



## **CITY OF TITUSVILLE COUNCIL AGENDA**

**July 28, 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 Sandy McHardy of New Beginnings Ministries Workshop Center will be present to give the invocation.

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES**

**A. Minutes**

Approve the minutes of the regular City Council meetings on May 26, 2015 (6:30 p.m.) and June 9, 2015.

**5. SPECIAL RECOGNITIONS & PRESENTATIONS**

**A. Reserved for Presentation(s)**

There may not be adequate time at the regular City Council meeting scheduled on July 28, 2015 at 5:30 p.m. to hear all the presentations as outlined in the agenda. If necessary, the presentation(s) will be heard at this time during the regular City Council meeting on July 28, 2015 that commences at 6:30 p.m.

**6. BOARDS AND COMMISSIONS**

**A. Board of Adjustments and Appeals**

Appoint two regular members to the Board of Adjustments and Appeals for terms to expire on July 31, 2017.

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

**8. CONSENT AGENDA**

**A. Purchase of Bucket Truck**

Approve the purchase of one (1) bucket truck in the amount of \$110,373 from Ring Power Corporation of St. Augustine, FL. Additionally approve associated budget amendment.

**B. Resolution No. 16-2015 - Rescind Resolution 15-2015 Jean Street Renaming**

Approve Resolution No. 16-2015 rescinding Resolution No. 15-2015 renaming of Jean Street.

**C. Resolution No. 17-2015 - FDOT LAP Agreement for Hopkins Avenue Complete Streets**

Approve Resolution No. 17-2015 supporting a Local Agency Partnership (LAP) Agreement between the Florida Department of Transportation (FDOT) and the City of Titusville for the design of the Hopkins Avenue Complete Streets Project within the City. In addition, authorize the Mayor to sign the LAP agreement for this project and approve the associated budget amendment.

**D. Grant Agreement for Draa Field Stormwater Park**

Approve a grant agreement between the City of Titusville and the State of Florida Department of Environmental Protection in the amount of \$1,188,825 in funding toward the construction of the Draa Field Stormwater Park. Additionally, approve associated budget amendments and authorize the Mayor to execute the agreement.

**E. Lease Agreement at Harry T. Moore Social Center with Eckerd Youth Alternatives, Inc.**

Authorize lease agreement with Eckerd Youth Alternatives, Inc. for office space at the Harry T. Moore Social Service Center, based upon review and approval by the City Attorney.

**F. Advisability to Amend Ordinance Related to Utility Billing**

Approve advisability to amend Chapter 21 related to utility billing procedures.

**G. Award of Contract - Baffle Box Cleaning**

Approve award of one (1) year contract, with two (2) optional one (1) year renewals, to EnviroWaste Services Group Inc. of Miami, Florida in the maximum amount, for the 3-year term, of \$157,800 for providing pumpout and cleaning services on the City's baffle boxes; and authorize the Mayor to execute the contract.

**H. Award of Contract - Floating MAPS**

Approve award of contract to Beemats, LLC of New Smyrna

Beach, Florida in the amount of \$195,576 over three years for the installation and maintenance of floating wetland islands at the Senior Center for an additional 20% credit on the TMDL related water quality improvements at this location and authorize the Mayor to execute the contract.

**I. Additional Change Order - CIPP**

Approve Change Order # 2 for FY15 to LMR Construction, Inc. of Frostproof, Florida in the amount of \$160,000 to furnish and install Cure In-Place Pipe (CIPP) Liner in and around Royal Oak Golf Course; and authorize the City Manager to execute the change order. Additionally, approve associated budget amendment.

**J. Resolution No. 18-2015 Adopting the 2015 Brevard Prepares Local Mitigation Strategy Plan**

Approve Resolution No. 18-2015 adopting the 2015 Brevard Prepares Local Mitigation Strategy Plan.

**K. Work Order CPHWR004 to CPH, Inc. - Southern Service Area Water Main**

Approve the award of Work Order CPHWR004 to CPH, Inc. in the amount of \$170,927.07 to provide engineering consulting services including, but not limited to, surveying, preparation of design drawings and specifications, permitting, bidding assistance and limited construction administration services for the installation of 8,350 linear feet of approximately 16-inch water main, and authorize the Mayor to execute the Work Order.

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

**A. Ordinance No. 18-2015 Amending the Text of the Regional Mixed Use (RMU) Zoning District**

Conduct final reading and final 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 second reading and the final public hearing.)**

**The Planning and Zoning Commission recommended tabling this agenda item based on the request of the applicant.**

**B. Ordinance No. 25-2015 Amending the Single Family High Density (R-1C) Zoning District**

Conduct public hearing and final reading of Ordinance No. 25-2015 amending the front yard setback in Section 59-126(b) "Minimum yard requirements" in the Single Family High Density (R-1C) zoning district.

**The Planning and Zoning Commission recommended approval, 6-0.**

**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.**

**C. Rezoning No. 4-2015 Regional Mixed Use (RMU) - Antigua Bay (formerly Sandy Pointe)**

Conduct final public hearing and reading of Ordinance No. 19-2015 related to Rezoning application No. 4-2015 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. **(This is the second reading and the final public hearing.)**

**The Planning and Zoning Commission recommended tabling this agenda item based on the request of the applicant.**

**10. ORDINANCES-FIRST READING**

**A. Ordinance No. 26-2015 - Amending the Code of Ordinances related to Ad Valorem Tax Exemptions and updating the Supplemental Application - City of Titusville Economic Development Ad Valorem Tax Exemption Program**

First reading of Ordinance 26-2015 updating the *Code of Ordinances* related to Ad Valorem Tax Exemptions. Amending Chapter 19 "Taxation", Article IV "Economic Development; Ad Valorem Tax Exemptions"; Specifically amending section 19-104 "Definitions"; Amending section 19-106 "Application for Exemption"; Amending section 19-107 "City Council's Consideration of Application"; Amending Section 19-111 and Section 19-112 by deleting; Conforming this ordinance with

application and instructions and Florida Statutes. Providing for repeal of conflicting ordinances, an effective date and incorporation into the city.

**11. OLD BUSINESS**

**12. NEW BUSINESS**

**A. Request for setting the proposed tentative Operating Millage rate at \$8.1810 mils and setting the proposed tentative voted debt service millage at \$0.5492 mils**

Set the tentative operating millage rate for the FY 2016 budget at \$8.1810 mils, which is 10% above the rolled back millage rate of \$7.4373 mils. Set the voted debt service millage rate (Riverfront Acquisition Referendum) at \$0.5492 mils. The maximum levy authorized by the Series 2005 General Obligation Bonds is \$0.5930 mils.

**B. Advisability to Proceed with Ad Valorem Tax Abatement for Project Brix - Playalinda Brewery**

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

**C. Professional Management of Operation of Titusville Municipal Marina**

Approve the award of a contract, subject to the resolution of the contract terms by the City Attorney and City Manager, to SG Marina for the professional management of the operations of the Titusville Municipal Marina, and authorize the Mayor to execute the contract.

**D. Retain the law firm of Bryant, Miller, Olive, P.A. to represent the City in its bond refunding**

Authorize retaining the law firm of Bryant, Miller, Olive, P.A., to represent the City in its General Obligation Refunding Bond, Series 2015.

**E. Advisability to Amend Street Renaming Procedure**

Approve advisability to make changes to the current street renaming procedure.

**F. Advisability to Amend Code Related to Maximum Size and Location of Landscape Features/Pergolas in Residential Zoning Districts**

Provide direction to staff regarding amending the *Land Development Regulations* relating to the size and location of landscape features/pergolas in residential zoning districts.

**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**

**A. Notice of Appeal - Ruthye M. Smith**

Review request from Ruthye Smith to rescind Council's prior decision on renaming a portion of Sycamore Street.