



**CITY OF TITUSVILLE
COUNCIL AGENDA**

**September 26, 2017
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 Dori Valley of Hope Community Fellowship Church 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 meeting on August 8, 2017 and special City Council meetings on August 24, 2017, September 14, 2017, and September 19, 2017.

5. SPECIAL RECOGNITIONS & PRESENTATIONS

A. Reserved for Presentation(s)

There may not be adequate time at the regular City Council meeting scheduled on September 26, 2017 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 September 26, 2017 that commences at 6:30 p.m.

6. BOARDS AND COMMISSIONS

A. Board of Adjustments and Appeals

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

B. Municipal Code Enforcement Board

Accept the Municipal Code Enforcement Board's Semi-Annual Report as written.

C. Board of Trustees of the General Employees' Pension Plan

Appoint one member to the Board of Trustees of the General Employees' Pension Plan for a three-year term to expire on September 30, 2020.

D. North Brevard Library District Board

Appoint two members to the North Brevard Library District Board with terms to expire on September 30, 2019.

E. Community Redevelopment Agency

Appoint one Member at Large to the Community Redevelopment Agency with a term to expire on September 30, 2021.

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

8. CONSENT AGENDA

A. Award a Contract for Design of the Mourning Dove Water Treatment Plant Solids Train Upgrade

Approve an award of contract to the engineering firm of Wright-Pierce, Inc. of Orlando, FL in the amount of \$593,005 to provide professional engineering consulting services for the design and construction of the Mourning Dove Water Treatment Plant (WTP) Solids Train Upgrade Project and authorize the Mayor to execute the contract.

B. Water Supply Capacity Allocation Permit for Indian River Behavioral Health

Authorize the issuance of a Water Supply Capacity Allocation Permit in the amount of 20,095 gallons per day for the Indian River Behavioral Health project. This project has received approval by the Florida Department of Environmental Protection for utility infrastructure installation.

C. Award for Paving Services at 905 Cheney Highway

Approve attached budget amendment to provide necessary funds for permanent paving repairs and award to P & S Paving Inc. of Daytona Beach, FL to perform permanent pavement repairs at 905 Cheney Highway in the amount of \$16,177.56.

D. Award Contract for three 6" valve insertions for Water Resources Field Operations Division in three separate locations

Approve the award of a contract to EA Tapping Services LLC, of

Apopka, Florida in the amount of \$18,600.00 for the purchase of three 6" valve insertions for the Water Resources Field Operation Division in three separate locations and authorize the City Manager to execute the contract.

E. Rail Trail Utility Relocations and Repairs

Approve the use of Danella Construction Corporation of Florida (Danella) for emergency relocations and repairs to City water system utilities associated with the Florida East Central Regional Rail Trail (FECRRT) construction project for an estimated expenditure of \$76,000. In addition, approve Danella as a Vendor of Record to provide said emergency services during the construction of the FECRRT project; and authorize the City Manager to execute all the instruments necessary for this engagement.

F. Work Order for Engineering Services for Renewal of the City's Area III Wellfield

Approve the award of Work Order BFAWR009 to Barns, Ferland, and Associates, Inc. (BFA) in the amount of \$165,687.81 to provide engineering consulting services including, but not limited to, determining the maximum and safe yield of the Area III Wellfield, identifying wells to relocate and replace, permitting, test well bidding and construction management, preparation of a preliminary design report, and authorize the Mayor to execute the Work Order.

G. Stop Loss Medical Reinsurance Coverage for Period October 1, 2017 through September 30, 2018

Approve the award of medical reinsurance coverage, subject to the approval of the FY 2018 budget, with Cigna to cover medical reinsurance costs at an estimated annual premium of \$560,921 for FY 2017-2018. The amount represents a flat fixed cost estimated at less than 1% increase in specific reinsurance costs over the current year spending. Additionally, authorize the City Manager to put in place any instruments necessary for this engagement.

H. Award of Contracts for Sanitary Sewer Repair and Manhole Replacement

Approve the award of contracts for Bid No. 17-B-31 Bid Item #1 to Affordable Development of Titusville, Florida for sanitary sewer main line point repairs in the amount of \$51,479.47 and award a separate contract for Bid Item #5 to All Terrain Tractor Service of Orange City, Florida for sanitary sewer manhole replacement in the amount of \$43,900 and authorize the City Manager to execute the contracts.

I. Renewal of All lines of Insurance to Protect City from Loss

Approve the renewal of all lines of insurance coverage for FY 2018 at an estimated total premium of \$746,932, which is a slight increase from last year's cost of \$738,183 and a change in Third Party Administrative Services; and authorize the City Manager to put in place all the necessary instruments for this

renewal.

- J. Acceptance of Easement from Cumberland Farms, Inc. for the Cumberland Farms on South Washington Avenue**
Acceptance of Easement from Cumberland Farms, Inc. for the newly completed Cumberland Farms on S. Washington Avenue.
- K. Award of Proposal for Survey of Citywide Historic Resources**
Approve the award of contract to Environmental Services, Inc. of Jacksonville, Florida in the amount of \$50,000 for the citywide survey of historic resources and authorize the City Manager to execute the contract with Environmental Services, Inc.
- L. Historic Nomination HPB No. 1-2017 to Nominate the Norwood House at 715 Tropic Street to the City's Register of Historic Places**
Approve the nomination of the Norwood House, located at 715 Tropic Street, to the City's Register of Historic Places by adopting Resolution No. 16-2017.
At a meeting on August 7, 2017 the Historic Preservation Board recommended approval of the nomination.
- M. Historic Nomination HPB No. 2-2017 to Nominate the Hill Hotel Apartments at 422 Julia Street to the City's Register of Historic Places by adopting Resolution No. 17 -2017**
Approve the nomination of the Hill Hotel Apartments, located at 422 Julia Street, to the City's Register of Historic Places by adopting Resolution No. 17-2017.
At a meeting on August 7, 2017, the Historic Preservation Board recommended approval of the nomination.
- N. Historic Nomination HPB No. 3-2017 to Nominate the Hill Grocery at 428 Julia Street to the City's Register of Historic Places by adopting Resolution No. 18-2017**
Approve the nomination of the Hill Grocery, located at 428 Julia Street, to the City's Register of Historic Places by adopting Resolution No. 18-2017.
The Historic Preservation Board reviewed this item on September 5, 2017 and recommends approval.
- O. Fiscal Year 2017 Budgetary Carry Forward List**
Approve the Fiscal Year 2017 Budgetary Carry Forward List.
- P. Permission to Issue Open Blanket Purchase Orders During FY 2018 to Approved Vendors of Record Exceeding the \$50,000 and \$15,000 Ordinance Limits**
Approve the use of the Vendors of Record (VOR) for the commodities shown on the attached list subject to the appropriation of funds for FY 2018 for such operational

requirements and programs; Approve any changes to the VOR list resulting from competitive procurement actions conducted by other governmental agencies for those expired contracts being used by the City under piggyback and/or cooperative purchasing programs; Approve the issuance of purchase orders and contract renewal options to VOR; Delegate authority to the City Manager to award purchases, exceeding the Ordinance limits, to VOR subject to the appropriation of funds for FY 2018 for such operational requirements and programs; and Authorize the Mayor to execute all contracts to VOR exceeding \$50,000; and Authorize the City Manager to execute all contracts with VOR up to \$50,000.

Q. Renewal of an Administrative Services with Cigna for Period October 1, 2017 through September 30, 2018

Approve the renewal of Medical Plan Administrative Services with Cigna for Period October 1, 2017 through September 30, 2018 in the amount of \$264,059.00.

R. Group Life Insurance and Accidental Death and Dismemberment (AD&D) Insurance for Fiscal Year 2018

Approve the award of Group Life Insurance and Accidental Death and Dismemberment (AD&D) Insurance to Ochs, Inc., a Securian Company underwritten by Minnesota Life Insurance Company at a rate reduction to current rates guaranteed for four (4) years effective October 1, 2017 to September 30, 2021 and no benefit change from the current plan design; and authorize the City Manager to put in place the instruments necessary to implement this award.

S. Fire Training Tower Shelter

Approve budget amendment to provide additional funds for project GC1702 and increase the project total budget to \$46,686; and the purchase of a shelter for the fire training tower from REP Services of Lake Mary, FL in the amount of \$46,686 in accordance with Clay County Contract RFP#13/14-8 "Various Equipment and Amenities for Parks and Playgrounds. Additionally, authorize the City Manager to put in place all the necessary instruments for this procurement.

T. Roof Work and Project Creation

Approve budget amendment in the amount of \$167,700 and project creation for various roof repairs/replacements; and the award of various roof related work to Tech Systems, Inc of Melbourne, FL in the amount of \$16,515 in accordance with Brevard County Roofing Contracting Services: P-2-14-13.

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

A. Ordinance No. 30-2017 - Related to Food Service Establishments in Industrial Zoning Districts

Conduct the first reading and the first public hearing of the proposed Ordinance No. 30-2017 amending the Code of

Ordinances related to caterers and restaurants by amending the limited uses in the Light Industrial Services and Warehousing (M-1), Industrial (M-2) and Planned Industrial Development (PID) zoning districts; by amending Section 28-167 “Restaurants”; and amending Section 37-1 “Definitions” to add caterer and take-out restaurant; providing for severability, repeal of conflicting ordinances, an effective date and incorporation into the code. **This is the first reading and the first public hearing. The second and final public hearing is scheduled for the regular City Council meeting on October 10, 2017.)**

B. Ordinance No. 31-2017 - Glitch Ordinance

Conduct the first reading and the first public hearing of the proposed Ordinance No. 31-2017 amending the Code of Ordinances and Land Development Regulations, setting forth authority, and purpose and intent; amending Chapter 6 “Buildings and Building Regulation”, specifically amending Section 6.61 relating to site/plot plans to accompany permit applications; amending Chapter 27 “General Provisions”, specifically amending Sections 27-13 through 27-16 relating to general provisions; amending Chapter 28 “Zoning”, specifically amending Section 28-21 relating to Indian River City Neighborhood Zoning; deleting Section 28-36 related to sale of land or buildings, amending Sections 28-54 relating to allowable use table, 28-75 relating to multifamily dwellings, 28-101 (c) relating to bed and breakfast inns, 28-112 relating to convenience stores (without gasoline sales), 28-128 relating to graphic printing and copying services, 28-151 relating to outdoor storage, 28-167(c) relating to restaurants, 28-236 (a) relating to churches, 28-271(c)(4) relating to community gardens, 28-342 relating to the accessory use table, 28-353 (a) relating to attached screen porches, 28-357 (c) relating to detached accessory structures, 28-361 relating to outdoor areas of seating, deleting Section 28-362, relating to outdoor areas of seating with entertainment, amending Sections 28-363(b) relating to outdoor display of merchandise; and 28-364 (c) relating to outdoor storage as an accessory use; amending Chapter 30 “Development Standards”, specifically amending Section 30-335(a) relating to landscape yards; amending Chapter 32 “Signs”, specifically amending Sections 32-41 relating to handbills, permits and posting, and deleting 32-46 relating to commercial accessory structures and uses; amending Chapter 33 “Development Options”, specifically amending Section 33-45 (b) relating to amending master development plan in the regional mixed use zoning district, and 33-56 relating to design review criteria in the urban village; amending Chapter 34 “Procedures”, specifically deleting Section 34-89 “Final Plat Required”, amending Sections 34-145 “Recording” and Section 34-201 “Recording of Final Plat” regarding plat recordation; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date. **(This is the first reading and the first public**

hearing. The second and final public hearing is scheduled for the regular City Council meeting on October 10, 2017.)

C. Development Agreement No. 1-2015 and Master Plan for Antiqua Bay

Table Development Agreement No. 1-2015 and Master Plan for Antiqua Bay to the regular City Council meeting on October 10, 2017.

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.

D. Rezoning No. 1-2017 from the Multifamily Medium Density Residential (R-2) Zoning District to the Single Family High Density (R-1C) Zoning District for Property Located at the Northwest Corner of I-95 and Garden Street

Conduct Public Hearing and Second Reading for Rezoning (REZ) No. 1-2017 and associated Ordinance No. 25-2017 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 replacing the present Multifamily Medium Density Residential (R-2) zoning with Single Family High Density (R-1c) zoning for a portion of property located at the Northwest corner of Garden Street and Interstate 95 having property id no. 21-35-31-00-751, property having a parcel id no. 21-35-31-00-754, and properties located at 3600, 4002, 4008, 4014 Garden street; and providing for an effective date.

The Planning and Zoning Commission recommended approval, 4-0.

10. ORDINANCES-FIRST READING

A. Rezoning (REZ) No. 3-2017 for Property Located East of Carpenter Road and North of Fox Lake Road

Conduct First Reading of an Ordinance No. 32-2017 to rezone property located east of Carpenter Road and North of Fox Lake Road from the Residential Estate (RE) zoning district to a Planned Development (PD) zoning.

B. Small Scale Amendment (SSA) No. 2-2017

Conduct First Readings of SSA No. 2-2017 and associated Future Land Use Map amendment Ordinance and rezoning Ordinance:

Ordinance No. 33-2017 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 a parcel located on the south side of Fox Lake Road approximately half a mile west of the Interstate 95 right of way with an address of 3815 Fox Lake Road from the Conservation future land use designation to the Residential One designation.

and

Ordinance No. 34-2017 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 replacing the present Open Space and Recreation (OR) zoning to General Use (GU) zoning to a parcel located on the south side of Fox Lake Road approximately half a mile west of the Interstate 95 right of way with an address of 3815 Fox Lake Road.

C. Signs in Urban Village (UV) zoning

Conduct the first reading of the proposed Ordinance No. 35-2017 amending the Code of Ordinances and Land Development Regulations relating to signs in Urban Village (UV) and associated developments; amending Chapter 32 “Signs”, specifically amending Section 32-2 “Definitions”, creating Section 32-46 “Urban Village (UV) zoning”, and renumbering “Commercial Accessory Structures and Uses” to Section 32-47; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date.

D. Shoreline Protection Ordinance

Conduct the first reading of the proposed Ordinance No. 36-2017 amending the Land Development Regulations by amending Chapter 29 “Special Districts and Overlays”, Article II “Titusville Shoreline Area Overlay District (TSA)”, specifically amending Section 29-25 “Minimum Building Setback from the Mean High Water Line of the Indian River Lagoon”; by amending and renaming Chapter 30 “Development Standards”, Article II “Environmental”, Division 4 “Riparian Buffer”, to be named “Shoreline Protection”; and specifically amending Section 30-61 Intent”, Section 30-62 “Applicability”, Section 30-63 “Buffers/Setbacks”; adding Section 30-64 establishing standards and minimum criteria relating to alterations in the shoreline protection setbacks and surface water protection permits; adding Section 30-65 establishing setbacks for onsite sewage treatment and disposal system; adding section 30-21 establishing non-conforming impervious area standards to allow existing structures and impervious areas in the shoreline protection setback; adding Section 30-67 establishing Class II and Class III waters and surface water protection plan to regulate lot depth of principal structures within the shoreline protection setback, to require mangrove alteration in compliance with federal and state regulations, requiring a surface water protection plan, prohibiting dredging and filling connected to

certain waters, prohibiting discharges that degrade existing water quality; adding Section 30-68 establishing exemption standards; adding Section 30-69 by adding vested rights criteria for computing the density of submerged lands; amending Division 5 "Bulkhead/dredge and Fill Permits", specifically amending Section 30-71 "Minimum Building Setback from the mean high water level of the Indian River"; providing for severability; repeal of conflicting ordinances; incorporation into the code; and an effective date.

11. OLD BUSINESS

12. NEW BUSINESS

A. Forest Trace - Final Plat

Approve the Final Plat and Declaration of Covenants for Forest Trace.

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

14. MAYOR AND COUNCIL REPORTS

A. Mayor's Report

Attached is the Mayor's Reports for September 12, 2017 and September 26, 2017.

15. CITY MANAGER'S REPORT

A. City Manager's Report

Attached is the City Manager's Report.

16. CITY ATTORNEY'S REPORT