



**CITY OF TITUSVILLE  
COUNCIL AGENDA**

**August 11, 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**

**3. PLEDGE OF ALLEGIANCE**

**4. APPROVAL OF MINUTES**

**A. Minutes**

Approve the minutes of the regular City Council meeting on July 14, 2015 and special City Council meeting on July 28, 2015 (4:00 p.m.).

**5. SPECIAL RECOGNITIONS & PRESENTATIONS**

**6. BOARDS AND COMMISSIONS**

**A. Municipal Code Enforcement Board**

Appoint one alternate member to the Municipal Code Enforcement Board for an unexpired term to expire on October 31, 2015.

**B. Board of Adjustments and Appeals**

Accept the Board of Adjustments and Appeals Semi-Annual report as written.

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

**8. CONSENT AGENDA**

**A. Award Work Order and Contract for the Blue Heron Aeration Upgrade Project**

Approve the award of Work Order WRCPH003 to CPH, Inc. in the amount of \$27,711.46 for engineering services to complete the Blue Heron Aeration Upgrade Project and approve the award of a contract to Aeration Industries International in the amount of \$259,800 for the purchase and installation of aeration equipment components for the Blue Heron Aeration Project, and authorize the City Manager to execute the work order and the Mayor to execute the contract.

**B. 2015-2016 School Board of Brevard County School Resource Officer (SRO) Program Agreement**

Approve and execute the 2015-2016 School Board of Brevard County SRO Program Agreement and required Budget Amendment.

**C. Area Impact Plan No. 2-2015 for McDonald's Restaurant Drive-thru Expansion**

Approve Area Impact Plan No. 2-2015 to allow for the construction of a second drive-thru lane, an approximately 50 square foot building addition and ADA compliant upgrades at the McDonald's restaurant in the Shoreline Mixed Use (SMU) zoning district at 3835 South Washington Avenue.

**D. Countywide JAG Grant 2015-2016**

Approve the distribution of the Edward Byrne Memorial Justice Assistance Grant - JAG Countywide, in the amount of \$136,112.00 for Fiscal Year 2015-2016 to be used by Brevard County for their Prisoner Transportation Program.

**E. Appropriate Federal Forfeiture Fund Dollars - Gun Buy Back Program**

Appropriate and approve use of \$5,000 in Federal Forfeiture Funds to be used to purchase gift cards that will be provided to citizens participating in the Titusville Police Department's third gun buy back program.

**F. Police Department K9 Reserve Fund Transfer Request**

Approve Police Department K9 Reserve Fund Transfer Request.

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

**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**

Second 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.

## 10. ORDINANCES-FIRST READING

### A. **Ordinance No. 27-2015 - Granting an Economic Development Ad Valorem Tax Exemption to the Brix Project Brewery, LLC**

Conduct first reading of Ordinance No. 27-2015 allowing for an ad valorem tax abatement to Brix Project Brewery, LLC; specifying the items exempted; and providing for an expiration date for the exemption. This is for improvements and renovations to the facility located at 5220 S. Washington Avenue, Titusville, Florida. (Parcel I.D. 22-35-26-00-502.1)

### B. **Rezoning (REZ) No. 3-2015 - City-Initiated Rezoning Applications**

Conduct First Reading of City-initiated Rezoning No. 3-2015 A-G and related Ordinance No. 28-2015 amending the zoning map made a part of said ordinance by reference by amending the zoning designation on the following seven properties; by changing a 9.7 acre property located east of the eastern terminus of Jess Parrish Court, between the Florida East Coast Railroad and the Indian River Lagoon, from its present Hospital Medical (HM) zoning classification to the Open Space and Recreation (OR) zoning classification; and by changing a 2 acre property located east of the eastern terminus of Jess Parrish Court between the Florida East Coast Railroad and the Indian River Lagoon, from its present Hospital Medical (HM) zoning classification to the Open Space and Recreation (OR) zoning classification; and by changing a 1.26 acre property located at the eastern terminus of Buffalo Road between the Florida East Coast Railroad and the Indian River Lagoon from its present Industrial (M-2) zoning classification to the Open Space and Recreation (OR) zoning classification; and by changing a 0.14 acre property located at 2908 South Hopkins Avenue from its present Light Industrial Services and Warehousing (M-1) zoning classification to the Community Commercial (CC) zoning classification; and by changing a 14 acre property located in the Enchanted Forest, east of Enchanted Avenue and west of the Florida East Coast Railway from its present Multifamily High Density (R-3) zoning classification to the Open Space and Recreation (OR) zoning classification; and by changing a 0.14 acre of property located on Meade Lane south of Cheney Highway from its present Community Commercial (CC) zoning classification to the Multifamily High Density (R-3) zoning classification; and by changing a 0.08 acre property located at

3660 South Washington Avenue from its present community Commercial (CC) zoning classification to the Tourist (T) zoning classification.

11. **OLD BUSINESS**
12. **NEW BUSINESS**
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. **U.S. Supreme Court Decision in *Reed v. Town of Gilbert* Invalidating Town's Sign Ordinance**

This is provided for information only.