



**CITY OF TITUSVILLE
COUNCIL AGENDA**

**May 12, 2015
6:30 PM - Council Chamber at City Hall
555 South Washington Avenue, Titusville, FL 32796**

Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, 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 to be based.

Applicants for land use and zoning related items are advised that the resumes of staff members who prepare applicable staff reports are on file in the City Clerk's Office.

The City desires to accommodate persons with disabilities. Accordingly, any physically handicapped person, pursuant to Chapter 286.26 Florida Statutes, should, at least 48 hours prior to the meeting, submit a written request to the chairperson that the physically handicapped person desires to attend the meeting.

1. CALL TO ORDER

2. INVOCATION

Pastor John Wright of Cross Walk Community Church will be present to give the invocation.

3. PLEDGE OF ALLEGIANCE

4. APPROVAL OF MINUTES

A. Minutes

Approve the minutes of the special City Council meetings on April 21, 2015 and May 4, 2015.

5. SPECIAL RECOGNITIONS & PRESENTATIONS

A. Comprehensive Classification, Pay and Benefits Study Report

Acknowledge Receipt of the Comprehensive Classification, Pay and Benefits Study Report.

6. BOARDS AND COMMISSIONS

A. Leave of Absence for TEC Member Alex Chamberlain

Approve the request for a leave of absence for the period between May 2015 to October 2015.

B. North Brevard Library District Board

Accept the North Brevard Library District Board's Semi-Annual Report as written.

7. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (OPEN FORUM)

8. CONSENT AGENDA

A. Work Order for Outfall Water Quality Monitoring Services

Approve the award of Work Order ECTSW011 to Environmental Consulting Technology, Inc. in the amount of \$98,934.39 for water quality monitoring services at four locations within the City, and authorize the Mayor to execute said work order.

B. Award of Contract for Mourning Dove Facility Rehabilitation Improvements

Approve award of a contract for Bid No. 15-B-026 to L7 Construction, Inc. of Longwood, FL for the Mourning Dove Facility Rehabilitation Improvements in the amount of \$434,077 and authorize the Mayor to execute the contract.

C. Approve Emergency Purchase of Solid Waste Sideloader

Approve emergency purchase of solid waste automated sideloader in the amount of \$274,073 from Nextran Truck Center of Orlando to replace a truck that was lost due to fire in April 2015. Additionally, approve associated budget amendment.

D. Approval of a New Master Lease Agreement and Financing Addendum to Purchase Ten Police Cars, Four Code Enforcement Vehicles, One Bucket Truck, and One Patch Truck

Request approval of (1) New Master Lease Agreement to replace the old Master Lease Agreement from SunTrust Equipment Financing and Leasing; (2) Financing of ten (10) new Chevrolet Caprice Police Cars to replace ten vehicles being dead lined from the Police Fleet; (3) Financing of four (4) new GMC Sierra Trucks to replace the use of personal vehicles; (4) Financing of One Ton Patch Truck to replace old Patch Truck; and (5) Financing of one (1) Bucket Truck to replace old Bucket Truck.

E. Temporary Construction Easement to FDOT

Approve a temporary construction easement to Florida Department of Transportation (FDOT) due to the intersection improvements along SR406 at Singleton Avenue and authorize the Mayor to sign the agreement.

F. Acceptance of Utility Easements

Accept Utility Easements from Publix Super Markets, Inc. and Space Coast Credit Union.

9. ORDINANCES – SECOND READING, PUBLIC HEARING AND RELATED ACTION

A. Resolution No. 8-2015 - Resolution to Proceed 2150 Country Club Drive

Conduct a Public Hearing on Resolution No. 8-2015 and take testimony concerning the public nuisance as described in the Resolution of Necessity for 2150 Country Club Drive as approved at the April 14, 2015 regular City Council meeting. Staff recommends this resolution to proceed be approved and staff be authorized to move forward with repairs on the property.

B. Ordinance No. 16-2015 - Amending Chapter 6, Building Code

Conduct second reading and public hearing of Ordinance No. 16-2015 amending the Code of Ordinances to incorporate the Florida Building Code by amending Chapter 6, Article III "Building Permits and Inspections Generally", specifically amending Section 6-58 "Qualification for Obtaining Permits", Section 6-59 "Amendments"; Section 6-60 "Plans to Accompany Application", Section 6-61 "Plot Diagram to Accompany Application", Section 6-62 "Examination of Application; Rejection; Reapplication", Section 6-64 "Expiration of Permits", Section 6-68 "Inspections and Building Site", Section 6-70 "Burying of Debris from Construction; Permit Required"; amending Article IV "Building Standards"; specifically amending Section 6-91 "Finished Floor Elevations", Section 6-101 "Building Code Adopted", Section 6-102 "Amendments", Section 6-103 "Penalty", Section 6-104 "Building Construction Standards Relative to Handicapped Persons", Section 6-105 "Florida Existing Buildings Code Adopted", Section 6-106 "Energy Efficiency Building Code Adopted", Section 6-107 "Sun Rooms", Section 6-108 "Fair Housing Standards (handicapped accessibility)", Section 6-109 "International Property Maintenance Code Adopted"; amending Article V "Plumbing", specifically amending Section 6-142 "Code; Adopted; Penalty", Section 6-147 "Certification Required", Section 6-148 "Use of Master or Journeyman's Name by Another", Section 6-149 "Repairs", Section 6-150 "Plumbing Installation or Maintenance by Owner"; amending Article VI "Gas" specifically amending Section 6-172 "Code; Adopted, Penalty"; amending Article VII "Electrical Code" specifically amending Section 6-201 "Definitions", deleting Section 6-203 "Classification of Electrical Workers", amending Section 6-204 "Prerequisites to Performing Electrical Work; Exceptions", Section 6-205 "Certificate Holders required on Electrical Work; Exception", Section 6-206 "Master or Journeyman Electrician to show proof of competency before engaging in Trade or Business", Section 6-221 "National Electrical Code Adopted", Section 6-222 "Rules and Regulations; General", Section 6-223 "Approved Materials, Devices, or Appliances", Section 6-225 "Additions, Remodeling and Rewiring", deleting Section 6-227 "Wiring of Cold Storage Plants" and Section 6-228 "Bell Transformers"; amending Section 6-231 "Wiring Methods", Section 6-242 "Application, Issuance", Section 6-244 "Permit Fees Required", Section 6-

245 "Inspection Fees", Section 6-256 "Duties and Powers of City", Section 6-258 "Inspection of Work"; amending Article VIII "Mechanical Code", specifically amending Section 6-281 "Code; Adopted, Penalty", Section 6-282 "Fees".

C. Ordinance No. 17-2015 - Enacting Pet Waste Management Requirements

Conduct second reading and public hearing of Ordinance No. 17-2015 enacting pet waste disposal requirements by amending Chapter 12 of the Code of Ordinances, City of Titusville by adding a section to be numbered 12-29 containing purpose and intent, definitions, applicability, requirements for disposal, exemptions and enforcement.

D. Ordinance No. 18-2015 Amending the Text of the Regional Mixed Use Zoning District

Conduct first reading and first public hearing of Ordinance No. 18-2015 amending the Code of Ordinances by amending the permitted, conditional, accessory and prohibited uses, maximum densities, height, yard and area requirements and master plan approval procedures in the Regional Mixed Use zoning district; by amending Section 59-780 "Purpose and Intent"; amending Section 59-781 "Permitted Principal and Conditional Uses"; amending Section 59-782 "Accessory Uses"; amending Section 59-783 "Conditional Uses"; amending Section 59-784 "Prohibited Uses"; amending Section 59-785 "Maximum Density"; amending Section 59-786 "Height, Yard and Area Requirements"; and amending Section 59-788 "General Provisions" relating to master plan approval procedures. **(This is the first public hearing. The second and final public hearing is scheduled for the regular City Council meeting on May 26, 2015 at 6:30 p.m.).**

Second Reading, Public Hearing and Related Action (Quasi-judicial) THE FOLLOWING ITEMS ARE SUBJECT TO QUASI-JUDICIAL RULES OF PROCEDURE. ANYONE WISHING TO SPEAK ON AN ITEM MUST FIRST COMPLETE AN AGENDA SIGN-UP CARD AND SIGN THE OATH CONTAINED THEREON. THOSE SPEAKING IN FAVOR OF A REQUEST WILL BE HEARD FIRST. IF YOU HAVE PHOTOGRAPHS, SKETCHES, OR DOCUMENTS THAT YOU DESIRE FOR CITY COUNCIL TO CONSIDER, THEY MUST BE SUBMITTED INTO EVIDENCE AND WILL BE RETAINED BY THE CITY. SUBMIT THESE EXHIBITS TO THE CITY CLERK.

E. Small Scale Amendment (SSA) No. 1-2015

Conduct Public Hearing and Final Reading of SSA No. 1-2015 and related Ordinance No. 14-2015 amending Ordinance No. 46-2005 of the City of Titusville, Florida, by amending Section 2 "Conditions of Approval" No. 4 by excluding certain property at the southern terminus of Riveredge Drive; amending the Code of Ordinances by amending Ordinance No. 60-1988, which adopted the Comprehensive Plan of the City of Titusville, by changing the land use designation on certain property at the southern terminus of Riveredge Drive from its present Conservation designation to Residential Low Density

designation.

and

Ordinance No. 15-2015 amending Ordinance No. 47-2005 of the City of Titusville, Florida, by amending Section 2 "Conditions of Approval" No. 4 by excluding and rezoning certain property at the southern terminus of Riveredge Drive; amending Ordinance No. 5-1993 of the City of Titusville, Florida, by amending the zoning map made a part of said ordinance by reference by changing an approximate 0.29 acre property located at the southern terminus of Riveredge Drive from its present Open Space and Recreation (OR) zoning to the Single Family Medium Density (R-1B) zoning designation.

The Planning and Zoning Commission unanimously recommended approval, 5-0.

F. Easement Vacation (EAS) No. 1-2015

Approve Easement Vacation (EAS) #1-2015 and adopt Resolution No. 9-2015 to vacate a portion of a conservation easement, lying on the west side of Lots 18 and 19, as shown on the plat of third addition to Indian River City, Florida as recorded in Plat Book 4, Page 11, Public Records of Brevard County, Florida.

The Planning and Zoning Commission unanimously recommended approval of the easement vacation.

10. ORDINANCES-FIRST READING

A. Ordinance No. 20-2015 Adopting 2015 CRA Supplemental Plan Update

Conduct first reading of Ordinance No. 20-2015 adopting the 2015 CRA Supplemental Plan Update, as recommended by the CRA.

B. Rezoning No. 2-2015 Regional Mixed Use (RMU) - Antigua Bay (formerly Sandy Pointe)

Conduct first reading of Ordinance No. 19-2015 related to Rezoning application No. 2-2015 amending the zoning map made a part of said ordinance by reference by changing property located northeast of the intersection of U.S. Highway One and Columbia Boulevard State Road 405, from its present RMU-100/or, RMU-100/RMU, RMU-200/R-1c, RMU-200/R-1b&R-1a, RMU-200/R-1b, RMU-300/R-2, RMU-300/CBD, RMU-400/RC, RMU-400/CBD and RMU-400/CM zoning classifications to Regional Mixed Use (RMU) zoning classification.

11. OLD BUSINESS

12. NEW BUSINESS

A. Mid-Year 2015 Financial Review

Accept the FY2015 Mid-Year Financial Review and approve the proposed budget amendments for the Fiscal Year's Quarter Ending March 31, 2015.

B. Advisability to Proceed with Ad Valorem Tax Abatement for Paragon Plastics, Inc.

Approve advisability to proceed with the creation of the required ad valorem tax abatement ordinance and schedule the appropriate public hearing.

C. Reimbursement Agreement for Economic Incentive Grant

Approve and authorize the Mayor to execute the Reimbursement Agreement for Economic Incentive Grant between City, North Brevard Economic Development Zone (District) and Developer clarifying the availability and timing of the payment by the City of proceeds to the Developer upon completion of certain infrastructure, public improvements and vertical construction (Phase 1) of Titus Landing.

13. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (OPEN FORUM)

14. MAYOR AND COUNCIL REPORTS

A. Mayor's Report

Attached is the Mayor's Report.

15. CITY MANAGER'S REPORT

A. City Manager's Report

Attached is the City Manager's Report.

16. CITY ATTORNEY'S REPORT