

Regular City Council - August 23, 2022 at 6:30 PM

CITY OF TITUSVILLE

COUNCIL AGENDA

August 23, 2022

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 - A moment of silence will be held.
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES

A. Minutes - Approve the minutes of the regular City Council meeting on **June 14, 2022.** 

5. SPECIAL RECOGNITIONS & PRESENTATIONS

6. BOARDS AND COMMISSIONS

A. Historic Preservation Board - Accept the resignation of Regular Member James Green of the Historic Preservation Board for an unexpired term that will expire on October 31, 2022. The resignation was effective on August 3, 2022.

B. North Brevard Commission on Parks and Recreation - Appoint two regular members to the North Brevard Commission of Parks and Recreation with terms to expire on August 31, 2024.

C. Titusville Environmental Commission - Appoint one regular member to the Titusville Environmental Commission with an unexpired term to expire on November 30, 2022.

D. 2022/2023 Student Advisory Council Membership Appointment - Confirm Mr. Cooper Mangini as a member of the 2022/2023 Student Advisory Council and 9th grade representative of Astronaut High School, as nominated by his school.

7. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)

8. CONSENT AGENDA

A. Advisability to Modify Code of Ordinances, Section 21-1(b) - Advise staff to modify the Code of Ordinances Section 21-1(b) to modify the section to add a category for non-contiguous properties to connect to City service if available to a utility with a condition that the connection does not negatively impact existing customers.

B. Contract for the City's Third-Party Administrator Claims Services - Approve the use of City of Palm Bay Contract #RFP26-0-2021/NC Risk Third Party Administrator with Johns Eastern Company, Inc., effective October 1, 2021 to September 30, 2023 with three (3) additional one (1) year renewal terms. Additionally, authorize the Mayor to execute the contract.

C. Termination of the Memorandum of Understanding for the Intergovernmental Radio Communications Program 800 MHz Advisory Committee - Approve the termination of the MOU for Intergovernmental Radio Communications Program 800 MHz Advisory Committee.

D. Authorize Mayor to Execute Final Negotiated Contract for the City Marina Dock Repairs - Approve the final negotiated contract in the amount of \$181,510.00 to Cummins Cederberg, Inc. of Coral Gables, Florida, for Professional Engineering

Services for City Marina Dock C & E Repairs and authorize the Mayor to execute contract. In addition, approve the associated budget amendment.

E. Microsoft Enterprise Agreement - Approve the Microsoft Enterprise Agreement proposal for the 3-year plan as submitted by Dell Technologies at an estimated \$210,065.05 based on current users and allow utilization of the National Cooperative Purchasing Alliance (NCPA) contract #01-42 effective through October 31, 2023 to expand licensing to new employees and new Microsoft technologies that will be of benefit to employee productivity, network security and cloud computing. Include Dell Technologies on the Vendor of Record list using the NCPA Contract #01-42 for additional products as needed, and authorize the issuance of a purchase order for such contracted items and delegate the City Manager the authorization to sign any quote/proposal documents that may be necessary to complete the purchase.

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

A. Resolution No. 16-2022 - Confirming and Certifying the Rate and Annual Stormwater Utility Assessment Roll - Approve Resolution No. 16-2022 confirming and certifying the rate and annual Stormwater Utility assessment roll for the municipal fiscal year beginning October 1, 2022; increasing the service rate charge; forwarding the assessment roll to the Tax Collector's Office for collection; utilizing the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the city, as authorized under section 197.3632, Florida Statutes; adopting findings of fact; providing for an effective date.

B. Ordinance No. 29-2022, Establishing Code Enforcement Lien Reduction Process - Conduct the second reading and the public hearing of Ordinance No. 29-2022, amending the Code of Ordinances by amending Chapter 31, Article V, "Code Enforcement Board/Special Magistrate", by amending Section 31-71, "Administrative Fines and Liens" by adding a subsection (g) "Reduction and Release of Liens", creating a code enforcement lien reduction process; providing for severability; repeal of conflicting ordinances; incorporation into the code and an effective date.

C. Ordinance No. 30-2022 - Relating to Building Trades Services - Conduct the first public hearing of Ordinance No. 30-2022 to allow building trades services as limited uses in the Community Commercial (CC) and Planned Industrial Development (PID) zoning districts and amending the conditions for building trades in the Urban Mixed Use (UMU) zoning district by amending Sections 28-54 "Use table" and 28-203 "Building trades services"; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code.

(This is the first of two required public hearings. The second and final public hearing is scheduled to be conducted by City Council on September 13, 2022 at 6:30 PM.)

The Planning and Zoning Commission considered this ordinance at their meeting on August 17, 2022 and recommended approval, 7-0.

10. ORDINANCES-FIRST READING

11. OLD BUSINESS

12. NEW BUSINESS

A. Work Order for Consultant to Review Conditional Use Permit No. 2-2022, Independence Recycling, RFP #22-P-052/LR - Authorize the City Manager to execute work orders with Barnes, Ferland, and Associates, Inc., Orlando, FL to review CUP #2-2022, Independence Recycling and the report of the Applicant's expert, and provide written analysis and an opinion regarding the potential impacts of the concrete recycling operation to groundwater and the Indian River Lagoon (stormwater).

13. PETITIONS AND REQUESTS FROM THE PUBLIC PRESENT (NON-AGENDA ITEMS)

14. MAYOR AND COUNCIL REPORTS

A. Mayor's Report - The Mayor's Report is included in the agenda packet.

B. Council Reports - City Council Members will provide their individual reports.

15. CITY MANAGER'S REPORT

A. City Manager's Report - The City Manager's Report is included in the agenda packet.

16. CITY ATTORNEY'S REPORT

A. Request for relief pursuant to Florida Statutes Section 70.51 - This is for informational purposes.



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NOTICE OF CUSTODIAN OF PUBLIC RECORDS: The City of Titusville has designated the City Clerk, Wanda Wells, its Custodian of Public Records pursuant to Chapter 119, Florida Statutes. Anyone wishing to inspect or copy public records consistent with Florida law should contact the

Custodian of Public Records at:

City of Titusville | Custodian of Public Records | Wanda Wells, City Clerk | 555 South Washington Avenue | PO Box 2806 (32781-2806) | Titusville, FL 32796 | Phone: [\(321\) 567-3775](tel:(321)567-3775) | Send Email: Brenda.Evans@Titusville.com

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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