



# REGULAR TOWN COUNCIL MEETING

Monday, September 25, 2023 at 7:30 pm

1. CALL TO ORDER, PRAYER AND PLEDGE
2. ROLL CALL
3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES
4. CONSENT AGENDA

**a. Approve Minutes of 09/11/2023 RTCM**

Exhibit: Agenda Report Number 4a

**Attachments:**

- **Agenda Report Number 4a** (Agenda\_Report\_Number\_4a.pdf)

5. ATTORNEY REPORT
6. STAFF REPORTS
  - a. Manager
  - b. Clerk
7. PUBLIC COMMENTS

Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required)

*Five (5) Minute Limit per Speaker*

8. PUBLIC HEARINGS: 2
  - a. **SECOND READING - Adopting the Proposed Ad Valorem Millage Rate for Fiscal Year 2023/2024 (Ordinance 2023-04)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE MILLAGE RATE OF 4.5000 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 8a

**Attachments:**

- **Agenda Report Number 8a** (Agenda\_Report\_Number\_8a.pdf)

- b. **SECOND READING - Adopting the Proposed Budget for Fiscal Year 2023/2024 (Ordinance 2023-05)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$4,959,685 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

**Attachments:**

- **Agenda Report Number 8b** (Agenda\_Report\_Number\_8b.pdf)

**9. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING**

(RECOMMENDATIONS FROM BOARDS, HOA REQUESTS, RESIDENT GRIEVANCES)

**10. ACTION ITEMS**

ORDINANCES: 0

RESOLUTIONS: 0

MISCELLANEOUS: 0

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

**11. DISCUSSION/POSSIBLE ACTION**

**12. PUBLIC COMMENTS**

General Items (Speaker Card Required)

**13. REPORTS - MAYOR AND COUNCIL MEMBERS**

**14. ANNOUNCEMENTS**

(1) Vacancies on the Trails and Greenways Committee; (2) Vacancies on the Parks and Recreation Board, (1) Vacancy on the Planning and Zoning Board; and (1) Vacancy on the Board of Adjustment.

**15. ADJOURNMENT**

If an individual decides to appeal any decision made by this board with respect to any matter considered at this meeting, a verbatim transcript may be required, and the individual may need to ensure that a verbatim transcript of the proceedings is made (Florida Statute 286.0105).

The Town does not provide this service. In compliance with F.S. 86.26 and the Americans with Disabilities Act (ADA), anyone who needs a special accommodation for this meeting should contact the Town's ADA Coordinator at 321-727-7764 at least 48 hours in advance of this meeting.

# TOWN OF MALABAR

## Regular Town Council Meeting

**AGENDA ITEM NO: 4.a**  
**Meeting Date: September 25<sup>th</sup>, 2023**

Prepared By: Richard W. Kohler, Town Clerk

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**SUBJECT: Approve Minutes of 9/11/2023 RTCM**

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**BACKGROUND/HISTORY:**

Summary of actions at Town Council Meetings

**ATTACHMENTS:**

- Draft Minutes of the RTCM of 9/11/2023

**ACTION OPTIONS:**

Review

**MALABAR TOWN COUNCIL  
REGULAR MEETING MINUTES  
September 11<sup>th</sup>, 2023, 7:30 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

**1. CALL TO ORDER:**

Council Chair Mayor Patrick T. Reilly called meeting to order at 7:30 pm. CM Hofmeister led P&P.

**2. ROLL CALL:**

CHAIR:

MAYOR PATRICK T. REILLY

VICE CHAIR:

DAVID SCARDINO

COUNCIL MEMBERS:

MARISA ACQUAVIVA-EXCUSED

BRIAN VAIL

JIM CLEVINGER

MARY HOFMEISTER

TOWN MANAGER:

MATT STINNETT

TOWN ATTORNEY:

KARL BOHNE

SPECIAL PROJECTS MANAGER:

LISA MORRELL

TOWN CLERK:

RICHARD KOHLER

**3. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: None**

**4. CONSENT AGENDA:**

**4.a. Approve Minutes of 8/21/2023 RTCM**

Exhibit: Agenda Report Number 4a

**4.b. Approve Minutes of 08/21/2023 Council Workshop**

Exhibit: Agenda Report Number 4b

**MOTION: CM Vail/CM Scardino to approve Consent Agenda as presented.**

**Vote: All Ayes (4-0).**

**5. ATTORNEY REPORT: None**

**6. BCSO REPORT: None**

**7. BOARD/COMMITTEE REPORTS:**

**7.a. Trails and Greenways Committee**

Exhibit: Agenda Report Number 7a

Discussion: Written Report. Clerk Kohler informed Council that the Trail Day scheduled for this past weekend was canceled and will be rescheduled at the upcoming September 19<sup>th</sup> meeting.

**7.b. Parks & Recreation Board**

Exhibit: Agenda Report Number 7b

Discussion: Written Report

**7.c. Planning & Zoning Board**

Exhibit: Agenda Report Number 7c

Discussion: Written Report

**8. STAFF REPORTS:**

**8.a. Town Manager – Matt Stinnett** informed Council that the preliminary plans for Rocky Point Road are ready, and the finals should be ready by the end of the month. He had a conference call with the Florida Loan Council. The County's paving contract

has been reapproved, and he hopes to piggyback it again. There has been a preliminary review for the two posted positions, with interviews to follow shortly.

**8.b. Town Clerk – Richard Kohler** stated that with the passing SB 102, municipalities are required to update and electronically publish the inventory of publicly owned properties that may be appropriate for affordable housing development. The Town does not have any property that would be appropriate for affordable housing development, and that information has been posted on our website, bringing us in compliance with SB 102.

**9. PUBLIC COMMENTS:** Comments at this point may address items NOT on the Agenda. Comments related to subsequent Agenda Items may be made as those items come up. Public comments do not require a Council response. (Speaker Card is Required)

**10. PUBLIC HEARINGS/SPECIAL ORDERS: 5**

**10.a. Certify Storm Water Rolls for Non-Ad Valorem Collection for FY 23/24 (Resolution 08-2023)**

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PROVIDING CERTIFICATION OF ANNUAL STORMWATER ASSESSMENT ROLL; ADOPTING AN ANNUAL BUDGET FOR THE TOWN'S STORMWATER UTILITY; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10.a.

Resolution read by title only.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

**MOTION: CM Vail/CM Scardino to approve Resolution 08-2023.**

Discussion: None

**ROLL CALL VOTE: CM Acquaviva, Excused; CM Vail, Aye; CM Clevenger, Aye; CM Scardino, Aye; CM Hofmeister, Aye. Motion Carries 4-0.**

**10.b. FIRST READING – R/LC Code Changes (Ordinance 2023-02)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING THE TOWN'S LAND DEVELOPMENT CODE; AMENDING ARTICLE III, DISTRICT PROVISIONS; AMENDING SECTION 1-3.1, PURPOSE AND INTENT OF DISTRICTS; AMENDING SUBSECTION "O" R/LC (RESIDENTIAL/LIMITED COMMERCIAL) TO INCLUDE ADDITIONAL LANGUAGE AND TABLE 1-3.1; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10.b.

Ordinance read by title only.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Mayor Reilly states that this Ordinance was supposed to be included with the FLUM Map.

**MOTION: CM Hofmeister/CM Scardino to approve 1<sup>st</sup> reading of Ordinance 2023-02 with the amended changes discussed.**

Discussion: Mayor Reilly states that the R/LC district was intended as a mixed-use zoning district. He asks Council if they would support the use of 6 residential units and no commercial units per acre, and to allow 6 commercial units with no residential units. He does not support that, as this is designed to be a mixed use, and 6 residential properties per acre would be RM-6, and 6 commercial properties would not be a mixed use. Mayor Reilly asks if Council approves of the first sentence that is to be added? He requests it be changed to make it clear that there are not allowed to have 6 residences in one acre. SPM Morrell states that she believes it is conflicting and will work to correct it before a second reading. Atty Bohne states Council may wish to approve the first reading with a suggested change to the sentence in question.

**ROLL CALL VOTE: CM Vail, Aye; CM Clevenger, Aye; CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, Excused. Motion Carries 4-0.**

**10.c. FIRST READING – Conditional Use Changes (Ordinance 2023-03)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; AMENDING THE TOWN'S LAND DEVELOPMENT CODE; AMENDING ARTICLE VI, CONDITIONAL USE AND SPECIAL EXCEPTION USE CRITERIA; AMENDING SECTION 1-6.1, SUBSECTION A, INTENT AND PURPOSE; AMENDING SECTION 1-6.1, SUBSECTION B, CONDITIONAL USE AND SPECIAL EXCEPTION USE CRITERIA; AND AMENDING TABLE 1-6.1(B) CONDITIONAL LAND USE REQUIREMENTS; ADDING CRITERIA FOR FUNERAL HOMES AND MINI WAREHOUSE/STORAGE; REMOVING REFERENCES TO TRADE AND SKILLED SERVICES; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10.c.

Ordinance read by title only.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Mayor Reilly states he championed this change due to past experiences in Court. He hopes to clarify the conditional uses in our code.

**MOTION: CM Vail/CM Hofmeister to approve 1<sup>st</sup> reading of Ordinance 2023-03.**

Discussion: None

**ROLL CALL VOTE: CM Clevenger, Aye; CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, Excused; CM Vail, Aye. Motion Carries 4-0.**

**10.d. FIRST READING – Approve Millage Levy for FY 2023/2024 (Ordinance 2023-04)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE MILLAGE RATE OF 4.5000 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report Number 10.d.

Ordinance Read by title only.

Town Clerk states that the 2023/2024 Fiscal Year proposed millage rate of 4.5000 mills on property values. This rate represents an increase of 7.86% over the roll-back rate of 4.1721. The final millage rate of 4.5000 to fund the general fund expenses commencing October 1<sup>st</sup>, 2023, and ending September 30<sup>th</sup>, 2024.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Staff: SPM Morrell reviews the agenda report provided in the agenda, highlighting the goals of the budget for the coming fiscal year.

**MOTION: CM Scardino/CM Vail to approve 1<sup>st</sup> reading of Ordinance 2023-04.**

Discussion: None

**ROLL CALL VOTE: CM Scardino, Aye; CM Hofmeister, Aye; CM Acquaviva, Excused; CM Vail, Aye; CM Clevenger, Aye. Motion Carries 4-0.**

**10.e. FIRST READING – Approve Budget for FY 2023/2024 (Ordinance 2023-05)**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$4,959,685 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

Ordinance read by title only.

PUBLIC HEARING OPENED.

PUBLIC HEARING CLOSED.

Staff: TM Stinnett states there are no additional changes since the last workshop. This includes road paving, personal changes, and cost of service increases.

**MOTION: CM Vail/CM Scardino to approve 1<sup>st</sup> reading of Ordinance 2023-05.**

Discussion: None

**ROLL CALL VOTE: CM Hofmeister, Aye; CM Acquaviva, Excused; CM Vail, Aye; CM Clevenger, Aye; CM Scardino, Aye. Motion Carries 4-0.**

**11. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO TOWN APPOINTED BOARDS/COMMITTEES: 0**

**12. ACTION ITEMS:**

**ORDINANCES for FIRST READING: 0**

**RESOLUTIONS: 0**

**MISCELLANEOUS: 1**

**12.a. Residential Service Rate Adjustment for Solid Waste**

Exhibit: Agenda Report Number 12a

Staff: TM Stinnett states that the contract with Waste Pro allows for increases. They have provided the math. Cost will rise from 43.88 to 51.19 per month, or a difference of 7.39 CM Scardino asks if this is because of the Sarno Road closure? Dean Ulrich, Waste Pro Rep states that the refuse will continue to go to Sarno until it closes. Some does go to Cocoa, but most stays local. The largest increase for Waste Pro has been the cost of recycling. There are 3 components, CPI, fuel, and the recycling costs. The recycling costs have gone up from 25 per ton to 100 per ton.

**MOTION: CM Vail/CM Scardino to approve Residential Service Adjustment for Solid Waste, requested by Waste Pro USA.**

Discussion: Mayor states he feels it is a fair deal. CM Vail states everyone's prices are going up. Mr. Ulrich thanks Council for the approval, and states he hopes to have the billing of this account taken onto the tax rolls. CM Vail asks what level of reduction would that provide? Mr. Ulrich states he is unsure, but he will investigate it if requested. SPM Morrell states we can look at it for the following year election, with action taken place the following year. CM Scardino states he believes the Town is interested. CM Clevenger states he agrees. Mayor Reilly suggests it be placed on the first agenda in October.

**Vote: 4-0 (All Ayes).**

**13. DISCUSSION/POSSIBLE ACTION: None**

**14. PUBLIC COMMENTS: General Items (Speaker Card Required)**

**15. REPORTS – MAYOR AND COUNCIL MEMBERS**

**CM Acquaviva:** Excused

**CM Vail:** None

**CM Clevenger:** None

**CM Hofmeister:** Asked about an update on the Malabar Scrub Sanctuary project. Clerk Kohler states there have been no official updates since the controlled burn earlier this month.

**CM Scardino:** Thanked Staff for getting the potholes along Lett Lane repaired.

**Mayor Reilly:** Reported that he has heard reports of speeders along Weber Road. He discussed it with a local deputy, who stated he would patrol the area more frequently. He also thanked Staff for a smooth qualifying period.

**14. ANNOUNCEMENTS: (1) Vacancy on the Planning & Zoning Board; (2) Vacancy on the Parks & Recreation Board; (1) Vacancy on Board of Adjustment; (1) Vacancy on the Trails and Greenways Committee.**

**15. ADJOURNMENT:** There being no further business to discuss and without objection, the meeting was adjourned at 7:57 P.M.

BY: \_\_\_\_\_  
Mayor Patrick T. Reilly, Council Chair

ATTEST:

\_\_\_\_\_  
Richard W. Kohler  
Town Clerk

Date Approved: 09/25/2023

DRAFT



# TOWN OF MALABAR

## COUNCIL MEETING

Agenda Report Number **8.a**  
Meeting Date: September 11, 2023

Prepared By: Lisa Morrell, Treasurer/Special Projects Manager

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**SUBJECT: SECOND READING - Adopting the Proposed Ad Valorem Millage Rate for Fiscal Year 2023 / 2024 (Ordinance 2023-04)**

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### BACKGROUND/HISTORY:

The Florida Statutes provides the requirements for local governments on how the annual budget process is approved by each governing body. The process requires the following steps:

1. Announce the FY 2023 / 2024 proposed millage of 4.5000 to levy on property values
2. State this is an increase of 7.86% over the roll-back rate of 4.1721.
3. The final millage rate of 4.5000 % to fund the general fund expenses commencing October 1, 2023, and ending September 30, 2024.

The Malabar Town Manager submitted a balanced budget with a 7.86% percent increase over the rolled back rate to fund the operational costs of the Town, provide for funding for:

- Recalculated personnel costs for the Town portion of employee benefits, federal withholdings, Worker's Compensation and Florida Retirement System (FRS)
- Provides a 5% cost of living adjustment (COLA) to specific employees commencing October 1, 2023.
- Increased the required funding of \$40,000 to the General Fund for General and Property Insurance from the previous year.
- Provided for negotiated pay increases for the collective-bargaining unit of the Fire Department:
  - Lieutenant positions will receive a 6% increase equal to an hourly rate of \$17.24.
  - Driver/Engineer positions will receive an 8% increase equal to an hourly rate of \$13.71.
- Provided for \$199,696 of funding toward capital equipment needs of the Fire Department.
- Provided \$664,000 for the purpose of road maintenance of paved roadways identified in the Capital Improvement Plan.
- Provided funding for Code Enforcement activities and services in the amount of \$10K.

This will be advertised as required by law in the Florida Today newspaper on September 20, 2023

### FINANCIAL IMPACT:

Council directed the millage be set at 4.5000 for ad valorem estimate of \$1,711,539. Whereas the collection of ad valorem taxes is budgeted at a rate 96%, equal to 1,643,077.00.

### ATTACHMENTS:

- Ord. No. 2023-04.
- Legal Ads

### ACTION:

Action on second reading of Ord 2023-04 Town Staff presents to the Town Council a Fiscal Year 23/24 Budget based upon a 4.5000 millage rate for adoption. The proposed 4.5000 millage rate is 7.86% above the roll-back rate of 4.1721.

**ORDINANCE 2023-04**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE MILLAGE RATE OF 4.5000 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Public Hearings as prescribed by Florida Statutes have been duly held in accordance with the laws of the State of Florida; and

**NOW THEREFORE BE IT ORDAINED** by the Town Council for the Town of Malabar, Brevard County, Florida:

**SECTION 1.** The Town Council, in regular session duly assembled adopted the millage rate of 4.5000 to be levied for the General Fund upon all real estate and tangible personal property located within the boundaries of the Town of Malabar taxing authority.

**SECTION 2.** The final levy of 4.5000 mills will result in a 7% increase from the rolled back rate of 4.1721.

**SECTION 3.** This final millage rate of 4.5000 is to fund the General Fund expenses for the fiscal year commencing October 1<sup>st</sup>, 2023, and ending September 30, 2024.

**SECTION 4.** This Ordinance shall become effective October 1, 2023, upon its adoption after the second Public Hearing.

The foregoing Ordinance was moved for adoption by Council Member \_\_\_\_\_.

The motion was seconded by Council Member \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva	_____
Council Member Brian Vail	_____
Council Member Jim Clevenger	_____
Council Member David Scardino	_____
Council Member Mary Hofmeister	_____

This ordinance was then declared duly passed and adopted this \_\_\_ day of \_\_\_\_ 2023.

(Seal)

**TOWN OF MALABAR**

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Mayor Patrick T. Reilly, Council Chair

**ATTEST:**

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Richard W. Kohler, Town Clerk

**Approved for Legal Sufficiency:**

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Karl Bohne, Jr, Town Attorney

First Reading: 09/11/2023

Vote: 4 to 0.

Second Reading: \_\_\_\_\_

Vote: to .

**Memorandum to Newspaper for *Budget*  
Hearing Advertisement**

**MEMORANDUM:**

TO: Display Advertising Manager  
Advertising Department  
Florida Today

FROM: Town Clerk, Rich Kohler  
Town of Malabar

RE: Newspaper Notice

The Town of Malabar is required by law to advertise in a newspaper of

(Name of taxing authority)

general circulation in the county or in its geographically limited insert a notice of its intent to adopt a millage rate and budget.

The enclosed advertisements are to appear in your newspaper **exactly** following the enclosed instructions. Please sign and return a copy to the above taxing authority.

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Signature of Display Advertising Manager

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Date

Sincerely,



Town Clerk,  
Town of Malabar

cc: Advertising Director  
Attachments

## **Instructions to Newspapers for *Notice of Budget Hearing***

The Town of Malabar is required by law to advertise in a newspaper  
(Name of taxing authority)

of general circulation in the county or in its geographically limited insert a notice of its intent to adopt a final millage rate and budget. A public hearing to finalize the budget and adopt a millage rate will take place not less than two days or more than five days after the day that the advertisement is first published.

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Please run the enclosed advertisements **exactly** as instructed below.

1. To appear 09/20/2023, or as near to this date as possible.  
(First date ad can appear)

However, in no event will the ad appear after 09/22/2023.  
(Latest date ad can appear)

2. The advertisements **cannot** be placed where legal notices and classified advertisements appear.
3. The advertisements **cannot** be combined.
4. The advertisements **must be** adjacent.
5. Forward proof of publication for each advertisement and entire page in which the ad appears, with your statement, by 10/06/23.

(No later than two weeks after ad is published)

**Proof of publication should state each advertisement.**

6. Both ads will run for one day only.
  - A. **Notice of Budget Hearing** (example enclosed)
    1. There is no size requirement.
  - B. **Budget Summary Ad** (example enclosed)
    1. There is no size requirement.
    2. This ad must appear **adjacent** to the **Notice of Budget Hearing**.

**Proof of Publication Affidavit to Be Completed by  
Newspapers for *Notice of Budget Hearing***

Note: If submitting one proof of publication, it must state each advertisement.

**AFFIDAVIT OF PROOF OF PUBLICATION**

(s. 50.051, F.S.)

**NAME OF COUNTY**

STATE OF FLORIDA COUNTY OF \_\_\_\_\_:

Before the undersigned authority personally appeared \_\_\_\_\_, who on oath says that he or she is \_\_\_\_\_ of the \_\_\_\_\_, a newspaper published at \_\_\_\_\_ in \_\_\_\_\_ County, Florida, that the attached copy of advertisement, being a **NOTICE OF BUDGET HEARING AND BUDGET SUMMARY** in the matter of \_\_\_\_\_ in the \_\_\_\_\_ Court, was published in said newspaper by print in the issues of \_\_\_\_\_ or by publication on the newspaper's website, if authorized on \_\_\_\_\_ (Date).

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced (type of identification) as identification.

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

\_\_\_\_\_  
(Notary Public)

# BUDGET SUMMARY

## Town of Malabar, Florida - Fiscal Year 2023-2024

General Fund 4.500

<b>ESTIMATED REVENUES:</b>	<b>GENERAL FUND</b>	<b>STORMWATER FUND</b>	<b>ENTERPRISE FUND</b>	<b>TOTAL ALL FUNDS</b>
Taxes: Millage Per \$1,000				
Ad Valorem Taxes 4.5	1,643,077			1,643,077
Sales and Use Taxes	910,207			910,207
Permits, Fees & Special Assessments			205,000	205,000
Intergovernmental Revenue	361,250			361,250
Charges for Service	64,400			64,400
Fines and Forfeitures	500			500
Miscellaneous Revenue	28,600			28,600
Stormwater Non-Ad Valorem		133,107		133,107
Other Sources	66,000			66,000
<b>TOTAL SOURCES</b>	<b>3,074,034</b>	<b>133,107</b>	<b>205,000</b>	<b>3,412,141</b>
Use of Unrestricted Reserves	609,143			609,143
Use of SW Reserve Fund				-
Use of Restrictd Building Department Funds			131,499	131,499
SLFRF Restricted Funding	806,902			806,902
<b>TOTAL REVENUES, TRANSFERS &amp; BALANCES</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>
<b>EXPENDITURES</b>				
General Government	959,192			959,192
Fire Control	978,944			978,944
Propective Inspections	-		336,499	336,499
Streets and Roads	1,123,989			1,123,989
Parks and Recreation	74,260			74,260
Special Events	3,500			3,500
Stormwater Projects	-	133,107		133,107
SLFRF Allocated Projects	1,350,194			1,350,194
<b>TOTAL EXPENDITURES</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>
<b>Transfers Out</b>				
<b>Fund Balance/Reserves/Net Assets</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Appropriated Expenditures, Transfers, Reserves and Balances</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>

The tentative, adopted, and/or final budgets are on file in the office of the above referenced taxing authority as a public record.

## **NOTICE OF PROPOSED TAX INCREASE**

The Town of Malabar has tentatively adopted a measure to increase its property tax levy.

### **Last year's property tax levy**

A. Initially proposed tax levy.....	\$ 1,545,964
B. Less tax reductions due to Value Adjustment Board and other assessment changes.....	\$ -3,416
C. Actual property tax levy .....	\$ 1,549,380
<b>This year's proposed tax levy.....</b>	<b>\$ 1,711,539</b>

All concerned citizens are invited to attend a public hearing on the tax increase to be held on

September 25, 2023

7:30pm

at

Malabar Town Hall  
2725 Malabar Road  
Malabar, Florida

**A FINAL DECISION** on the proposed tax increase and the budget will be made at this hearing





Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

PUBLICATION TOLL-FREE Local # Email
Florida Today 888-516-9220 321-242-3632 BRELegals@gannett.com

Customer: TOWN OF MALABAR

Ad No.: 0005824314

Address: 2725 MALABAR RD
MALABAR FL 32950
USA

Pymt Method Invoice
Order Amount 92.65

Run Times: 1

No. of Affidavits: 1

Run Dates: 09/15/23

Text of Ad:

Ad#5824314 09/15/2023
TOWN OF MALABAR
NOTICE OF PUBLIC HEARING

The Malabar Town Council, Brevard County, Florida will convene in the Town Hall, 2725 Malabar Road, Malabar, Florida on Monday, September 25, 2023, at 7:30pm, or as soon thereafter as the matter can be heard, for a public hearing on the following topic:

ORDINANCE 2023-04

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; ADOPTING THE MILLAGE RATE OF 4.5000 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024, AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the Code pertaining to this are available in the Clerk's office for review, 2725 Malabar Road, Malabar, Florida, during regular business hours. All interested parties may email comments to wnclerk@townofmalabar.org or mail comments to 2725 Malabar Road, Malabar, FL 32950 or appear and be heard at this meeting of the Town Council with respect to these topics. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Clerk's Office, ADA Coordinator, 48 hours in advance of the meeting at 321-727-7764. Richard Kohler, Town Clerk.

# TOWN OF MALABAR

## COUNCIL MEETING

Agenda Report Number **8.b**  
Meeting Date: September 25<sup>th</sup>, 2023

Prepared By: **Matthew Stinnett, Town Manager**

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**SUBJECT: SECOND READING - Adopting the Proposed Budget for Fiscal Year 2024 (Ordinance 2023-05)**

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### **BACKGROUND/HISTORY:**

*The TRIM Notice mailed to all property owners in mid-August lists the dates and times for the first Public Hearings on the tentative millages and budgets for all agencies taxing property owners to provide an opportunity to attend and be heard. This meeting date was selected and approved by Malabar Town Council for that notice.*

The Fiscal Year (FY) 2024 balanced budget proposal of \$4,959,685 is the result of public workshops where the Town Council discussed at length varying priorities and strategies for maintaining acceptable service levels for infrastructure and operations.

The proposal denotes the Town Council's consensus to implement funding and expenditures providing for contractual and routine operational costs as well as maintaining and increasing allocations for infrastructure such as roads, stormwater, and capital equipment.

Funding for the budget is comprised from a variety of sources including Ad Valorem Taxes based upon the Brevard County Property Appraiser of property valuation within the jurisdiction of Malabar, State of Florida revenue sources and shares of sales tax and local option gas tax, franchise fees and utility taxes by utility providers, charges for municipal services, fines and forfeitures, miscellaneous revenue, State and Local Recovery Funds, as well as the use of fund balance to provide General Fund services to the Town constituents. The FY24 proposed balanced budget totals \$4,959,685, whereas the portion of General Fund revenues is \$4,606,568.

Additionally, the Town operates a Stormwater Utility and is funded by an annual assessment to property owners and totals \$133,107, for the operational and maintenance needs for stormwater management. The Building Department is self-sustaining and operates independently of the general fund and revenues. The building permitting revenues for Fiscal Year 23/24 are projected to total \$205,000 and use of fund balance for the building department is \$131,499; for a total operating budget of \$336,499. FY24 expenditure increases for this department are primarily due to an additional position and capital equipment intended to reduce reliance on paper records.

The focus of the FY24 General Fund budget is the dedication of the Town Council to maintain paved road surfaces throughout the Town. The Town Council has approved the surficial road conditions and analysis provided during the FY23 budget and provided guidance to Town staff to maintain existing pavement with \$644,000 in funding for FY24. Operational expenditures are primarily impacted by personnel raises and additional positions, material, and contracted service costs. While expenditures for other capital needs compose the remainder of the budget including a continued allocation for the future purchase of a replacement Tender/Tanker apparatus.

### **FINANCIAL IMPACT:**

Council directed the millage be set at 4.5000 for ad valorem estimate of \$1,711,539. Whereas the collection of ad valorem taxes is budgeted at a rate 96%, equal to 1,643,077.00.

### **ATTACHMENTS:**

- Ord. No. 2023-05
- Proposed FY24 Budget for first reading and final adoption.
- Legal Ads required by State Statute

### **ACTION:**

Action on second reading of Ord 2023-05 Town Staff presents to the Town Council a Fiscal Year 23/24 Budget based upon a 4.5000 millage rate for adoption.

**ORDINANCE 2023-05**

**AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$4,959,685 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Malabar has set forth the appropriations and revenue estimates for the budget for the period from October 1, 2023, through September 30, 2024; and in accordance with the laws of the State of Florida;

**WHEREAS**, The Town Council has held Public Hearings as required by F.S. 200.065.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** The Town Council, in regular session duly assembled adopt the tentative Fiscal Year 23/24 Budget of \$4,959,685.00 consisting of \$4,826,578.00 for general fund expenditures and \$133,107.00 in approved expenditures for Stormwater projects funded through non-ad valorem fees.

**SECTION 2.** This budget may be amended during the year, if necessary, by ordinance.

**SECTION 3.** This ordinance shall become effective on October 1, 2023, upon its adoption after the second reading and public hearing.

The foregoing Ordinance was moved for adoption by Council Member \_\_\_\_\_.

The motion was seconded by Council Member \_\_\_\_\_ and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva \_\_\_\_\_

Council Member Brian Vail \_\_\_\_\_

Council Member Jim Clevenger \_\_\_\_\_

Council Member David Scardino \_\_\_\_\_

Council Member Mary Hofmeister \_\_\_\_\_

This ordinance was then declared duly passed and adopted this \_\_\_\_ day of \_\_\_\_ 2023.

(Seal)

**TOWN OF MALABAR**

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Mayor Patrick T. Reilly, Council Chair

**ATTEST:**

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Richard W. Kohler, Town Clerk

**Approved for Legal Sufficiency:**

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Karl Bohne, Jr, Town Attorney

First Reading: 9/11/2023

Vote: 4 to 0.

Second Reading: \_\_\_\_\_

Vote: to .



Town of  
**MALABAR**  
Florida

GL Number	Description	
<b>Fund: 001 GENERAL FUND</b>		
<b>Account Category: Estimated Revenues</b>		
000		
001-000-311.0000	AD VALOREM TAXES	1,643,077.00
001-000-312.4300	LOCAL OPTION GAS TAX	107,759.00
001-000-314.1000	UTILITY TAX - ELECTRICITY	350,000.00
001-000-314.4000	UTILITY TAX - GAS	15,000.00
001-000-315.2000	COMMUNICATIONS SERVICE TAX	115,198.00
001-000-316.1000	BUSINESS TAX RECEIPTS - MALABAR	19,250.00
001-000-316.2000	BUSINESS TAX RECEIPTS - BREVARD COUNTY	700.00
001-000-322.0000	BUILDING PERMITS	205,000.00
001-000-323.1000	FRANCHISE FEE - ELECTRICITY	260,000.00
001-000-323.3000	FRANCHISE FEE - WATER	8,000.00
001-000-323.7000	FRANCHISE FEE - SOLID WASTE	35,000.00
001-000-325.1000	SW ASSESSEMENT	133,107.00
001-000-325.2000	TIFT ALLOCATION REQUEST	66,000.00
001-000-329.5000	OPSA LAND USE	15,000.00
001-000-329.5010	BEAUTIFICATION TRUST FUND	5,000.00
001-000-334.1000	STATE GRANT	25,730.00
001-000-335.1250	STATE REVENUE SHARING	109,190.00
001-000-335.1400	STATE REVENUE SHARING - MOBILE HOME TAX	2,600.00
001-000-335.1500	STATE REVENUE SHARING - ALCOHOL BEV TAX	1,400.00
001-000-335.1800	STATE REV SHARING-LOCAL GOVT 12 CENT TAX	215,140.00
001-000-335.1900	STATE REVENUE SHARING - OTHER GEN GOV	5,500.00
001-000-335.2100	STATE REVENUE SHARING - FIREFIGHTER COMP	990.00
001-000-349.0000	SPECIAL EVENT REVENUE	3,000.00
001-000-349.1000	BACKGROUND CHECK	200.00
001-000-349.2000	PAVING ASSESSMENT	10,000.00
001-000-349.3000	GOLF CART REGISTRATION	250.00
001-000-349.4000	LIEN SEARCHES	5,000.00
001-000-351.0000	FINES/FORFEITURE	500.00
001-000-361.1000	INTEREST EARNINGS	10,000.00
001-000-361.1010	CELL TOWER LEASE INTEREST	10,855.00
001-000-362.0000	CELL TOWER LEASE PRINCIPAL	18,095.00
001-000-365.0000	SALE OF SURPLUS MATERIAL	15,000.00
001-000-366.0000	DONATIONS	100.00
001-000-369.9000	MISCELLANEOUS REVENUE	500.00
001-000-389.9000	PARK & REC FUNDS	45,160.00
001-000-389.9520	USE & OF BD RESTRICTED FUND BALANCE	131,499.00
001-000-389.9530	USE & OF GF FUND BALANCE	563,983.00
001-000-389.9860	SLFR & RESTRICTED FUNDING	806,902.00
Total 000:		4,959,685.00
Estimated Revenues		4,959,685.00

<b>Account Category: Appropriations</b>		
511		
001-511-500.1100	EXECUTIVE SALARIES	57,750.00
001-511-500.1200	REGULAR SALARIES & WAGES	40,000.00
001-511-500.1400	OVERTIME	1,000.00
001-511-500.2100	FICA	7,554.00
001-511-500.2200	RETIREMENT CONTRIBUTIONS - FRS	25,363.00
001-511-500.2300	EMPLOYEE BENEFITS	37,864.00
001-511-500.3114	CONTRACTED SERVICES - SC	2,500.00
001-511-500.4000	TRAVEL & PER DIEM	1,500.00
001-511-500.4010	TRAVEL & PER DIEM - COUNCIL	1,500.00
001-511-500.4020	TRAVEL & PER DIEM - CLERK	1,000.00
001-511-500.4200	POSTAGE & FREIGHT	1,000.00
001-511-500.4500	INSURANCE	350.00
001-511-500.4700	PRINTING & LEGAL ADS	5,000.00
001-511-500.4800	PROMOTIONAL ACTIVITIES	500.00
001-511-500.5200	OPERATING SUPPLIES	1,000.00
001-511-500.5400	BOOKS, SUBSCRIPTION, MEMBERSHIPS	1,500.00
001-511-500.5500	TRAINING, SEMINARS, REGISTRATIONS	3,000.00
Total 511:		188,381.00



Town of  
**MALABAR**  
Florida

GL Number	Description	
<b>Fund: 001 GENERAL FUND</b>		
<b>Account Category: Appropriations</b>		
512		
001-512-500.1100	EXECUTIVE SALARIES	90,300.00
001-512-500.1200	REGULAR SALARIES & WAGES	65,000.00
001-512-500.2100	FICA	11,880.00
001-512-500.2200	RETIREMENT CONTRIBUTIONS - FRS	39,992.00
001-512-500.2300	EMPLOYEE BENEFITS	18,652.00
001-512-500.4000	TRAVEL & PER DIEM	3,600.00
001-512-500.5400	BOOKS, SUBSCRIPTION, MEMBERSHIPS	400.00
Total 512:		229,824.00
513		
001-513-500.1110	EXECUTIVE SALARIES - TREASURER/SPM	100,000.00
001-513-500.2100	FICA	7,650.00
001-513-500.2200	RETIREMENT CONTRIBUTIONS - FRS	13,570.00
001-513-500.2300	EMPLOYEE BENEFITS	29,795.00
001-513-500.3200	AUDITING	22,000.00
001-513-500.5400	BOOKS, SUBSCRIPTION, MEMBERSHIPS	500.00
001-513-500.5500	TRAINING, SEMINARS, REGISTRATIONS	500.00
Total 513:		174,015.00
514		
001-514-500.3100	PROFESSIONAL SERVICES	50,000.00
001-514-500.3110	OTHER SERVICES - EMPLOYMENT/BACKGROUND	5,000.00
001-514-500.3120	PROF SRVS - EXTERNAL LEGAL COUNSEL	10,000.00
Total 514:		65,000.00
515		
001-515-500.3100	PROFESSIONAL SERVICES	3,500.00
Total 515:		3,500.00
519		
001-519-500.2300	EMPLOYEE BENEFITS	4,041.00
001-519-500.2310	OEB LIABILITIES	15,000.00
001-519-500.2400	WORKERS' COMPENSATION	59,157.00
001-519-500.2410	AD&D AND FFCO PREMIUM	900.00
001-519-500.3106	PROFESSIONAL SERVICES - CODE ENFORCEMENT	10,000.00
001-519-500.3110	OTHER SERVICES - EMPLOYMENT/BACKGROUND	330.00
001-519-500.3402	OTHER SERVICES - PEST/HERBICIDE	6,800.00
001-519-500.3403	OTHER SERVICES - FACILITY	5,000.00
001-519-500.3404	OTHER SERVICES - JANITORIAL	4,620.00
001-519-500.4000	TRAVEL & PER DIEM	1,500.00
001-519-500.4100	COMMUNICATION SERVICES	9,000.00
001-519-500.4120	COMMUNICATION SERVICES - CELLULAR	3,500.00
001-519-500.4300	UTILITIES - ELECTRIC	17,000.00
001-519-500.4400	RENTALS & LEASES	9,000.00
001-519-500.4501	INSURANCE - PROPERTY & LIABILITY	95,672.00
001-519-500.4600	REPAIRS & MAINTENANCE	4,000.00
001-519-500.4620	SOFTWARE MAINTENANCE	25,000.00
001-519-500.4700	PRINTING & LEGAL ADS	1,800.00
001-519-500.4900	OTHER CURRENT OBLIGATIONS	3,000.00
001-519-500.4920	CONTINGENCY	7,000.00
001-519-500.5100	OFFICE SUPPLIES	1,500.00
001-519-500.5200	OPERATING SUPPLIES	6,000.00
001-519-500.5400	BOOKS, SUBSCRIPTION, MEMBERSHIPS	1,000.00
001-519-500.5500	TRAINING, SEMINARS, REGISTRATIONS	4,152.00
Total 519:		294,972.00
522		
001-522-500.1100	EXECUTIVE SALARIES	55,910.00
001-522-500.1200	REGULAR SALARIES & WAGES	273,269.00
001-522-500.1210	PART TIME SALARIES AND WAGES	21,425.00
001-522-500.1300	HOLIDAY PAY	8,500.00
001-522-500.1400	OVERTIME	8,000.00
001-522-500.1500	SPECIAL PAY	7,500.00



Town of  
**MALABAR**  
Florida

BUDGET REPORT  
Calculations As of 09/30/2023

23-24  
BOARD APPROVED

GL Number	Description	
<b>Fund: 001 GENERAL FUND</b>		
<b>Account Category: Appropriations</b>		
522		
001-522-500.2100	FICA	28,657.00
001-522-500.2200	RETIREMENT CONTRIBUTIONS - FRS	122,840.00
001-522-500.2300	EMPLOYEE BENEFITS	104,183.00
001-522-500.3104	PROFESSIONAL SERVICES - MEDICAL/TESTING	15,262.00
001-522-500.3401	OTHER SERVICES - COUNTY	28,122.00
001-522-500.4600	REPAIRS & MAINTENANCE	25,000.00
001-522-500.4610	REPAIRS & MAINTENANCE - RADIO	1,500.00
001-522-500.4620	SOFTWARE MAINTENANCE	7,500.00
001-522-500.4800	PROMOTIONAL ACTIVITIES	950.00
001-522-500.5100	OFFICE SUPPLIES	700.00
001-522-500.5200	OPERATING SUPPLIES	22,200.00
001-522-500.5201	OPERATING SUPPLIES - FUEL	12,000.00
001-522-500.5400	BOOKS, SUBSCRIPTION, MEMBERSHIPS	500.00
001-522-500.5500	TRAINING, SEMINARS, REGISTRATIONS	3,000.00
001-522-500.6400	MACHINERY & EQUIPMENT	199,696.00
001-522-500.8000	GRANTS	32,230.00
Total 522:		978,944.00
524		
001-524-500.1200	REGULAR SALARIES & WAGES	90,000.00
001-524-500.1210	PART TIME SALARIES AND WAGES	8,906.00
001-524-500.1400	OVERTIME	2,000.00
001-524-500.2100	FICA	7,719.00
001-524-500.2200	RETIREMENT CONTRIBUTIONS - FRS	13,693.00
001-524-500.2300	EMPLOYEE BENEFITS	19,073.00
001-524-500.2400	WORKERS' COMPENSATION	6,178.00
001-524-500.3102	PROFESSIONAL SERVICES - LEGAL	10,000.00
001-524-500.3103	PROF SRVS - BLDG OFFICIAL, PLAN REVIEW	95,000.00
001-524-500.3105	PROFESSIONAL SERVICES - ENGINEERING	15,000.00
001-524-500.3402	OTHER SERVICES - PEST/HERBICIDE	500.00
001-524-500.3403	OTHER SERVICES - FACILITY	1,000.00
001-524-500.3404	OTHER SERVICES - JANITORIAL	800.00
001-524-500.4000	TRAVEL & PER DIEM	1,000.00
001-524-500.4100	COMMUNICATION SERVICES	4,000.00
001-524-500.4300	UTILITIES - ELECTRIC	1,500.00
001-524-500.4400	RENTALS & LEASES	4,000.00
001-524-500.4501	INSURANCE - PROPERTY & LIABILITY	10,630.00
001-524-500.4620	SOFTWARE MAINTENANCE	8,000.00
001-524-500.4700	PRINTING & LEGAL ADS	3,000.00
001-524-500.4900	OTHER CURRENT OBLIGATIONS	5,000.00
001-524-500.5100	OFFICE SUPPLIES	3,000.00
001-524-500.5200	OPERATING SUPPLIES	1,500.00
001-524-500.5500	TRAINING, SEMINARS, REGISTRATIONS	1,000.00
001-524-500.6400	MACHINERY & EQUIPMENT	24,000.00
Total 524:		336,499.00
525		
001-525-500.3010	PA ROCKY POINT	543,292.00
001-525-500.3020	AMERICAN RELIEF PLAN ACT/SLFRF	806,902.00
Total 525:		1,350,194.00
538		
001-538-500.3113	CONTRACTED SERVICES - ENGINEERING	15,000.00
001-538-500.3118	CONTRACTED SERVICES - ROW CULVERT	10,000.00
001-538-500.3405	ILA ADMINISTRATIVE PROIGRAM	10,750.00
001-538-500.4601	SW MAINTENANCE OPERATIONS - 5100	15,000.00
001-538-500.4910	SW PROJECTS	21,687.00
001-538-500.6300	INFRASTRUCTURE	50,000.00
001-538-500.7100	SRF LOAN PAYMENT	10,670.00
Total 538:		133,107.00
541		
001-541-500.1100	EXECUTIVE SALARIES	50,000.00





Town of  
**MALABAR**  
Florida

BUDGET REPORT  
Calculations As of 09/30/2023

23-24  
BOARD APPROVED

GL Number	Description	
<b>Fund: 001 GENERAL FUND</b>		
<b>Account Category: Appropriations</b>		
541		
001-541-500.1200	REGULAR SALARIES & WAGES	158,080.00
001-541-500.1400	OVERTIME	2,000.00
001-541-500.2100	FICA	16,071.00
001-541-500.2200	RETIREMENT CONTRIBUTIONS - FRS	28,508.00
001-541-500.2300	EMPLOYEE BENEFITS	46,630.00
001-541-500.4000	TRAVEL & PER DIEM	500.00
001-541-500.4300	UTILITIES - ELECTRIC	11,700.00
001-541-500.4400	RENTALS & LEASES	1,500.00
001-541-500.4600	REPAIRS & MAINTENANCE	25,000.00
001-541-500.4612	REPAIRS & MAINTENANCE - RR SIGNAL	4,000.00
001-541-500.5200	OPERATING SUPPLIES	7,000.00
001-541-500.5201	OPERATING SUPPLIES - FUEL	18,000.00
001-541-500.5300	ROAD MATERIALS & SUPPLIES	25,000.00
001-541-500.6300	INFRASTRUCTURE	66,000.00
001-541-500.6500	CONSTRUCTION IN PROGRESS	664,000.00
Total 541:		1,123,989.00
572		
001-572-500.4400	RENTALS & LEASES	2,600.00
001-572-500.4600	REPAIRS & MAINTENANCE	15,000.00
001-572-500.4930	OPERATING (T&G_PARK)	10,000.00
001-572-500.5200	OPERATING SUPPLIES	5,000.00
001-572-500.6300	INFRASTRUCTURE	45,160.00
Total 572:		77,760.00
574		
001-574-500.4800	PROMOTIONAL ACTIVITIES	3,500.00
Total 574:		3,500.00
Appropriations		4,959,685.00
Fund 001 - GENERAL FUND:		
TOTAL ESTIMATED REVENUES		4,959,685.00
TOTAL APPROPRIATIONS		4,959,685.00
NET OF REVENUES & APPROPRIATIONS:		0.00

**Memorandum to Newspaper for *Budget*  
Hearing Advertisement**

**MEMORANDUM:**

TO: Display Advertising Manager  
Advertising Department  
Florida Today

FROM: Town Clerk, Rich Kohler  
Town of Malabar

RE: Newspaper Notice

The Town of Malabar is required by law to advertise in a newspaper of

(Name of taxing authority)

general circulation in the county or in its geographically limited insert a notice of its intent to adopt a millage rate and budget.

The enclosed advertisements are to appear in your newspaper **exactly** following the enclosed instructions. Please sign and return a copy to the above taxing authority.

\_\_\_\_\_  
Signature of Display Advertising Manager

\_\_\_\_\_  
Date

Sincerely,

Town Clerk,  
Town of Malabar

cc: Advertising Director  
Attachments

## **Instructions to Newspapers for *Notice of Budget Hearing***

The Town of Malabar is required by law to advertise in a newspaper  
(Name of taxing authority)

of general circulation in the county or in its geographically limited insert a notice of its intent to adopt a final millage rate and budget. A public hearing to finalize the budget and adopt a millage rate will take place not less than two days or more than five days after the day that the advertisement is first published.

-----  
Please run the enclosed advertisements **exactly** as instructed below.

1. To appear 09/20/2023 , or as near to this date as possible.  
(First date ad can appear)

However, in no event will the ad appear after 09/22/2023.  
(Latest date ad can appear)

2. The advertisements **cannot** be placed where legal notices and classified advertisements appear.
3. The advertisements **cannot** be combined.
4. The advertisements **must be** adjacent.
5. Forward proof of publication for each advertisement and entire page in which the ad appears, with your statement, by 10/06/23.

(No later than two weeks after ad is published)

### **Proof of publication should state each advertisement.**

6. Both ads will run for one day only.
  - A. **Notice of Budget Hearing** (example enclosed)
    1. There is no size requirement.
  - B. **Budget Summary Ad** (example enclosed)
    1. There is no size requirement.
    2. This ad must appear **adjacent** to the **Notice of Budget Hearing**.

**Proof of Publication Affidavit to Be Completed by  
Newspapers for *Notice of Budget Hearing***

**Note: If submitting one proof of publication, it must state each advertisement.**

**AFFIDAVIT OF PROOF OF PUBLICATION**

(s. 50.051, F.S.)

**NAME OF COUNTY**

STATE OF FLORIDA COUNTY OF \_\_\_\_\_:

Before the undersigned authority personally appeared \_\_\_\_\_, who on oath says that he or she is \_\_\_\_\_ of the \_\_\_\_\_, a newspaper published at \_\_\_\_\_ in \_\_\_\_\_ County, Florida; that the attached copy of advertisement, being a **NOTICE OF BUDGET HEARING AND BUDGET SUMMARY** in the matter of \_\_\_\_\_ in the \_\_\_\_\_ Court, was published in said newspaper by print in the issues of \_\_\_\_\_ or by publication on the newspaper's website, if authorized on \_\_\_\_\_ (Date).

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_, who is personally known to me or who has produced (type of identification) as identification.

\_\_\_\_\_  
(Signature of Notary Public)

\_\_\_\_\_  
(Print, Type, or Stamp Commissioned Name of Notary Public)

\_\_\_\_\_  
(Notary Public)

**BUDGET SUMMARY**

Town of Malabar, Florida - Fiscal Year 2023-2024

General Fund 4.5000

<b>ESTIMATED REVENUES</b>	<b>GENERAL FUND</b>	<b>STORMWATER FUND</b>	<b>ENTERPRISE FUND</b>	<b>TOTAL ALL FUNDS</b>
Taxes:				
<b>Millage Per \$1,000</b>				
<b>Ad Valorem Taxes</b> <b>4.5</b>	1,643,077			<b>1,643,077</b>
Sales and Use Taxes	910,207			<b>910,207</b>
Permits, Fees & Special Assessments			205,000	<b>205,000</b>
Intergovernmental Revenue	361,250			<b>361,250</b>
Charges for Service	64,400			<b>64,400</b>
Fines and Forfeitures	500			<b>500</b>
Miscellaneous Revenue	28,600			<b>28,600</b>
Stormwater Non-Ad Valorem		133,107		<b>133,107</b>
Other Sources	66,000			<b>66,000</b>
<b>TOTAL SOURCES</b>	<b>3,074,034</b>	<b>133,107</b>	<b>205,000</b>	<b>3,412,141</b>
Use of Unrestricted Reserves	609,143			609,143
Use of SW Reserve Fund				-
Use of Restrictd Building Department Funds			131,499	131,499
SLFRF Restricted Funding	806,902			806,902
<b>TOTAL REVENUES, TRANSFERS &amp; BALANCES</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>
<b>EXPENDITURES</b>				
General Government	959,192			<b>959,192</b>
Fire Control	978,944			<b>978,944</b>
Propective Inspections	-		336,499	<b>336,499</b>
Streets and Roads	1,123,989			<b>1,123,989</b>
Parks and Recreation	74,260			<b>74,260</b>
Special Events	3,500			<b>3,500</b>
Stormwater Projects	-	133,107		<b>133,107</b>
SLFRF Allocated Projects	1,350,194			<b>1,350,194</b>
<b>TOTAL EXPENDITURES</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>
<b>Transfers Out</b>				
<b>Fund Balance/Reserves/Net Assets</b>	-	-	-	-
<b>Total Appropriated Expenditures, Transfers, Reserves and Balances</b>	<b>4,490,079</b>	<b>133,107</b>	<b>336,499</b>	<b>4,959,685</b>

The tentative, adopted, and/or final budgets are on file in the office of the above referenced taxing authority as a public record.

# NOTICE OF PROPOSED TAX INCREASE

The Town of Malabar has tentatively adopted a measure to increase its property tax levy.

## Last year's property tax levy:

A. Initially proposed tax levy .....	\$ 1,545,964
B. Less tax reductions due to Value Adjustment Board And other assessment changes .....	\$ -3,416
C. Actual property tax levy .....	\$ 1,549,380

**This year's proposed tax levy .....**\$ **1,711,539**

All concerned citizens are invited to attend a public hearing on the tax increase to be held on

September 25, 2023

7:30pm

at

Malabar Town Hall

2725 Malabar Road

Malabar, Florida

**A FINAL DECISION** on the proposed tax increase and the budget will be made at this hearing.



Please contact us with changes or cancellations as soon as possible, otherwise no further action needed.

<b>PUBLICATION</b>	<b>TOLL-FREE</b>	<b>Local #</b>	<b>Email</b>
Florida Today	888-516-9220	321-242-3632	BRELegals@gannett.com

**Customer:** TOWN OF MALABAR

**Ad No.:** 0005824319

**Address:** 2725 MALABAR RD  
MALABAR FL 32950  
USA

**Pymt Method** Invoice  
**Order Amount** 90.06

**Run Times:** 1

**No. of Affidavits:** 1

**Run Dates:** 09/15/23

**Text of Ad:**

Ad#5824319 09/15/2023  
TOWN OF MALABAR  
NOTICE OF PUBLIC HEARING

The Malabar Town Council, Brevard County, Florida will convene in the Town Hall, 2725 Malabar Road, Malabar, Florida on **Monday, September 25, 2023**, at 7:30pm, or as soon thereafter as the matter can be heard, for a public hearing on the following topic:

**ORDINANCE 2023-05**

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$4,959,685 FOR THE FOR THE FISCAL PERIOD FROM OCTOBER 1, 2023, THROUGH SEPTEMBER 30, 2024; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the Code pertaining to this are available in the Clerk's office for review, 2725 Malabar Road, Malabar, Florida, during regular business hours. All interested parties may email comments to [wnclerk@townofmalabar.org](mailto:wnclerk@townofmalabar.org) or mail comments to 2725 Malabar Road, Malabar, FL 32950 or appear and be heard at this meeting of the Town Council with respect to these topics. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Clerk's Office, ADA Coordinator, 48 hours in advance of the meeting at 321-727-7764. Richard Kohler, Town Clerk.