Sustainability

15. [R-2022-194](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Contract With MBR Construction, Inc. For The Construction Of The Neighborhood Sound Walls For The North 46th Avenue Segment, A General Obligation Bond Project, In A Lump Sum Amount Of \$259,399.90.

Attachments: [Resolution GOB Neighborhood Sound Walls 62222](#)
[IFB-4713-OT - Proposed Contract Terms](#)
[MBR Bid 3-17-22](#)
[MBR Letter - 46th Ave - 20220601](#)
[R-2018-400 signed Prof Eng](#)
[MBR Construction- COI](#)
[MBR Construction Sunbiz](#)
[TermSheetMBRNeighborhoodSoundWall.doc](#)

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

DEPARTMENT OF INFORMATION TECHNOLOGY**16. [R-2022-195](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute Blanket Purchase Agreements With InnoFin Solutions LLC In The Amount Of \$375,440.00 And Highstreet IT Solutions, LLC In The Amount Of \$324,560.00, Including Time And Materials Contingency Funds, For Information Technology Services.

Attachments: [Resolution](#)
[InnoFin's Response to RFP](#)
[HighStreet's Response to RFP](#)
[RFP-4691-21-JE](#)
[PA600525 Highstreet](#)
[PA600527 InnoFin](#)
[2022 Innofin and HighStreet ERP Stabilization BPA Term Sheet.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

DEPARTMENT OF PARKS, RECREATION & CULTURAL ARTS**17. [R-2022-196](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue The Attached Blanket Purchase Agreement And Execute An Equipment Lease Agreement And Related Documents With Wells Fargo Financial Leasing, Inc. For The Lease Of 120 2022 New E-Z-Go RXV Elite Electric Golf Carts For Use At Orangebrook Golf And Country Club In The Amount Of \$405,687.24 Over A Three-Year Period Based Upon The Piggyback Entity Contract #R210201 In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).


Attachments: [Resolution Wells Fargo Lease Finance of EZGO Golf Carts 06.15.2022](#)
[PA 300000006758576 PA600529 0 06.15.2022](#)
[E-Z-GO golf cart fleet lease packet 2022](#)
[Lease Agreement 603-0220834-001, City of Hollywood, Florida](#)
[R210201 EZ-GO AWD](#)
[RFP 21-02 Golf Utility final](#)
[Term Sheet - Wells Fargo - Golf Carts - Orangebrook-2.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

18. [R-2022-197](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Purchase Order With Rep Services, Inc. For The Purchase And Installation Of Playground Equipment, Playground Surfacing, And Shade Cover At Driftwood Community Center, A Capital Improvement Project, In The Amount Of \$285,055.43 Based Upon The Clay County Contract 18/19-2 In Accordance With Section 38.41(C)(5) Of The Purchasing Ordinance (Piggyback).


Attachments: [Reso DCC Rep Services Inc 06.20.2022 Final](#)
[PO 300000006748571 PFY-2203568 0-2 06.16.2022](#)
[19029.02-Rep Services Proposal 06.20.2022](#)
[Rep Services Piggyback request packet 5.29.22](#)
[Renewal Memo - bid playground equip-1](#)
[Minutes 2022 5 17 Meeting\(1121\) \(1\) \(002\)](#)
[Term Sheet - Rep Services, Inc. - Driftwood Community Ctr.doc](#)

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

POLICE DEPARTMENT**19. [R-2022-198](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing A Donation Of Law Enforcement Forfeiture Funds Pursuant To Florida's Contraband Forfeiture Act In The Amount Of \$145,000.00 To Support Continued Safe Neighborhood And Crime Prevention Programs; Amending The Fiscal Year 2022 Operating Budget (R-2021-244).

Attachments: [LETf Charitable Donations - FY 22](#)
[Exhibit 1](#)
[Boys and Girls Clubs of Broward County](#)
[Hispanic Unity's LETf Application](#)
[Hollywood Art and Culture Center Application](#)
[Kids in Distress, Inc Application](#)
[LETf Charitable Donations](#)


Strategic Plan Focus Area:  Public Safety

20. [R-2022-199](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Issue A Blanket Purchase Agreement To Axon Enterprise, Inc For The Purchase, Installation, And Maintenance Of Equipment For The Police Department Interview Room In An Amount Not To Exceed \$49,921.59 Over A Five Year Period In Accordance With Section 38.41(C)(9) Of The Procurement Code (Best Interest).

Attachments: [Resolution](#)
[Draft BPA](#)
[Axon - Hollywood PD - Revised Interview Room Quote](#)
[MaestroVision](#)
[Star Interview room updated quote](#)


Requires 5/7th vote

Strategic Plan Focus Area:  Public Safety

21. [R-2022-200](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept The Florida Bicycle Pedestrian Focused Initiative High Visibility Enforcement For Pedestrian And Bicycle Safety Program Funding In The Amount Of \$30,798.78 To Fund Overtime Hours For Increased Presence, Visibility And Awareness In Order To Impact The Safety Of Pedestrians And Bicyclists; Authorizing The Appropriate City Officials To Execute All Applicable Documents; Amending The Fiscal Year 2022 Adopted Operating Budget.

Attachments: [Resolution](#)
[Exhibit 1.pdf](#)
[Alert Today High Visibility Enforcement Ped Bike 2022-2023](#)
[Letter of Support 2022](#)

Strategic Plan Focus Area:  Public Safety

22. [R-2022-201](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Blanket Purchase Agreement And Execute An Open-End (Equity) Lease With Enterprise FM Trust For The Lease Of Vehicles In An Amount Not To Exceed \$229,910.28, Over A 14 Month Period, Based Upon Sourcewell Contract Number 060618 In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).


Attachments: [Resolution](#)
[Draft BPA_PA600528_0](#)
[Q#6444143 MY 23 Ford Expedition XL Estimated Pricing](#)
[Q#6453969 2023 Estimated Pricing RAM 1500 Tradesman 4x2 Quad Cab](#)
[Piggyback Checklist Executed](#)
[R-2016-375](#)
[R-2019-089](#)
[R-2021-055](#)
[Term Sheet \(Piggyback\).doc](#)

Strategic Plan Focus Area:  Public Safety

DEPARTMENT OF PUBLIC UTILITIES**23. [R-2022-202](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Renew Blanket Purchase Agreement No. PA600113 With Sulphuric Acid Trading Company Inc. For The First Renewal Period For An Annual Amount Not To Exceed \$504,000.00 For The Delivery And Supply Of Sulfuric Acid In Accordance With Section 38.49(C)(1) Of The Procurement Code (Renewals).


Attachments: [01 SATCO Sulfuric Acid Resolution Renewal.docx](#)
[02 Draft Blanket Purchase Agreement PA600113.pdf](#)
[03 Approved Resolution R-2019-156.pdf](#)
[04 City Derrfield Beach Co-op Contract Renewal.pdf](#)
[05 Piggyback Request Form.pdf](#)
[06 SATCO COI & RISK Approval .pdf](#)
[TermSheetRenewalBPASulphuricAcidTradingCo .doc](#)

Strategic Plan Focus Area:  Financial Management & Administration

24. [R-2022-203](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Amend Blanket Purchase Agreement No. PA600301 With Lhoist North America Of Alabama, LLC. For Rice Size Quicklime From \$506,000.00 To \$765,000.00 Annually In Accordance With Section 38.48 Of The Procurement Code (Change Orders).

Attachments: [Resolution - Lhoist BPA PA600301 Ceiling Increase \(revised version June 9\)](#)
[BPA_PA600301_Amendment 1.pdf](#)
[April 2022 @ QTR Pricing.pdf](#)
[Approved Resolution R-2020-295 Lhoist.pdf](#)
[City Tamarac Co-op Bid Contract -Lhoist North America of Alabama LLC.pdf](#)
[TermSheetCHANGORDERTO BPALHOISTRICESIZEQUICKLIMECOOP.DOC](#)

Strategic Plan Focus Area:  Financial Management & Administration

DEPARTMENT OF PUBLIC WORKS**25. [R-2022-204](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Renew The Blanket Purchase Agreement With The Shyft Group Upfit Services, Inc., d/b/a Strobes-R-Us, For The Purchase Of Emergency And Related Equipment For Law Enforcement, Fire Rescue & Beach Safety, And General Fleet Vehicles, On An As Needed Basis In An Annual Amount Of \$555,000.00.


Attachments: [Reso - Strobes-R-Us Renewal - Clean.docx](#)
[Draft BPO_B003161_6.pdf](#)
[PR 21 231.pdf](#)
[BSO and The Shyft Group - 3rd Amendment .pdf](#)
[Blanket Order B003161 7.3.2018.pdf](#)
[W9 The Shyft Group Upfit Services Inc dba Strobes-R-Us W9 10-27-2021.pdf](#)
[Term Sheet - Strobes R Us.doc](#)

Strategic Plan Focus Area:  Public Safety

26. [R-2022-205](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Issue A Purchase Order To Kassbohrer All Terrain Vehicles, Inc. For The Purchase Of A 2022 Beachtech Bt3000 Beach Cleaner And A 2022 Beachtech Bt2500 Beach Cleaner In An Amount Not To Exceed \$177,039.00 Based Upon The Houston-Galveston Area Council Contract Number Rh08-20 In Accordance With Section 38.41(C)(5) Of The Procurement Code (Piggyback).

Attachments: [Reso Kassbohrer FINAL.docx](#)
[Draft PO PFY-2203656_0.pdf](#)
[Piggyback Checklist BT3000 BT2500.pdf](#)
[Piggyback Request BT2500.pdf](#)
[Piggyback Request BT3000.pdf](#)
[HCAG Info.pdf](#)
[HCAGBuy Refuse Handling Equipment Contract.pdf](#)
[HCAGBuy Users HLWD.pdf](#)
[HGACBuy Invitation for Bid RH08-20 Document .pdf](#)
[Kassbohrer-All-Terrain-Vehicles \(1\).pdf](#)
[HGAC BT2500 Quote.pdf](#)
[HGAC BT3000 Quote.pdf](#)
[Term Sheet - Kassbohrer All Terrain Vehicles, Inc - Beach Cleaner.doc](#)

Strategic Plan Focus Area:  Economic Vitality

27. [R-2022-206](#)


A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute An Energy Services Agreement With Noresco, LLC For Energy Performance Services Associated With The City's Energy Performance Program Over A 20 Year Period.

Attachments: [Resolution \(Noresco\).docx](#)
[Energy Services Agreement \(Noresco\).doc](#)
[Resolution R-2022-129.pdf](#)
[FPL Rate Schedule.pdf](#)
[List of Structures.pdf](#)
[NORESCO - IGA Data - 2022.pdf](#)
[12 Month Gas Usage.pdf](#)
[NORESCO Fleet Data - IGA Data - 2022.pdf](#)
[Active Vehicles Equipment.pdf](#)
[Term Sheet - Noresco - Energy Performance Contracting- Agreement.doc](#)

Strategic Plan Focus Area:  Infrastructure & Facilities

1:00 PM PRESENTATIONS, PROCLAMATIONS AND AWARDS**28. [P-2022-53](#)**


Presentation By Representative Evan Jenne To Provide A Review Of The 2022 State Of Florida Legislative Session

Strategic Plan Focus Area:  Communications & Civic Engagement

29. [P-2022-54](#)

Presentation By Angel Gomez, Broward County Public Schools Governmental Affairs, Regarding The Upcoming Secure The Next Generation Renewal Referendum.

Attachments: [Secure the Next Generation One Pager 6.9.22 Proof.pdf](#)

Strategic Plan Focus Area:  Communications & Civic Engagement

1:30 PM TIME CERTAIN QUASI-JUDICIAL ITEM*(Rules of Procedure Attached to Agenda)***30. [PO-2022-12](#)**

An Ordinance Of The City Of Hollywood, Florida, Changing The Zoning Designation Of The Property Located At 1701-1735 E. Young Circle From YC (Young Circle Mixed-Use District) To PD (Planned Development District); Approving The Planned Development Master Development Plan For The Subject Property; Approving A Variance; Amending The City's Zoning Map To Reflect The Change In Zoning Designation. (21-DPVZ-27)

Attachments: [2127 CC Ordinance 2022 0706.doc](#)

[Exhibit A.pdf](#)

[Exhibit B.pdf](#)

[Attachment I Planning & Development Board Backup Part I.pdf](#)

[Attachment I Planning & Development Board Backup Part II.pdf](#)

[Attachment I Planning & Development Board Backup Part III.pdf](#)

[Attachment I Planning & Development Board Backup Part IV.pdf](#)

[Attachment I Planning & Development Board Backup Part V.pdf](#)


[Attachment I Planning & Development Board Backup Part VI.pdf](#)

[Attachment I Planning & Development Board Backup Part VII.pdf](#)

[Attachment I Planning & Development Board Backup Part VIII.pdf](#)

First Reading

Planning Division

Strategic Plan Focus Area:  *Economic Vitality*

QUASI-JUDICIAL ITEM(S)*(Rules of Procedure Attached to Agenda)***31. [R-2022-207](#)**

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The "Van Buren Lofts" Plat, Being In The City Of Hollywood, Broward County, Florida, And Generally Located At The Southeast Corner Of Van Buren Street And South 24th Avenue. (P-22-01)

Attachments: [EN22-060 Resolution Van Buren Loft Plat legal approved.doc](#)


[Exhibit A - VAN BUREN LOFTS plat 4-28-22.pdf](#)

[Exhibit B - Van Buren Lofts \(037-MP-21\) DRR.pdf](#)

[Sunbiz - PULICE LAND SURVEYORS, INC..pdf](#)

[Sunbiz - VAN BUREN 18 LLC.pdf](#)

Engineering Division

Strategic Plan Focus Area:  *Economic Vitality*

32. [R-2022-208](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving The “University Station” Plat, Being In The City Of Hollywood, Broward County, Florida, And Generally Located Along The East Side Of North 21st Avenue Between Polk Street And Fillmore Street.

Attachments: [1 EN22-079 Resolution University Station Plat legal reviewed.doc](#)
[3 Exhibit A final UNIVERSITY STATION - Full Plat for City Commission.pdf](#)
[Exhibit B \(036-MP-21\) Response to LOO.pdf](#)
[Site Plan - GROUND FLOOR.pdf](#)
[Sunbiz - PULICE LAND SURVEYORS, INC..pdf](#)

Engineering Division

Strategic Plan Focus Area:  Financial Management & Administration

ORDINANCE(S)


33. [PO-2022-13](#)

An Ordinance Of The City Of Hollywood, Florida, Vacating A Portion Of The Platted Alley Lying Within Block 8 Of The Plat Of “Hollywood South Side Addition”, Plat Book 3, Page 16; Providing A Severability Clause And A Repealer Provision. (VA-19-01)

Attachments: [EN22-068 Ord Hudson Village HTG Fiori vacation v02 legal reviewed.doc](#)
[Exhibit A - Sketch and Legal Fiori Village Alley Vacation.pdf](#)
[Exhibit B - Sketch and Legal Fiori Village Alley Dedication.pdf](#)
[Recorded O-2019-027 Vacation Ordinance.pdf](#)
[Fiori Village Site Plan.pdf](#)
[Sunbiz - HTG FIORI, LLC.pdf](#)

First Reading

Engineering Division

Strategic Plan Focus Area:  Economic Vitality

34. [PO-2022-14](#)

An Ordinance Of The City Of Hollywood, Florida, Granting To Peoples Gas System, A Division Of Tampa Electric Company, Its Successors And Assigns, A Franchise For A Period Of 10 Years With Two Consecutive 10-Year Renewal Terms To Lay, Erect, Construct, Maintain And Operate Its Gas System Facilities In The City Of Hollywood, Florida, Rights-Of-Way And Prescribing The Terms And Conditions Of The Franchise.

Attachments: [01 Ordinance Natural Gas Franchise Agreement Revised.docx](#)
[02 COH Peoples Natural Gas Proposed Franchise Final.docx](#)

First Reading

Department of Financial Services

Strategic Plan Focus Area:  Financial Management & Administration

REGULAR AGENDA**35. [R-2022-209](#)**

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

Attachments: [TMP-2022-273 reso revised.docx](#)

Office of Budget and Performance Management

Strategic Plan Focus Area:  Financial Management & Administration

36. [R-2022-210](#)

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

Attachments: [01 Reso Prelim Assess Nuisance Abate FY2023](#)
[02 Appendix A Parcels Assessed](#)
[03 Appendix B Nuisance Abate Notice to Be Published](#)
[04 Appendix C Sample TRIM Notice](#)

Office of Budget and Performance Management

Strategic Plan Focus Area:  Financial Management & Administration

37. [R-2022-211](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The Provision Of Fire Rescue Services, Facilities And Programs In The City Of Hollywood, Florida; Establishing The Estimated Assessment Rate For Fire Rescue Assessments For The Fiscal Year Beginning October 1, 2022; Directing The Preparation Of An Assessment Roll; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; Providing For Conflicts And Severability.

Attachments: [01 Reso Fire Rescue Assess Prelim FY2023](#)
[02 Appendix A Fire Rescue Incident Rpt Situation Codes](#)
[03 Appendix B Fire Rescue Property Use Codes](#)
[04 Appendix C Fire Rescue Apportionment Method](#)
[05 Appendix D Fire Rescue Rate Schedule](#)
[06 Appendix E Fire Rescue Notice to Be Published](#)
[07 Appendix F Fire Rescue Trim Notice](#)
[08 Hollywood Fire Rescue Report FY22-23](#)

Office of Budget and Performance Management

Strategic Plan Focus Area:  Financial Management & Administration

38. [R-2022-212](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Relating To The Provision Of Fire Inspection Services In The City Of Hollywood, Florida; Establishing The Estimated Assessment Rates For Fire Inspection Assessments For The Fiscal Year Beginning October 1, 2022; Directing The Preparation Of An Assessment Roll; Authorizing A Public Hearing And Directing The Provision Of Notice Thereof; Providing For Conflicts And Severability.

Attachments: [01 Reso Fire Inspection Prelim FY2023](#)
[02 Appendix A Fire Inspection Rates](#)
[03 Appendix B Fire Inspection Notice to Be Published](#)
[04 Appendix C Fire Inspection Sample TRIM Notice Revised at 95%.pdf](#)
[05 Hollywood Fire Inspection Report FY22-23](#)

Office of Budget and Performance Management

Strategic Plan Focus Area:  Financial Management & Administration


39. [R-2022-213](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida Adopting The One Year Action Plan And Projected Use Of \$1,239,297.00 In Community Development Block Grant Funds And \$611,999.00 In Home Investment Partnership Funds For Federal Program Year 2022-2023.

Attachments: [Reso One Year Action Plan 2022-2023.docx](#)
[One Year Action Plan 2022-2023.pdf](#)

Advertised Public Hearing

Community Development Division

Strategic Plan Focus Area:  Quality of Life & Strong Neighborhoods

40. [R-2022-214](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Execute A Professional Services Agreement With Hazen And Sawyer, P.C. To Provide Architectural And Engineering Consulting Services Related To Updating The Reuse Water Master Plan, Upgrading Lift Station W-27, And Facilities Improvements At The Southern Regional Wastewater Treatment Plant For Phase 1 In An Amount Not To Exceed \$2,250,205.00.

Attachments: [Resolution-Reuse Master Plan Lift Station W-27 SRWWTP Facilities Improvement Agreement - Reuse Master Plan Lift Station W-27 SRWWTP Facilities Improvement Proposal - Reuse Master Plan Lift Station W-27 SRWWTP Facilities Improvement LSW27 Map - Reuse Master Plan Lift Station W-27 SRWWTP Facilities Improvement TermSheetH&SArchitectureEngineerServPhase1ReuseMasterPlanetc.doc](#)

Department of Public Utilities


Strategic Plan Focus Area:  Infrastructure & Facilities

41. [R-2022-215](#)

A Resolution of The City Commission Of The City Of Hollywood, Florida, Approving And Authorizing The Appropriate City Officials To Renew The Blanket Purchase Agreements With Ceres Environmental Services, Inc., DRC Emergency Services, LLC., And Bergeron Emergency Services, Inc. For Emergency Response and Recovery Services For A Combined Annual Total Of \$3,000,000.00.

Attachments: [RESO - Emergency Response and Recovery Services -FINAL.docx](#)
[Bergeron Draft BPA_B003164_8.pdf](#)
[Ceres Draft BPA_B003162_8.pdf](#)
[DRC Draft BPA_B003163_8.pdf](#)
[R-2018-242.pdf](#)
[Term Sheet - Ceres DRC Bergeron - Emergency Response and Recovery Serv](#)

Department of Public Works

Strategic Plan Focus Area:  Public Safety

42. [R-2022-216](#)

A Resolution Of The City Commission Of The City Of Hollywood, Florida, Authorizing The Appropriate City Officials To Accept The Increased Award Amount Of The 2022/2023 Children's Services Council Of Broward County Maximizing Out Of School Time Grant To Conduct Four Afterschool And Youth Summer Camps In The Amount Of \$1,039,929.00; Authorizing The Required Five Percent Matching Funds To Be Paid From In-Kind Staff Services; Authorizing The Execution Of An Agreement With The Children's Services Council Of Broward County; Further Authorizing The Appropriate City Officials To Execute All Other Applicable Grant Documents And Agreements; Amending The Fiscal Year 2022 Adopted Operating Budget.

Attachments: [RESO. 2022-23 CSC MOST Grant. Award Increase.docx](#)
[Exhibit 1.pdf](#)
[R-2021-310 CSC MOST Grant.pdf](#)

Department of Parks, Recreation & Cultural Arts

Strategic Plan Focus Area:  Infrastructure & Facilities

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

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

- 44. Commissioner Gruber, District 4
- 45. Commissioner Biederman, District 5
- 46. Commissioner Sherwood, District 6
- 47. Vice Mayor Shuham, District 1
- 48. Commissioner Anderson, District 2
- 49. Commissioner Callari, District 3
- 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 Division of Engineering/Transportation & Mobility, Azita Behmardi, ADA Coordinator/City Engineer, five business days in advance at 954-921-3251 (voice). If an individual is hearing or speech impaired, please call 1-800-955-8771 (V-TDD).

Disclosure of Real Estate Interests and Business Relationships - When an agenda item involves the use or development of land, each member of the City Commission, City Manager, Assistant City Manager(s), City Attorney, Deputy City Attorney, and the director and assistant director(s) of each City department/office shall disclose orally, at the time the City Commission begins to discuss the item, or in writing to the City Clerk prior to the publication of the agenda, any significant interest (as defined below) that such City official or employee or any relative of such City official or employee has in land located within 300 feet of the land that is the subject of the item. When an agenda item involves an invitation for bids, request for proposals, request for qualifications, request for letters of interest, or other competitive solicitation, each member of the City Commission, City Manager, Assistant City Manager(s), City Attorney, Deputy City Attorney, and the director and assistant director(s) of each City department/office shall disclose orally, at the time the City Commission begins to discuss the item, or in writing to the City Clerk prior to the publication of the agenda, any client or business relationship that such City official or employee or any relative of such City official or employee has with any business entity that has submitted a response to the competitive solicitation. "Significant interest" means ownership of more than five percent of the value of the land.

Persons attending meetings shall remain seated at all times unless called upon to speak, will not call out comments during the meeting or make inappropriate hand or facial gestures.

Please silence all cell phones prior to entering the meeting.

QUASI-JUDICIAL HEARING PROCEDURES
AND RULES FOR EX-PARTE COMMUNICATIONS

I. Scope and Applicability. These procedures shall apply to all quasi-judicial hearings held by the City Commission or by any Board or Committee (hereinafter referred to as "Boards") which holds quasi-judicial hearings. The City Attorney shall determine which matters are quasi-judicial in nature and shall direct the City Clerk or Board liaison to designate specially such matters on the agenda.

II. Proceedings. Mayor, Vice Mayor or other presiding officer (hereafter, the "Presiding Officer") shall conduct the proceedings and maintain order. The City Attorney or legal advisor shall represent the City Commission or Board, rule on all evidentiary and procedural issues and objections, and advise the City Commission or Board as to the applicable law and necessary factual findings. Hearings shall be conducted informally, but with decorum. Formal rules of procedure shall not apply except as set forth herein; however, fundamental due process shall be accorded.

III. Unauthorized Communications. In all quasi-judicial hearings, all rulings must be based only upon the evidence presented at the hearing. In accordance with Section 286.0115(1), Florida Statutes, ex parte communications with City Commissioners or Board members in quasi-judicial matters is permissible and the adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with City Commissioners or Board members:

1. The substance of any ex parte communication with a City Commissioner or Board member which relates to a quasi-judicial action pending before the Commission or Board is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before the final action on the matter.

2. A City Commissioner or Board member may read a written communication from any person. However, a written communication that relates to a quasi-judicial action pending before the Commission or Board shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. City Commissioners or Board members may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1, 2 and 3 must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are 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.

R-2016-334, 11/2/2016