

**TOWN OF MALABAR
REGULAR TOWN COUNCIL MEETING
MONDAY, FEBRUARY 05, 2018, 7:30 PM
2725 MALABAR ROAD, MALABAR, FLORIDA
AGENDA**

- A. CALL TO ORDER, PRAYER AND PLEDGE**
B. ROLL CALL
C. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES:
D. CONSENT AGENDA:
 1. Approve Regular Town Council Meeting Minutes 01/03/2018
 Approve Town Council Workshop Mtg Minutes 01/22/2018
 Exhibit: Agenda Report 1
 Recommendation: Request Approval
- E. ATTORNEY REPORT:**
F. BCSO REPORT:
G. FDOT PRESENTATION: SR514 Widening
H. BOARD / COMMITTEE REPORTS:
I. STAFF REPORTS:
 FIRE CHIEF: Fire House Subs Grant Award 1/26/18
 ADMINISTRATOR: Ribbon Cutting at Sand Hill Trailhead # 1 1/23/18
 CLERK: Fallfest 2017 Reconciliation
- J. 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) **Three (3) Minute Limit per Speaker.**
- K. PUBLIC HEARINGS/SPECIAL ORDERS: 0**
L. UNFINISHED BUSINESS/GENERAL ORDERS
ORDINANCES FOR FIRST READING: 0; RESOLUTIONS: 0;
- MISCELLANEOUS: 1**
 2. Approve State Acquisition of 1.1 Acre Fern Creek Crossing for SR514 Widening
 Exhibit: Agenda Report 2
 Recommendation: Action
- 3. Request to Designate Parcel 29370200253 as R/LC as Recommended by P&Z on 12/7/15**
 Exhibit: Agenda Report 3
 Recommendation: Action
- 4. Request Council Support on Appeal to NPDES Permit Requirement**
 Exhibit: Agenda Report 4
 Recommendation: Action
- M. DISCUSSION/POSSIBLE ACTION:**
N. PUBLIC COMMENTS: General Items (Speaker Card Required)
O. REPORTS – MAYOR AND COUNCIL MEMBERS
P. ANNOUNCEMENTS: Vacancies: 2 on Bd of Adj; 2 on Pk & Rec Bd; 3 on T&G Com.
Q. ADJOURNMENT:

If a person decides to appeal any decision made by this board, agency or commission 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
AGENDA ITEM REPORT**

AGENDA ITEM NO: 1
Meeting Date: February 05, 2018

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

Attached are the summary minutes for the following meeting(s):

- Town Council Workshop Meeting – 01/22/2018

The minutes are the official record of the actions taken by the Council.

ATTACHMENTS:

Draft Minutes of 01/22/2018

ACTION OPTIONS:

The Town Clerk requests approval of the minutes.

MALABAR COUNCIL WORKSHOP MEETING

January 22, 2018

7:30 PM

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

A. CALL TO ORDER:

The meeting was called to order at 7:30 pm by Chair Mayor Reilly. Prayer & Pledge were said by Council Chair, Mayor Patrick T. Reilly.

B. COUNCIL/COMMITTEE:

COUNCIL CHAIR:

MAYOR PATRICK REILLY

VICE-CHAIR:

STEVE RIVET

COUNCIL MEMBERS:

GRANT BALL

LAURA MAHONEY

DICK KORN

DANNY WHITE

ADMINISTRATOR

DOUG HOYT

CLERK/TREASURER:

DEBBY FRANKLIN

C. WORKSHOP ACTION: DISCUSSION ON R/LC -

b

Chair recapped previous workshop meetings and mentioned the one request by Mr. Krieger to be removed from the proposed change. He will make that change to the maps.

Chair went over the need to proceed with the FLUM update referencing the seven-year cycle of Evaluation and Appraisal Report. Malabar's was due by August of last year with the changes Council agreed to in 2016. That deadline was not met. We are now out of compliance.

CM Rivet reiterated that we need to fix it. CM Korn asked specifically about the question about if Council changes the FLUM – Council will not change the zoning. He has been asked by constituents if doing this will increase the tax value.

Mayor explained the difference. Updating the FLUM will not cause an increase in property value. If and when a property owner desires to develop in accordance with the updated FLUM, they would make application for the corresponding zoning change. That process as described in the Land Development Code would require the request to be reviewed by P&Z and then put to Council for action. The Mayor said since the request is in line with the approved FLUM it should be approved. Discussion about the need to send to P&Z. The LDC does not provide an expedited process when a request is in line with the approved FLUM. Council could consider an amendment to provide for this in the future.

CM Ball and CM White both expressed concern that this change will only update the Future Land Use Designations for Future Development as approved by Council. Franklin said there will be language stating that the legislative body supports R/LC (Residential/Limited Commercial) development along the main corridors; it will be an overlay for the perceived future development of Malabar. The text will emphasize the intent for such future R/LC growth only within this area is done in order to protect the rural residential character of the interior of the community. Franklin said that is why Council voted at the last meeting in April 2017 to reduce the depth from 1,320' to 660'. The LDC already provides for buffering requirements.

CM Mahoney said the only thing we are out of compliance with is the conservation area. She stated if the Council were to make that change they would be in compliance. Chair asked Franklin if that was correct. Franklin referred to the Agenda Report, bottom on page 1 and continuing to the next page of what the State Dept. of Economic Opportunity has stated they will be looking for in order to determine compliance.

Franklin said we can make the changes to the conservation and submit it, after legal ads, notices, etc. and be found lacking. Then the Town would have to make additional changes to the R/LC, time lines, horizons and amendments due to state legislation and publish additional legal ads, notices, etc.

The State has told us what they will be looking at in order to determine compliance. They want to help us get compliant; they are not adversarial.

CM Mahoney then asked if language should be added that clarified that if a developer brings water and sewer that adjacent property owners would not be required to hook up. CM Korn thought that had been addressed. The Mayor asked Franklin.

Franklin said this concern raised and there is nothing that would require a SFR to hook up to water and the only requirement to hook up to sewer was if the State determined the septic had failed and was polluting the water table, adjacent wells or the IRL and could not be repaired. Franklin was not aware of the scenario CM Korn stated.

CM Ball said the language of "unless required by the State" is the cause for concern. CM Mahoney requested that the language be added to restrict the rights for water and sewer hook-up. CM Rivet stated he was insistent on the language requirement she referred to in the sales contract. The Town of Malabar will never require or mandate hook-up to water or sewer by any property owner. The contract includes statutory language that does state that if the Florida Department of Health determines that the septic system is failing and cannot be corrected that "the State" shall mandate hook-up to the sewer. Franklin will get CM Mahoney another copy of the sales contract documents.

CM Ball is concerned that if the current areas under State conservation are determined in the future to no longer be conservation the current FLUM designation could allow for undesired development. CM Mahoney asked about changing the land use from RR to CON in the map 13. That is the Jordan Scrub Sanctuary; 400+/- acres of conservation managed by the EELs. Franklin explained the reasoning to make the FLUM designation changes for those areas.

CM Korn asked about the table for the mixed-use allowance. Mayor said the language had already been approved by Council and was needed so there is no question when a person asks what can be done in R/LC. Mayor said if it is not well defined then there is wiggle room for other interpretations.

CM Rivet said we have gone through all the maps and the consensus is to make the change regarding Mr. Krieger's property and move forward with compliance.

The Mayor brought up the issue that the last Comp Plan was contracted for with a vendor and did not provide for the document in Word. We need to have it in a format we can amend in the future. He said Franklin has contacted the vendor for a cost to get the document in Word. Franklin has also got a resource to transcribe it into Word. Franklin stated we can work with the vendor for a compromise but the backup is to have it transcribed one element at a time. That way we can do future updates in house. Maps and tables would be additional expense.

CM Ball asked about the estimate of costs to accomplish this step; legal ads, notices, maps, typing etc. Could it be as much as 5K? Franklin thought that was a high estimate but probably a good working estimate. Franklin is proposing PH at Council at the 2nd mtg in March.

Council consensus to move forward and hold the next WS on 2/26/18 at 7:30pm. Franklin will work with Mayor to get map put together and order the radius maps to get updated parcel owner information for the USPS notices for the owners within 1000' of the proposed changes.

Chair Reilly, without objection, adjourned the meeting at 8:21 pm.

BY: _____
Mayor Patrick T. Reilly, Council Chair

(seal)

ATTEST:

Debby Franklin, C.M.C.
Town Clerk/Treasurer

Approved: RTCM 2/5//2018

DRAFT

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: F. PRESENTATION

Meeting Date: February 05, 2018

Prepared By: Debby K. Franklin, C.M.C., Town Clerk/Treasurer

**SUBJECT: Power Point Presentation by Victor Poteat and FDOT on PD&E Alternatives
re: SR514 Widening**

BACKGROUND/HISTORY:

FDOT Consultant Project Manager Mr. Victor Poteat requested an opportunity to present their latest PD&E Alternatives for the widening of SR514 within the jurisdiction of Malabar.

Their two-page Brief was posted to the Town's website on 1/26/18.

They also provided a hard copy of the presentation and multiple copies of that were printed for the public to review. A Power Point presentation will be screened and discussed at this meeting and if directed will be posted to the Town's website.

There is also a formal public meeting advertised by FDOT to solicit public participation from the community for this plan. The location for this has been secured at the Palm Bay City Council Chambers at 120 Malabar Road, Palm Bay, FL 32907.

Since the project deals with the widening of the portion of State road within Malabar, the question has been asked why the public meeting is set at Palm Bay City Hall.

FINANCIAL IMPACT: none

ATTACHMENTS:

Wide-screen Power Point Presentation

ACTION OPTIONS:

No action required at this time



Malabar Road PD&E Study

Project Fact Sheet – January 2018

The Malabar Road Project Development and Environment (PD&E) Study is evaluating improvements to Malabar Road (S.R. 514) from S.R. 507 (Babcock Street) to US 1, a distance of approximately 3.64 miles (project location map below).

A PD&E study is a process developed by the Florida Department of Transportation (FDOT) that adheres to state and federal requirements to determine effects and enhancements associated with transportation improvements. This study proposes a combination of roadway improvements, known as alternatives, that both widen and improve Malabar Road throughout the limits. Due to the addition of a median in the sections that are being widened, the Access Classification of Malabar Road will change from a Class 3 facility, to a Class 5 facility from I-95 to Weber Road. This change essentially means some turning movements will be limited to partial or full median openings or at traffic signals. Chapter 335.199, Florida Statutes, requires a public hearing to present the proposed access classification change when any project on the state highway system closes or modifies an existing access.



Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting Jennifer Smith, FDOT District Five Title VI Coordinator, at Jennifer.Smith2@dot.state.fl.us.

What Happens next?

This study has been classified as a State Environmental Impact Report (SEIR), which means that the FDOT District Five Secretary will provide the final acceptance of the study's recommendation of the "Build" Alternative or the "No-Build" Alternative. If the District Secretary accepts the "Build" Alternative, this project will be able to proceed into the future project phases as funding becomes available. Those project phases include: design, right of way acquisition, and construction. Currently, there is funding only for the design project phase in fiscal year 2022. No funding for right-of-way acquisition or construction have been budgeted at this time.

Public comments and questions are welcome at any time throughout the study by contacting the following individuals.

FDOT Project Manager

[Lorena Cucek](#)

FDOT – District Five

719 S. Woodland Boulevard, MS 501

DeLand, Florida 32720; 386-943-5392

Consultant Project Manager

[Vic Poteat, P.E.](#)

Atkins

482 Keller Road

Orlando, Florida 32810; 407-806-4129

For regular updates about the Malabar Road PD&E study, please visit www.sr514malabar.com. This website is updated on a regular basis with the latest study information. You also may make comments or ask questions through the website, along with making a request to be added to the study's mailing list.

Project Documents Available for Review

You may review project documents from February 7, 2018 through March 13, 2018 at these locations.

[Franklin T. DeGrodt Library](#),

6475 Minton Road SW, Palm Bay, FL 32908

Monday, Wednesday, Friday, Saturday: 9 a.m. to 5 p.m.

Tuesday and Thursday: 9 a.m. to 8 p.m.

Sunday 1 to 5 p.m.

[Malabar Town Hall](#)

2725 Malabar Road, Malabar, FL 32950-4427

Monday through Friday 8:30 a.m. to 5 p.m.

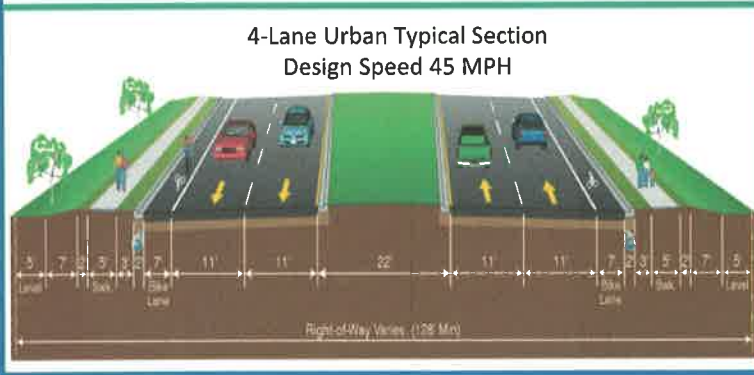
Design Alternatives

Multiple alternatives were evaluated, including the “No-Build” Alternative.

Recommended “Build” Alternative

Due to the different conditions along Malabar Road, the project has been divided into three segments. The Recommended “Build” Alternative is presented by project segment. All alternatives include construction of stormwater ponds, which require right of way throughout the corridor. Roundabouts are recommended for Malabar Road at Weber Road and Corey Road.

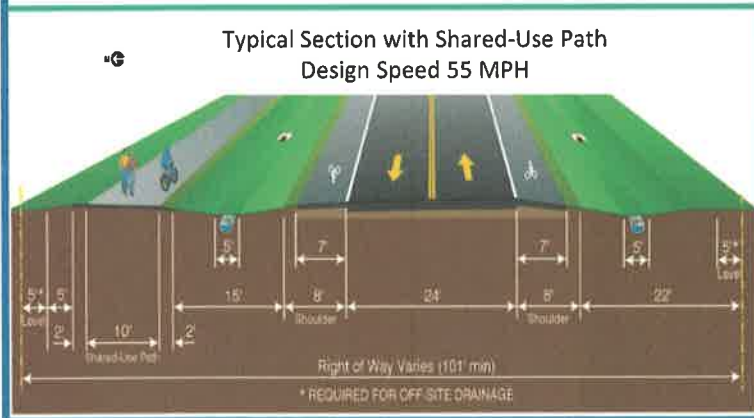
Segment 1: Babcock Street to Weber Road - Widening Malabar Road to four lanes (two lanes in each direction) with sidewalks and bike lanes.



Segment 2a: Weber Road to east of Corey Road - Widening to four lanes (two lanes in each direction) with sidewalks and bike lanes.



Segment 2b: East of Corey Road to Marie Street - Reconstructing as a new two-lane roadway with a shared-use path along the north side.



Segment 3: Marie Street to U.S. 1 - Reconstructing as a three-lane (one lane in each direction and a center turn lane) with sidewalks and bike lanes.



Advantages of the “Build” Alternative

- Satisfies purpose and need; consistency with Space Coast Transportation Planning Organization transportation plans
- Projected to operate at acceptable levels of service in design year 2045 by improving traffic flow and intersection operations
- Enhances corridor safety
- Provides shared-use path for connectivity among amenities
- Provides bicycle and pedestrian improvements

Disadvantages of the “Build” Alternative

- Impacts utilities
- Results in eight residential relocations and three business relocations
- Cost for design, right of way acquisition, and construction
- Impacts to natural environment

Malabar Road (SR 514) Project Development & Environment (PD&E) Study From Babcock Street to U.S. 1 Brevard County, FL



Town of Malabar Briefing

Financial Project ID No: 430136-1-22-01 Federal Aid Project No: N/A
ETDM Project No: 13026

Purpose of Briefing

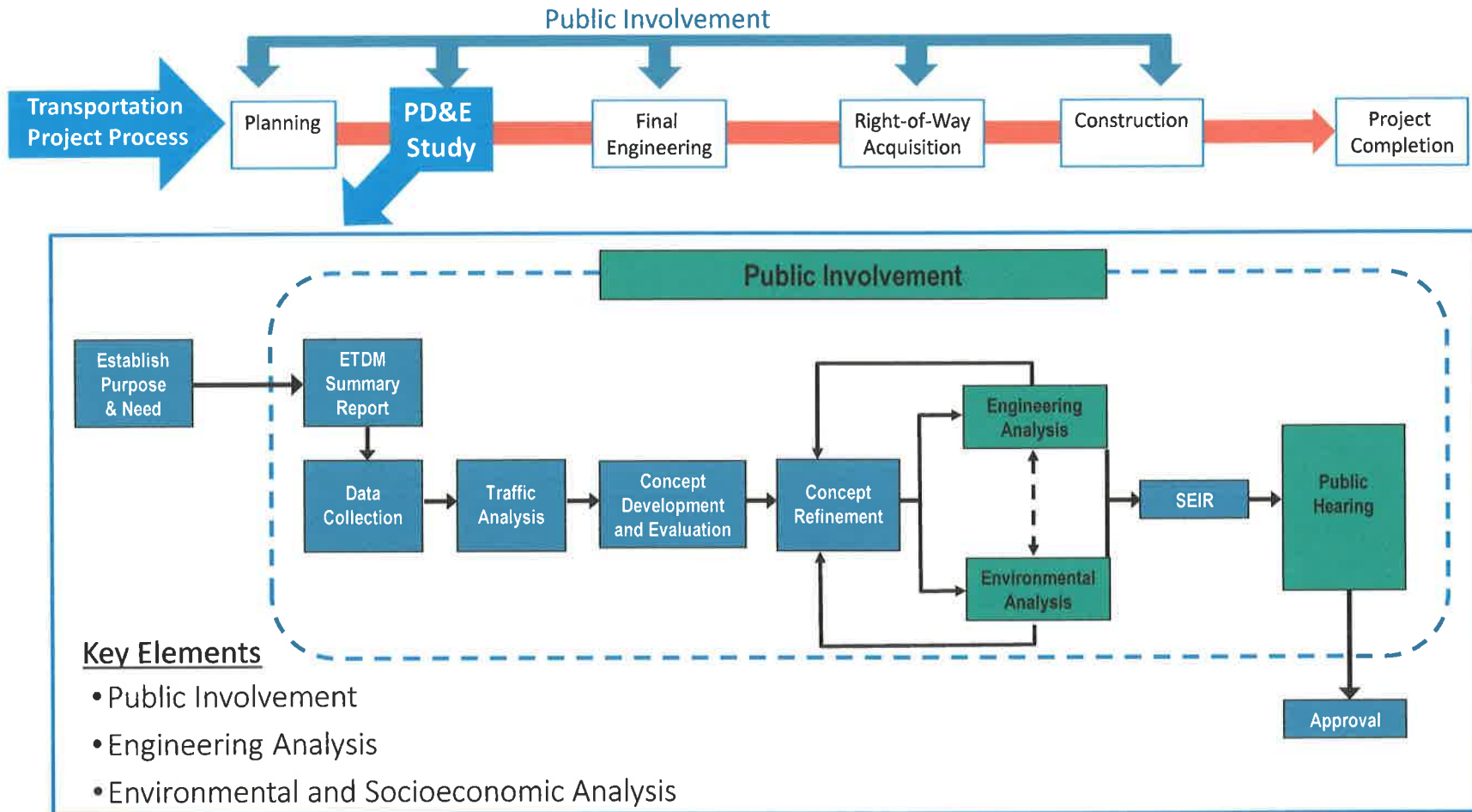


Share information about the recommended improvements and upcoming Public Hearing

Date: February 28, 2018
Time: 5 p.m. Open house;
6 p.m. Formal hearing
Location: Palm Bay City Council Chambers,
120 Malabar Road SE, Palm Bay, FL 34907-3009



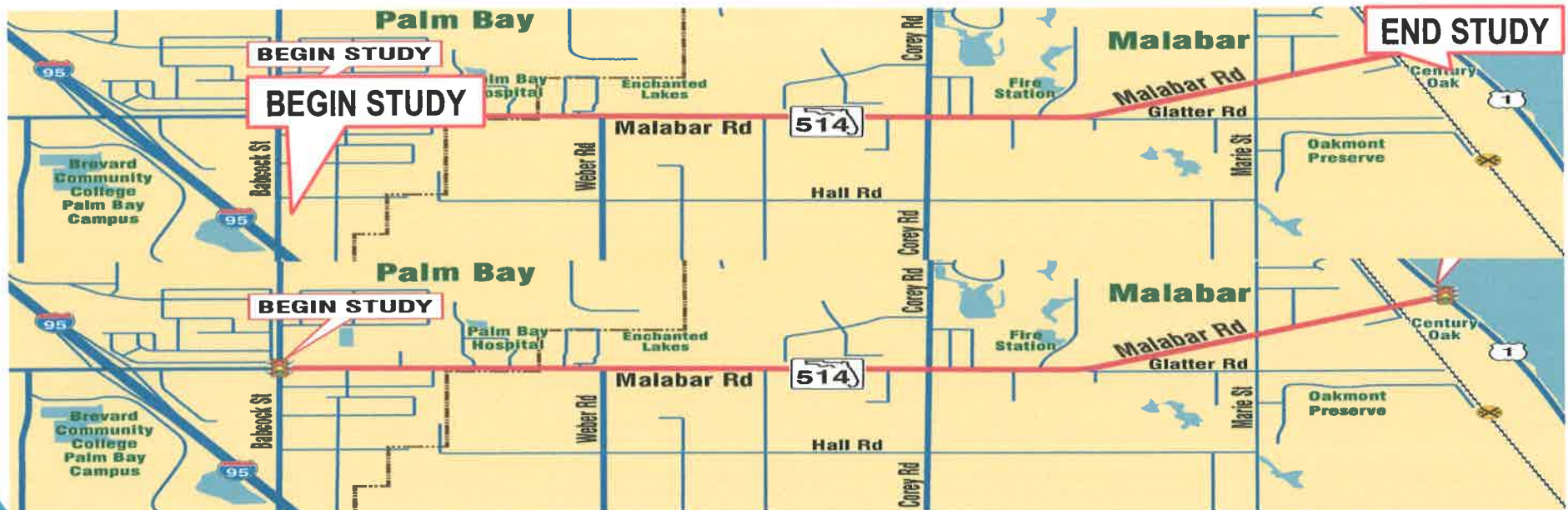
Project Development and Environment



About the project



- From Babcock Street to U.S. 1
- Widen to 4 lanes where warranted
- Proposed bicycle and pedestrian facilities
- Approximately 3.64 miles in length
- Urban minor arterial
- Proposed Access Management Classification 5 from I-95 to Weber Rd.



Alternative Comparison Matrix



	ROADWAY BUILD ALTERNATIVES					NO-BUILD ALTERNATIVE	
	A	B	C	D	E		
PURPOSE AND NEED	ADDRESSES NEED FOR PROJECT						
	Provides Improved Level-of-Service			YES			NO
	Accommodates Future Traffic Demand			YES			NO
SOCIAL ENVIRONMENT	PRIVATE PROPERTY IMPACTS						
	Total Number of Parcels Impacted	110	108	66	100	122	0
	-Residential Parcels	32	33	20	21	31	0
	-Commercial Parcels	24	23	13	18	19	0
	-Vacant/Unimproved Parcels	54	52	33	61	72	0
	Number of Relocations Anticipated	22	24	11	7	11	0
	TOTAL RIGHT-OF-WAY						
	Number of impacted acres (incl. ponds)	56.67	65.08	34.81	43.38	44.99	0
	COMMUNITY FACILITIES						
	Number of Parcels Impacted	1	1	1	2	3	0
BICYCLE AND PEDESTRIAN FACILITY IMPROVEMENTS	ENHANCED					NONE	
CULTURAL ENVIRONMENT	PUBLIC PARKS/LANDS - SECTION 4(f)						
	Number of Parcels Impacted	2	2	1	5	4	0
	HISTORIC AND ARCHEOLOGICAL SITES						
	Number of Historical Resources Potentially Impacted	0	0	0	0	0	0
Archeological Site Potential (low/moderate/high)	Medium	Medium	Low	Medium	Medium	None	
NATURAL ENVIRONMENT	WETLAND AREAS (acres impacted)	6	6.82	4.33	4.33	1.11	0
	FLOODPLAINS (acres impacted)	2.94	3.93	2.98	2.98	2.11	0
	THREATENED AND ENDANGERED (T&E) SPECIES						
	Low/Moderate/High potential Involvement	Low	Low	Low	Medium	Medium	None
FARMLANDS (parcels impacted)	0	0	0	0	0	0	
PHYSICAL ENVIRONMENT	POTENTIAL CONTAMINATION SITES						
	Number of Medium Risk Sites impacted	0	0	0	0	0	0
	Number of High Risk Sites Impacted	0	0	0	0	0	0
	POTENTIAL UTILITY INVOLVEMENT	Moderate	Moderate	Moderate	Moderate	High	None
PROJECT COSTS	DESIGN (2017 million \$)	\$2.78	\$2.92	\$1.89	\$2.34	\$2.83	
	RIGHT-OF-WAY (2017 million \$)	\$34.18	\$37.75	\$24.40	\$31.95	\$27.31	\$0.00
	CONSTRUCTION (2017 million \$)	\$22.23	\$23.37	\$15.11	\$18.70	\$22.65	\$0.00
	CEI (2017 million \$)	\$1.78	\$1.87	\$1.21	\$1.50	\$1.81	\$0.00

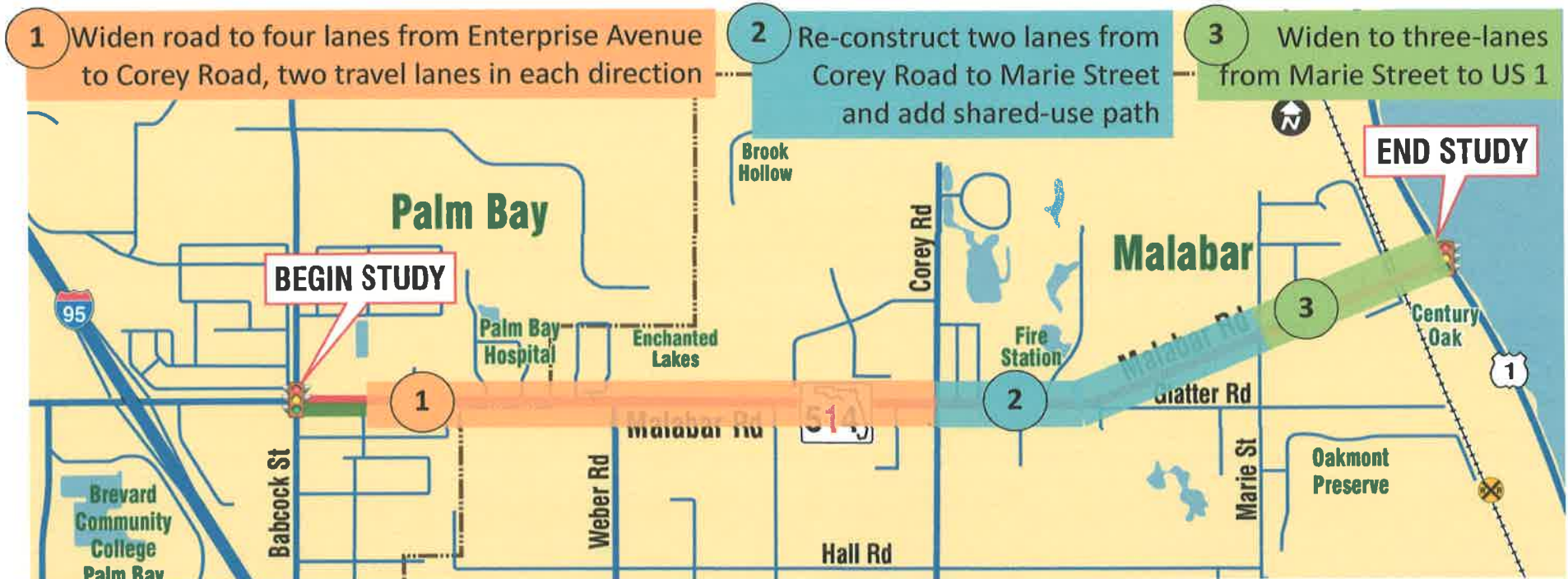
Unique Evaluation Considerations



- Environmentally Endangered Lands (EEL) and Malabar Scrub Sanctuary (MSS) coordination and impact
- Selection and Management Committee approval
- Florida Department of Environmental Protection (FDEP) Division of State Lands and Acquisition and Restoration Council (ARC) process coordination during the design phase
- Malabar Disc Golf Park impact: also requires FDEP / ARC coordination
- Minimization of impacts to MSS and Disc Golf Park

	ROADWAY-BUILD ALTERNATIVES					NO-BUILD ALTERNATIVE	
	A	B	C	D	E		
SUPPORT	ADDRESSES NEED FOR PROJECT						
	Accommodates Four-lane Traffic Demand						100
	100	100	100	100	100	100	
SOCIAL/ENVIRONMENTAL	Requirements (Acres)						0
	32	35	40	35	35	0	
	59	57	61	72	72	0	
SOCIAL/ENVIRONMENTAL	Acres of Improved Farmland						0
	78.57	85.08	74.83	71.39	41.05	0	
	0	0	0	0	0	0	
CULTURAL	Number of Historic Resources Potentially Impacted						0
	0	0	0	0	0	0	
	0	0	0	0	0	0	
CULTURAL	Archaeological Site Potential (low/moderate/high)						None
	Medium	Medium	Low	Medium	Medium	None	
	6	6.82	4.34	4.34	1.11	0	
CULTURAL	FLOODPLAINS (acres impacted)						0
	2.04	1.01	2.08	2.08	2.11	0	
	Low	Low	Low	Medium	Medium	None	
PHYSICAL/ENVIRONMENT	FARMLANDS (parcels impacted)						0
	0	0	0	0	0	0	
	0	0	0	0	0	0	
PHYSICAL/ENVIRONMENT	POTENTIAL CONTAMINATION SITES						0
	0	0	0	0	0	0	
	0	0	0	0	0	0	
PHYSICAL/ENVIRONMENT	POTENTIAL UTILITY INVOLVEMENT						None
	Moderate	Moderate	Moderate	Moderate	High	None	
	0	0	0	0	0	0	
PROJECT COSTS	DESIGN (2017 million \$)						50,000
	\$2.78	\$2.92	\$1.89	\$2.84	\$2.83	50,000	
	RIGHT-OF-WAY (2017 million \$)						50,000
	\$22.21	\$23.97	\$15.11	\$18.70	\$32.65	50,000	
CONSTRUCTION (2017 million \$)						50,000	
\$1.78	\$1.87	\$1.21	\$1.50	\$1.84	50,000		

Recommended “Build” Alternative



- Provide designated pedestrian and bicycle facilities; extend eastbound bike lane from Babcock St. to Enterprise Ave.
- Provide access management from east of Babcock Street to Corey Road – 22-foot raised median with proposed access management plan
- Locate potential pond sites

Proposed Access Management Plan



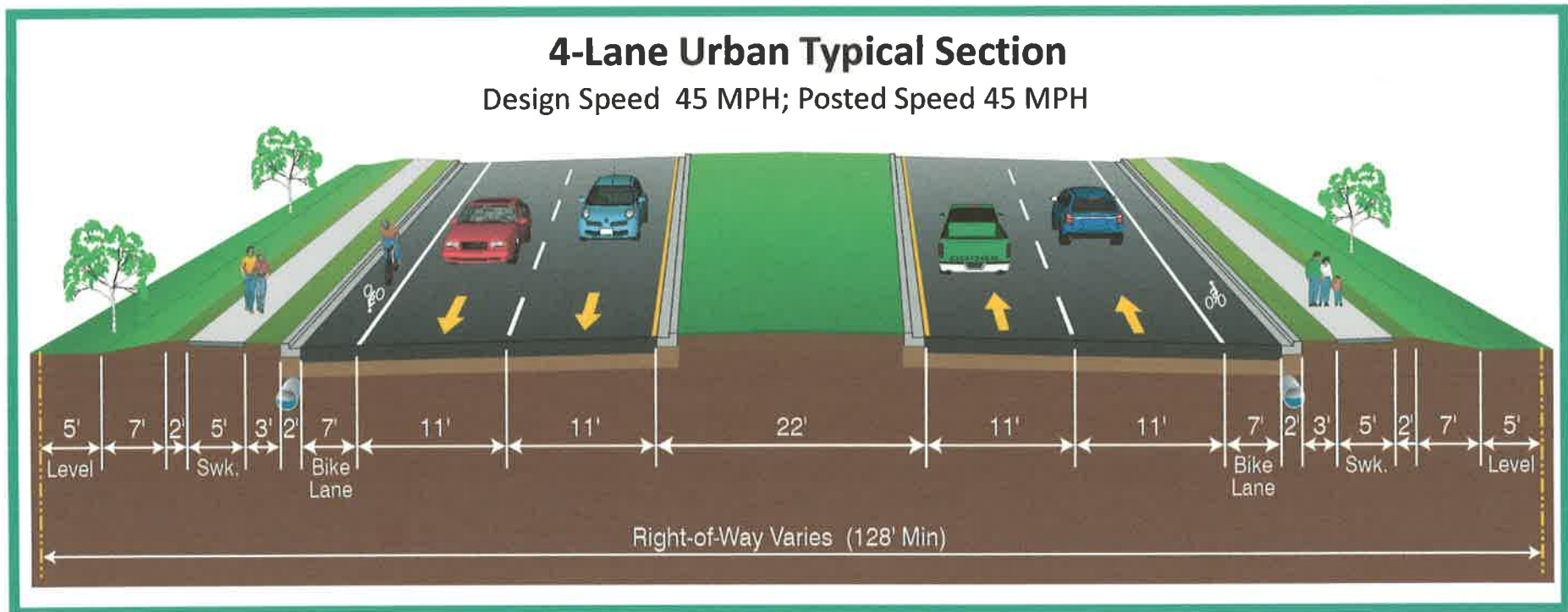
Access management is the coordinated planning, regulation, and design of access between roadways and land development. It promotes the efficient and safe movement of people and goods by reducing conflicts on the roadway system and at its interface with other modes of travel.

- Currently Access Classification 3
- Access management classification changed from I-95 to Weber Road to Access Classification 5
- Includes 22-foot raised grass median from Enterprise Avenue to Corey Road

Median Openings		
Street Name	Median Opening Type	Spacing (feet) from Last Median Opening
Access Classification 5		
Babcock Street (SR 507)	Full/Signal	
Moose Lodge	Directional EB Left	900
Enterprise Avenue	Directional WB Right	180*
Life Care Center	Directional EB Left	820
Canova Street	Directional WB Left	370*
Medplex Parkway	Full	830/3,100 from last full
Berri Patch	Directional EB & WB Left	620*
MIMA	Directional EB & WB Left	520*
Enchanted Lakes	Directional EB Left	560*
Weber Road	Full (Roundabout)	400/2,100 from last full
Access Classification 3		
Eva Lane	Full	2,625*
Corey Road	Full (Roundabout)	2,600*
Gilmore Street	Directional EB Left	650*

*Does not meet minimum spacing standards

Recommended Build Alternative: Enterprise Avenue to Weber Road



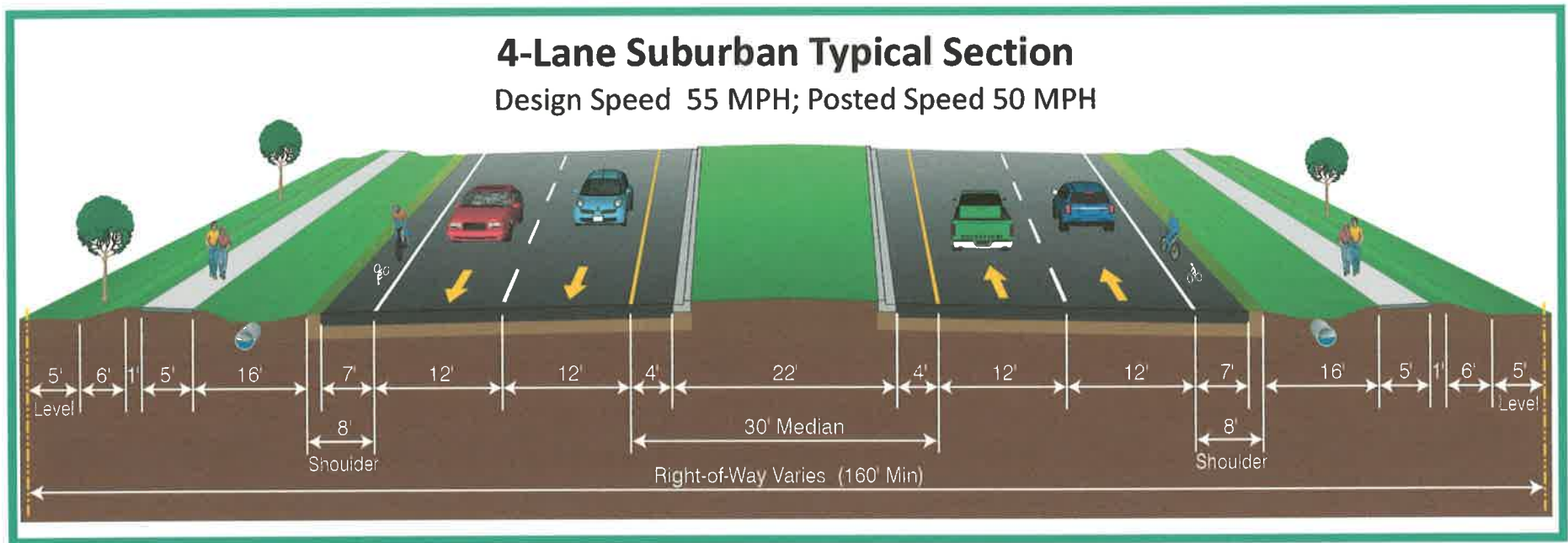
Recommended Build Alternative: Enterprise Avenue to Weber Road: Best-fit alignment



- Starting on the north side of the existing alignment and then a slight shift to the south side just west of a roundabout at Weber Road
- Additional right-of-way required throughout



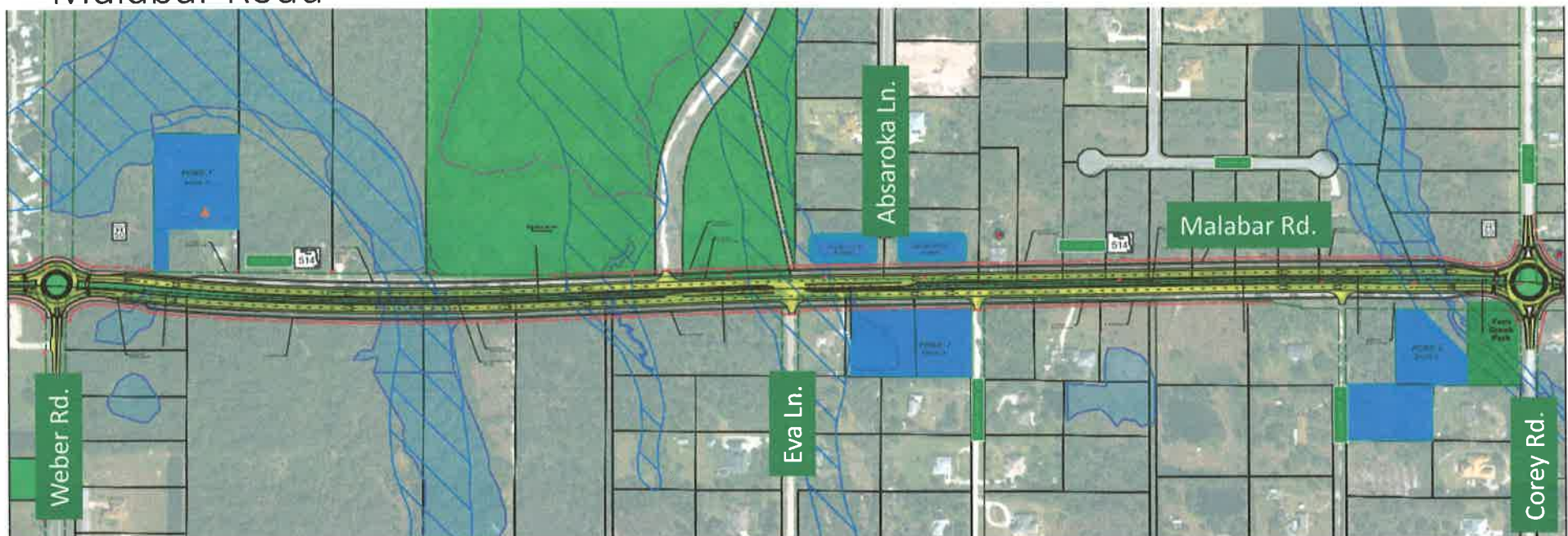
Recommended Build Alternative: Weber Road to Corey Road



Recommended Build Alternative: Weber Road to Corey Road: Best-fit alignment



- After the roundabout at Weber Road, the alignment shifts south then north to align with the proposed Corey Road roundabout
- Additional right-of-way will be required from parcels on both sides of Malabar Road

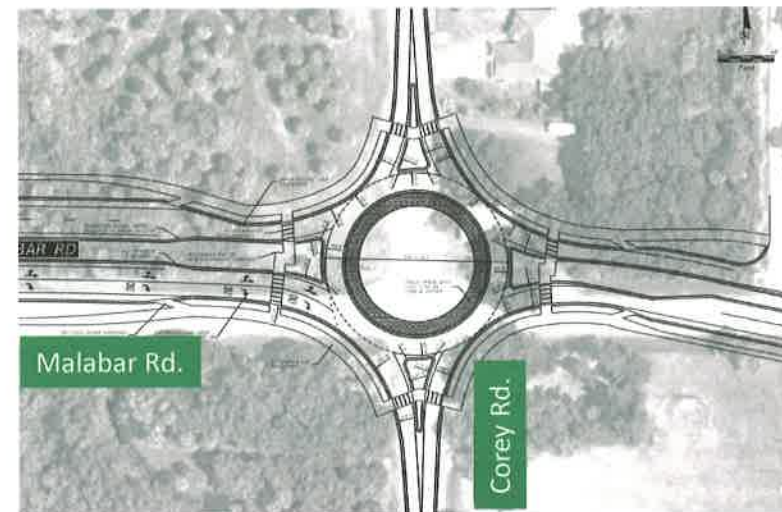
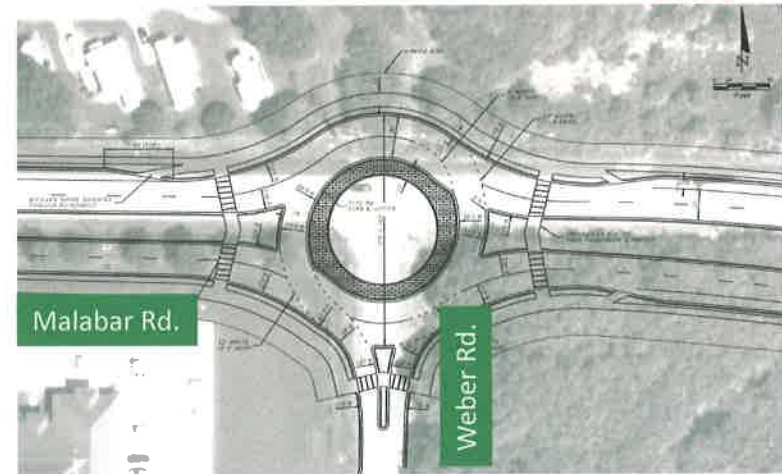


Recommended Build Alternative

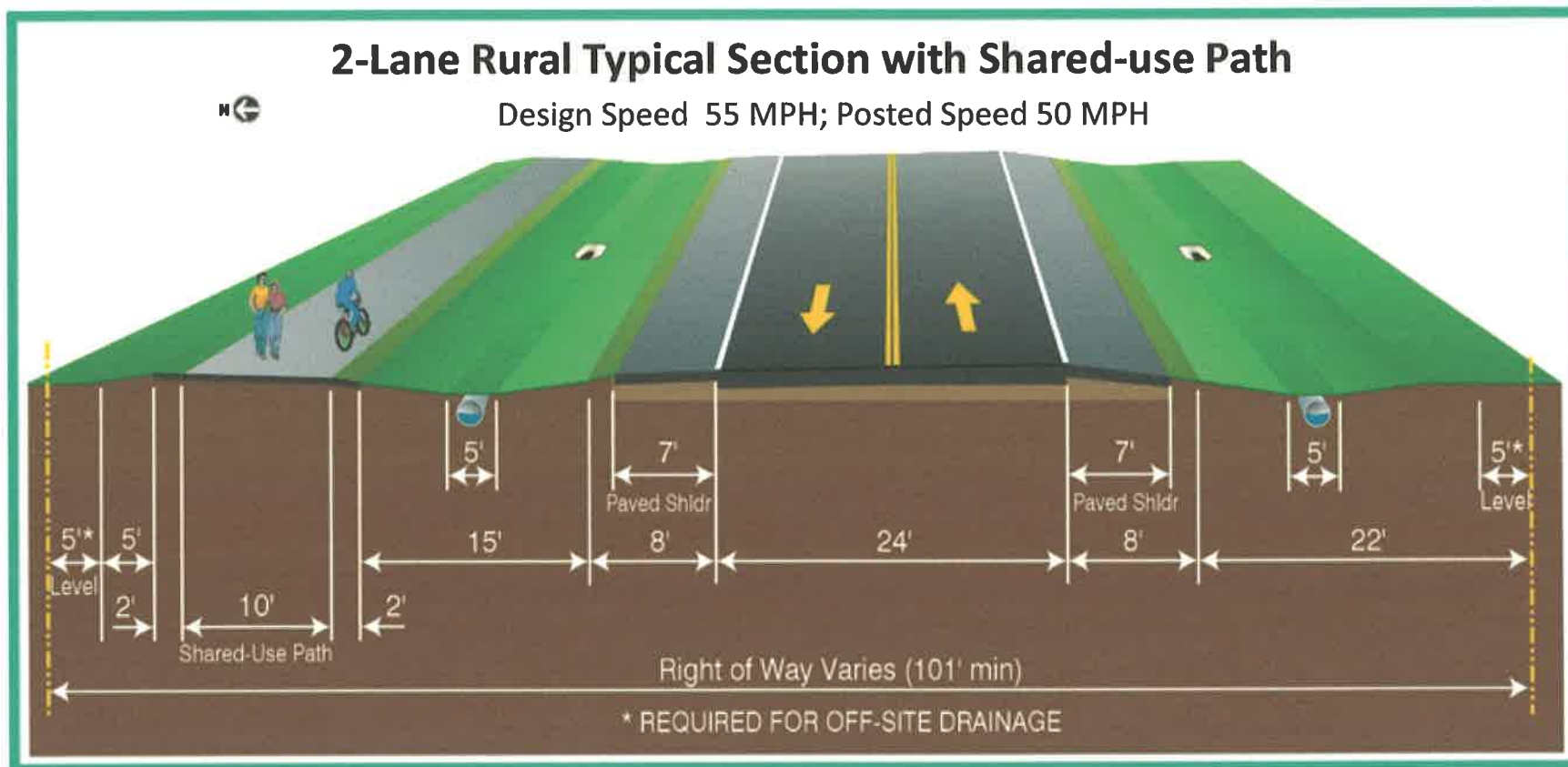


Roundabouts at Weber Road and Corey Road

- FDOT's standard approach to new intersection capacity analysis
- Reduces fatalities by 90%; injury crashes by 76%; and pedestrian/vehicle conflict points
- Supports local goal of speed control
- Used in both urban and rural situations



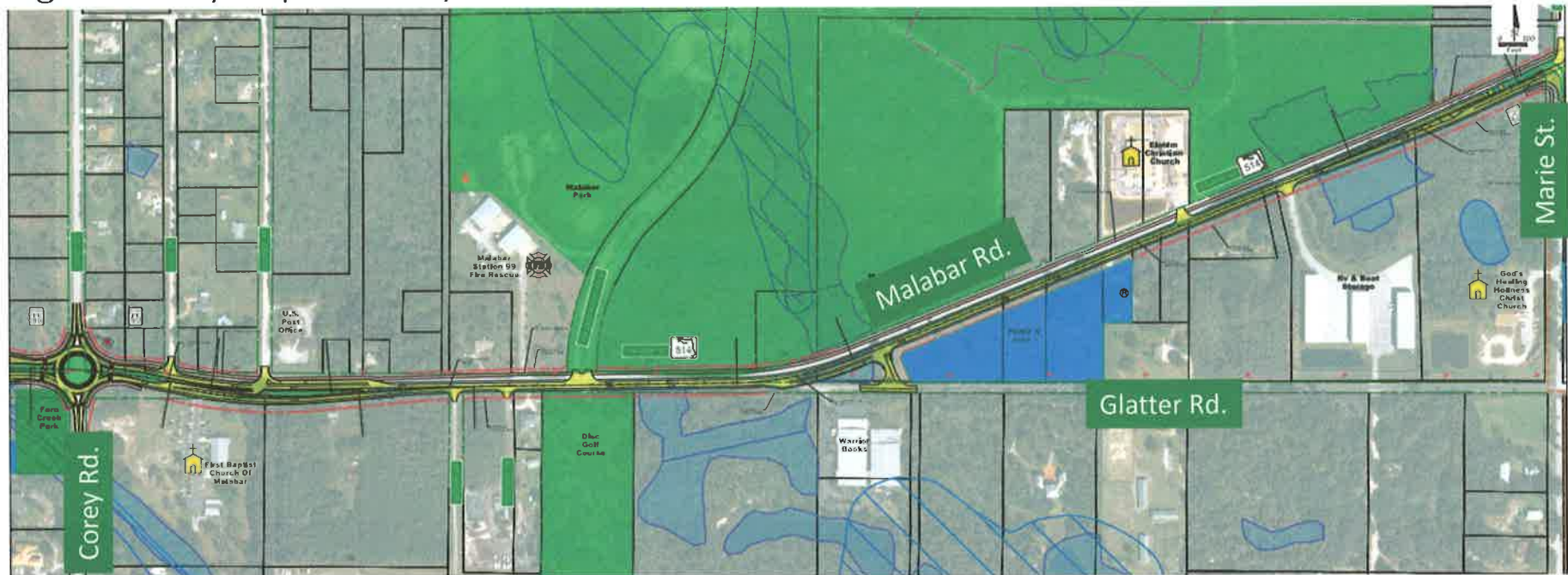
Recommended Build Alternative: Corey Road to Marie Street



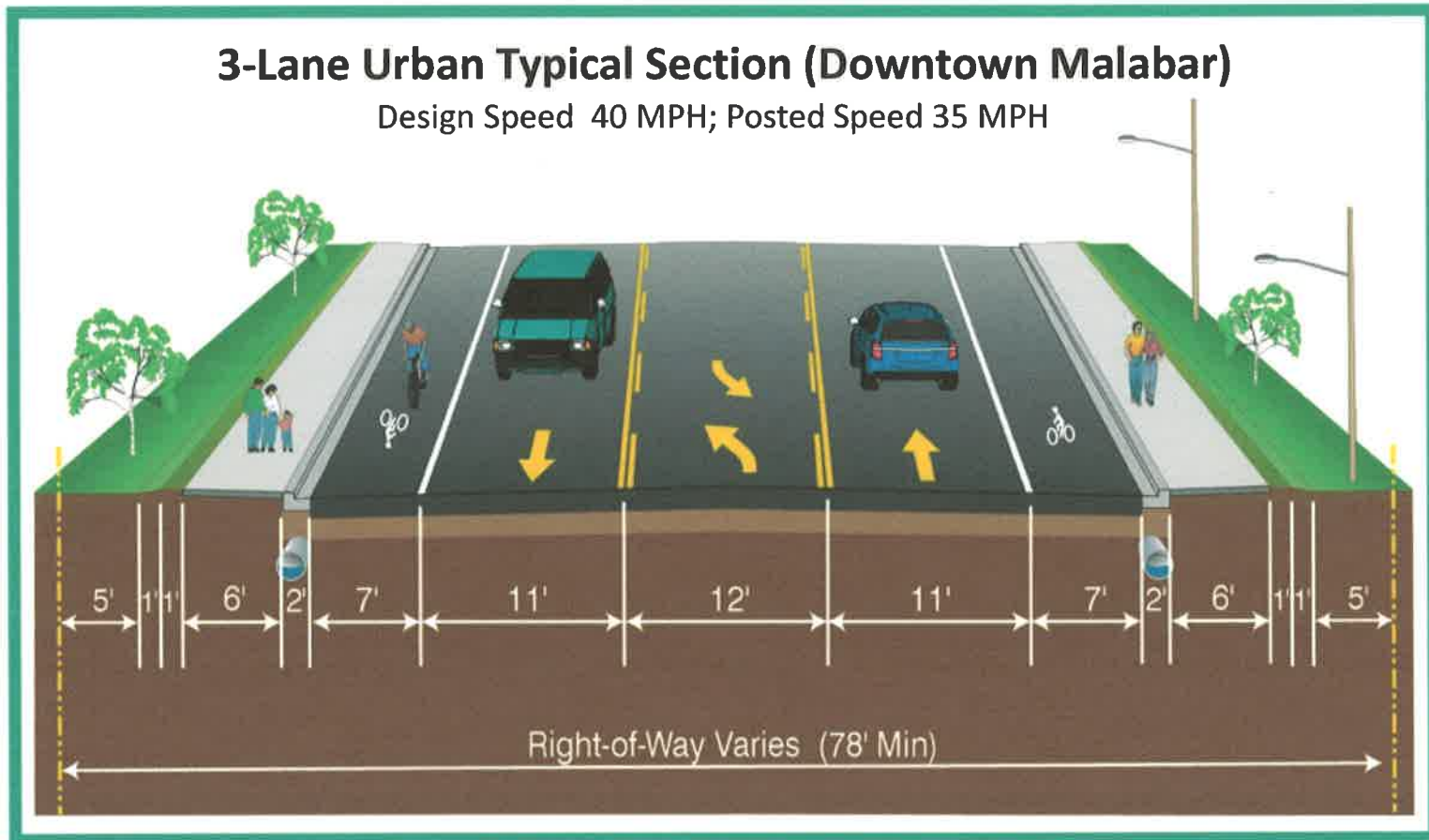
Recommended Build Alternative: Corey Road to Marie Street: Best-fit alignment



- From Corey Road to Glatter Road, impacts to both sides, including the Malabar Scrub Sanctuary and Malabar Disc Golf Park; alignment shifts south of the existing roadway on the east side of the Disc Golf Park
- Right-of-way impacts vary on both sides



Recommended Build Alternative: Marie Street to US 1



Recommended Build Alternative: Marie Street to US 1: Centered alignment



- Centered on the existing roadway location: turn lanes will be added at the intersection of US 1 as warranted by the traffic forecasts
- Right-of-way required from both sides



Project Cost Estimates



Project Phase	Cost (2017 \$)
Design	\$2,800,000
Right-of-Way (roadway & ponds)	\$27,309,000
Construction Engineering and Inspection	\$1,812,000
Construction	\$22,651,000
Total	\$54,572,000

Date: 11/15/2017 4:35:33 PM

FDOT Long Range Estimating System - Production R3: Project Details by Sequence Report

Letting Date: 01/2099

Project: 430136-1-22-01

Description: SR 514 (MALABAR RD) FROM BABCOCK ST TO US 1

District: 05 County: 70 BREVARD

Market Area: 08 Units: English

Contract Class: 1 Lump Sum Project: N

Design/Build: N Project Length: 3.700 MI

Project Manager: LFC-AKN

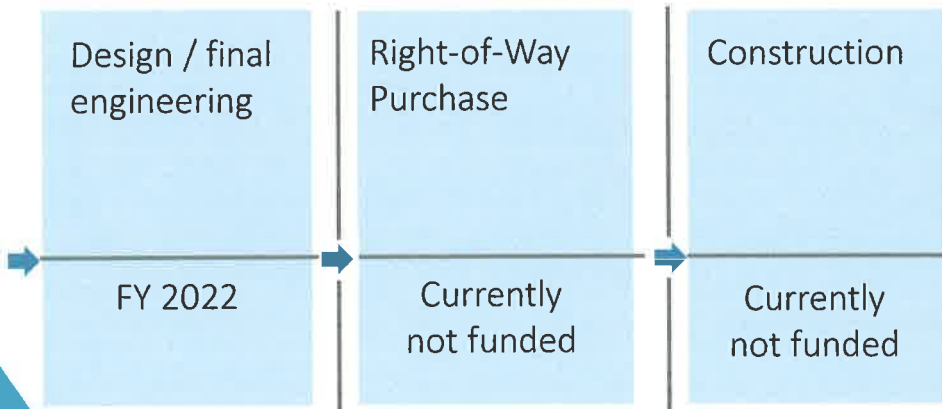
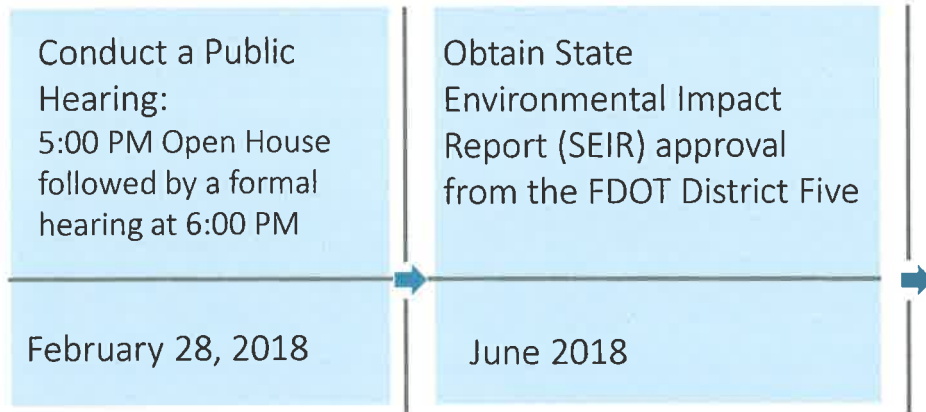
Version 5 Project Grand Total

Description: PD&E RECOMMENDED ALTERNATE SR 514 (MALABAR RD) FROM BABCOCK RD TO US 1
(by KNAKONBX on 11-15-2017)

\$22,650,921.74

Project Sequences Subtotal			\$18,766,406.79	
102-1	Maintenance of Traffic	10.00 %	\$1,876,640.68	
101-1	Mobilization	9.00 %	\$1,857,874.27	
Project Sequences Total			\$22,500,921.74	
Project Unknowns		0.00 %	\$0.00	
Design/Build		0.00 %	\$0.00	
Non-Bid Components:				
Pay Item	Description	Quantity	Unit Price	Extended Amount
999-25	INITIAL CONTINGENCY AMOUNT (DO NOT BID)	LS	\$150,000.00	\$150,000.00
Project Non-Bid Subtotal				\$150,000.00
Version 5 Project Grand Total				\$22,650,921.74

Schedule and Funding



The draft environmental and engineering reports will be available for review from February 7, 2018 through March 13, 2018 at the following locations:

1. Franklin T. DeGrodt Library, 6475 Minton Road SW, Palm Bay, FL 32908
2. Malabar Town Hall, 2725 Malabar Road, Malabar, FL 32950-4427
3. The study website:
www.sr514malabar.com

Interim Intersection Safety Project



Improve intersections of Malabar Road (SR 514) at Corey Road and Weber Road

- Funded for design, right-of-way and construction
- Design plans are 100% complete and right of way maps are near completion
- Project will let for construction on June 4, 2019

- FDOT Design Contact Person:

Name: Megan Owens

Tel: 386-943-5140

Email:

megan.owens@dot.state.fl.us

FDOT Project No. 413761-1-32-01



Malabar Road (SR 514) at Corey Road

Contact Us



Lorena Cucek, FCCM, cpm

Florida Department of Transportation
Planning & PD&E Project Manager

719 S Woodland Blvd.

Deland, FL 32720

Tel: 386-943-5392

[Email: Lorena.Cucek@dot.state.fl.us](mailto:Lorena.Cucek@dot.state.fl.us)

Vic Poteat, PE

Atkins

Project Manager

482 South Keller Road

Orlando, FL 32810

Tel: 407-806-4129

[Email: vic.poteat@atkinsglobal.com](mailto:vic.poteat@atkinsglobal.com)



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SR 514 (Malabar Road) Project Development & Environment (PD&E) Study

District Office
Steve Machin
District Five Secretary

719 South Woodland
Boulevard
Deland, Florida 32720
Tel: 386-943-5479
Fax: 386-740-2675

Additional Contacts
Stacy Darnoldy



Study Resources

- [About the Study](#)
- [Documents & Publications](#)
- [Email Updates](#)
- [FAQ](#)

Welcome

Welcome to the web site for the State Road 514 (Malabar Road) Project Development & Environment (PD&E) Study. The PD&E Study limits are from east of SR 507 (Babcock Street) to US 1, a distance of approximately 3.64 miles. The study will evaluate the feasibility of widening SR 514 (Malabar Road) from a two lane roadway to a four lane divided urban roadway and will include evaluation of improvements such as bicycle lanes and sidewalks. SR 514 (Malabar Road)

www.sr514malabar.com

Malabar Road (SR 514) Project Development & Environment (PD&E) Study From Babcock Street to U.S. 1 Brevard County, FL



Thank you

Financial Project ID No: 430136-1-22-01 Federal Aid Project No: N/A
ETDM Project No: 13026

TOWN OF MALABAR
Meeting Date: February 05, 2018

Fire Chief Foley Report



ing grnt of three Hurst Jaws of Life tools from Firehouse Subs Foundation
t over \$0,000.00



(L to R: Chief Foley, Firehouse Subs Store Mgr Miah Manik, Firehouse Subs Foundation Rep Mike Kelly,
Lt. Dan Barkley, who wrote the grant)



(ES Tool Specialist Tom Winkler, CM White)



(L to R: CM Ball, CM Mahoney, CM White, MES Tool Specialist Tom Winkler)



(L to R: Driver/Engineers Phang and Smith , FF Jordan Weymouth behind the three Hurst Rescue tools presented to the Malabar Fire Department 1/26/2018 on behalf of the Firehouse Subs Foundation Grant valued at over \$30,00.00)



(L to R: Driver/Eng Cristine Smith, FF Jordan Weymouth, Driver/Eng David Phang, Lt. Joseph Hooker, FF Brian Vail, Resident David Kello & MES Tool Specialist Tom Winkler in foreground)



TOWN OF MALABAR
Meeting Date: February 05, 2018

Town Administrator Doug Hoyt Report





TOWN OF MALABAR
Meeting Date: February 05, 2018

Town Clerk / Treasurer Debby Franklin Report

- **FallFest 2017 – 11/18/2017**
- **Celebration of Life – Richard Cameron**

TOWN OF MALABAR

MEMORANDUM

Date: January 29, 2018 2018-TC/T-011
To: Honorable Council, Mayor Reilly
From: Debby K. Franklin, C.M.C., Town Clerk/Treasurer
Ref: Accounting for Fallfest 2017

The Town did not hold a Springfest in 2017 but instead planned one to coincide with Fire Prevention Week in October. Due to the Hurricane and the extraordinary amount of rainfall that date was pushed out to November 18, 2017.

The Fallfest was a wonderful event that was enjoyed by everyone that attended and by all those who participated. We had a smaller turnout and fewer vendors partially due to the date changes and the hurricane, but it was a fun and festive day for the Town and the local community.

The total expenditures for the event were within budget amounting to \$4,615.39. The total revenues taken in for the day and in sponsor donations and booth rentals amounted to \$3,335.00.

Pony rides: 75 tickets = \$ 375.00
Train rides: 68 tickets = \$ 68.00
Bounce House tickets: = \$ 72.00
Soda/Water tickets: = \$ 187.00
Merchandise: = \$ 153.00
Total – day of event: = \$ 855.00

Pre-event Revenue:

T-shirt Sponsors – 4 each = \$ 500.00
Event Sponsors – 3 each = \$1,500.00
Booth Rentals – 10 each = \$ 380.00
Novelty Food – 2 each = \$ 100.00
Total pre-event = \$ 2,480.00

TOTAL: **\$ 3,335.00**

Town of Malabar
Account QuickReport
 October 1, 2017 through January 26, 2018

Type	Date	Num	Name	Memo	Split	Amount	
O Special Events							
001-574.4800 Springfest Expense							
Bill	10/23/2017		Gotta Go Green	FallFest	20000 · Accoun...	280.00	Port-a-lets
Bill	10/23/2017		BB&T Bank		20000 · Accoun...	252.43	Soda/water/supplies
Bill	11/15/2017		John Quinlivan	FallFest 2017	20000 · Accoun...	750.00	MC/Band
Bill	11/15/2017		Ed WindDancer	FallFest 2017	20000 · Accoun...	500.00	Amer Indian Pres
Bill	11/15/2017		James Brock	FallFest 2017	20000 · Accoun...	350.00	Clown/face paint
Bill	11/15/2017		Richard Whitworth	FallFest 2017	20000 · Accoun...	500.00	Pony rides
Bill	11/16/2017		Hannan, LLC	FallFest 2017 ...	20000 · Accoun...	855.00	Tent/tables/bounce house
Bill	11/16/2017		King Pary Rental	FAllFest 2017 ...	20000 · Accoun...	400.00	Train
Bill	11/28/2017		United Rentals	152232449	20000 · Accoun...	102.96	Line paint
Bill	12/04/2017		MN Worldwide	20304	20000 · Accoun...	625.00	T-shirts
Total 001-574.4800 Springfest Expense						4,615.39	
Total O Special Events						4,615.39	
TOTAL						4,615.39	

Official Proclamation
Town of Malabar,
Florida

Whereas, the Town Council of the Town of Malabar wish to express its deepest sympathy to the family of Richard E. Cameron, Sr. who died December 30, 2017; and

Whereas, the Town Council, Town Boards & Committees, Fire Department, Town Staff and Citizens of Malabar wish to offer our condolences to the family; and

Whereas, Richard Cameron moved to Brevard County in 1960 and started Cameron Brothers Plumbing in Palm Bay with his brother Danny, and soon after bought his homestead in Malabar on Hall Road where he farmed hay and raised cattle and horses; and

Whereas, the Town Council supported and recognized Richard E. Cameron, Sr., for his efforts in coordinating and leading the Volunteer Work of dozens to demolish, clear, clean, prep and develop the three acres at 1400 Marie Street into the Malabar Sand Hill Trailhead #1 with funding assistance through the Florida Trails and Greenways State Grant from the Florida Department of Environmental Protection in 2001; and

Whereas, The Town of Malabar recognized his many years of volunteer work to coordinate the development of the 100-acre conservation area at the north end of Corey Road that was later formally named the Richard E. Cameron Sr., and Volunteers Wilderness Preserve in his/their honor; and

Whereas, Richard Cameron had also served as a Volunteer Member on the Malabar Parks & Recreation Board at all times being completely prepared and conducting himself in the best interests of the Town; always ready to help move projects from ideas to reality; and

Whereas, Later, while serving on the Planning and Zoning Board, Richard Cameron always provided well-reasoned input to proposed new developments and zoning changes without prejudice or partiality; and

Whereas, Richard Cameron was always active in his community that he loved and ever ready to help his neighbor; and

NOW, THEREFORE, I, Patrick T. Reilly, Mayor of the Town of Malabar, Florida, on this 5th day of January, 2018 do recognize

Richard E. Cameron, Sr.

is many contributions and years of service to the Town and honor his memory.

Town of Malabar

Patrick T. Reilly

Mayor Patrick T. Reilly, Council Chair



TOWN OF MALABAR AGENDA ITEM REPORT

AGENDA ITEM NO: 2.
Meeting Date: February 05, 2018

Prepared By: Debby K. Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Approve State Acquisition of Fern Creek Crossing for SR514 Widening

BACKGROUND/HISTORY:

The FDOT Acquisition Team has been actively contacting property owners along SR514 to move forward on the intersection improvements at Corey Road and Weber Road.

The current item for Council action is the additional ROW the State needs at Corey Road, specifically the SW corner of the intersection, for a turn lane.

The Town acquired this parcel through the Florida Communities Trust Preservation 2000 Program in the 1990's. The State bought the land from a willing seller in the hopes to eventually create a greenway next to the Turkey Creek tributaries. No connecting parcels were ever bought and this 1.1-acre site has been maintained as conservation land since.

The acquisition team has proposed two offers:

- 1) To have Town relinquish 7' in order to provide for the turn lane.
- 2) To have Town relinquish the entire 1.1-acre site for the intersection improvements and the road widening project.

Staff recommends Council approve Option 2. Discussions with the personnel from FDOT and the Consultant, FDEP and SJRWMD regarding placement of a north bound culvert under SR514 aligned on the west side of Corey have been favorably received and would be a major component to the storm water drainage improvement plan for the central area of the Town.

The TA is prepared to speak to this item.

FINANCIAL IMPACT: None. Any funds from the FDOT acquisition of this parcel would go back to the funding agency that originally purchased the land – the FDEP.

ATTACHMENTS:

Memo from Town Administrator Doug Hoyt
FDOT Proposals – Option 1 and 2.
BCPAO data sheet
FDOT drawing

ACTION OPTIONS:

Staff is requesting Council Approve Option 2 and authorize the TA to negotiate to achieve the storm water drainage improvements as described.



Town of Malabar

2725 Malabar Road
Malabar, FL 32950
321.727.7764 (Office) 321.722.2234 (Fax)
www.townofmalabar.org

Monday, January 29, 2018

Mayor Reilly, Council Members

FDOT is in the property acquisition phase for the addition of turn lanes at the intersections of Corey Rd. and SR-514 (Malabar Rd.) and Weber Rd. and Sr-514. Part of this acquisition process involves the south west corner of Corey Rd. and Sr-514 known as Fern Creek Sanctuary. This property is part of the Preservation 2000 program from DEP. Funds from the acquisition process would be distributed to both the Town for the improvements made and to Florida State DEP for the real property.

The State's offer is for either of two possibilities. 1. Obtain a seven (7) foot strip for the turn lane project or, 2. Obtain the entire property, which I believe the State's preference and will be of greater benefit to the Town.

An alternate discussed with the acquisition team was the possibility of a large culvert installed under SR-514 to assist with stormwater removal from the Town. This in lieu of a cash settlement and I believe from a financial aspect the Town would benefit far more than the \$3,800.00 in cash that may be realized from a cash sale.

St Johns Water Management has been contacted for an opinion regarding the installing of such a culvert and water control structure. Their reaction was one of support for such a project.

A copy of the complete offer from FDOT is available at Town Hall.

Douglas C. Hoyt
Administrator
Town of Malabar

Enc:

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION
PURCHASE AGREEMENT

ITEM SEGMENT NO.: 4137611
 DISTRICT: 05-70180
 FEDERAL PROJECT NO.: N/A
 STATE ROAD NO.: 514
 COUNTY: Brevard
 PARCEL NO.: 110 whole take

Seller: TOWN OF MALABAR, an incorporated municipality within the State of Florida

Buyer: State of Florida, Department of Transportation

Buyer and Seller hereby agree that Seller shall sell and Buyer shall buy the following described property pursuant to the following terms and conditions:

I. Description of Property:

(a) Estate Being Purchased: Fee Simple Permanent Easement Temporary Easement Leasehold

(b) Real Property Described As: Parcel 110, Brevard County, Florida

(c) Personal Property: Parcel 110, Brevard County, Florida

(d) Outdoor Advertising Structure(s) Permit Number(s): _____

Buildings, Structures, Fixtures and Other Improvements Owned By Others: _____

These items are NOT included in this agreement. A separate offer is being, or has been, made for these items.

II. PURCHASE PRICE

(a) Real Property

Land
 Improvements
 Real Estate Damages
 (Severance/Cost-to-Cure)

1. \$ 2,900.00 36,558.00
 2. \$ 3,800.00 3,800.00
 3. \$ 6,500.00

Total Real Property

4. \$ 13,200.00 40,358.00

(b) Total Personal Property

5. \$ _____

(c) Fees and Costs

Attorney Fees
 Appraiser Fees

6. \$ _____
 7. \$ _____

 _____ Fee(s)

8. \$ _____

Total Fees and Costs

9. \$ 0.00

(d) Total Business Damages

10. \$ _____

(e) Total of Other Costs

11. \$ _____

List: _____

Total Purchase Price (Add Lines 4, 5, 9, 10 and 11)

\$ 13,200.00 40,358.00

Total Global Settlement Amount

(f) Portion of Total Purchase Price or Global Settlement Amount to be paid to Seller by Buyer at Closing \$ _____

(g) Portion of Total Purchase Price or Global Settlement Amount to be paid to Seller by Buyer upon surrender of possession or _____ \$ _____

Option 1
 Option 2

Partial whole



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

<https://www.bcpao.us>

Account	2922472
Owners	Malabar, Town Of
Mailing Address	2725 Malabar Road Malabar FL 32950
Site Address	1585 Malabar Rd Unit Park Malabar FL 32950
Parcel ID	29-37-02-00-72
Property Use	8080 - Municipally Owned Land - Vacant
Exemptions	EXMU - Municipally Owned Property
Taxing District	34Z0 - Malabar
Total Acres	1.12
Subdivision	N/A
Site Code	0381 - Malabar Rd (Sr514)
Plat Book/Page	N/A
Land Description	E 200 Ft Of N 1/4 Of Lot 32 Of Pb 1 Pg 165 Ex N 35 Ft & E 35 Ft As Des IN Orb 2267 Pg 1833

VALUE SUMMARY

Category	2017	2016	2015
Total Market Value	\$39,030	\$39,030	\$31,220
Agricultural Market Value	\$0	\$0	\$0
Assessed Value Non-School	\$37,770	\$34,340	\$31,220
Assessed Value School	\$39,030	\$39,030	\$31,220
Homestead Exemption	\$0	\$0	\$0
Additional Homestead	\$0	\$0	\$0
Other Exemptions	\$37,770	\$34,340	\$31,220
Taxable Value Non-School	\$0	\$0	\$0
Taxable Value School	\$0	\$0	\$0

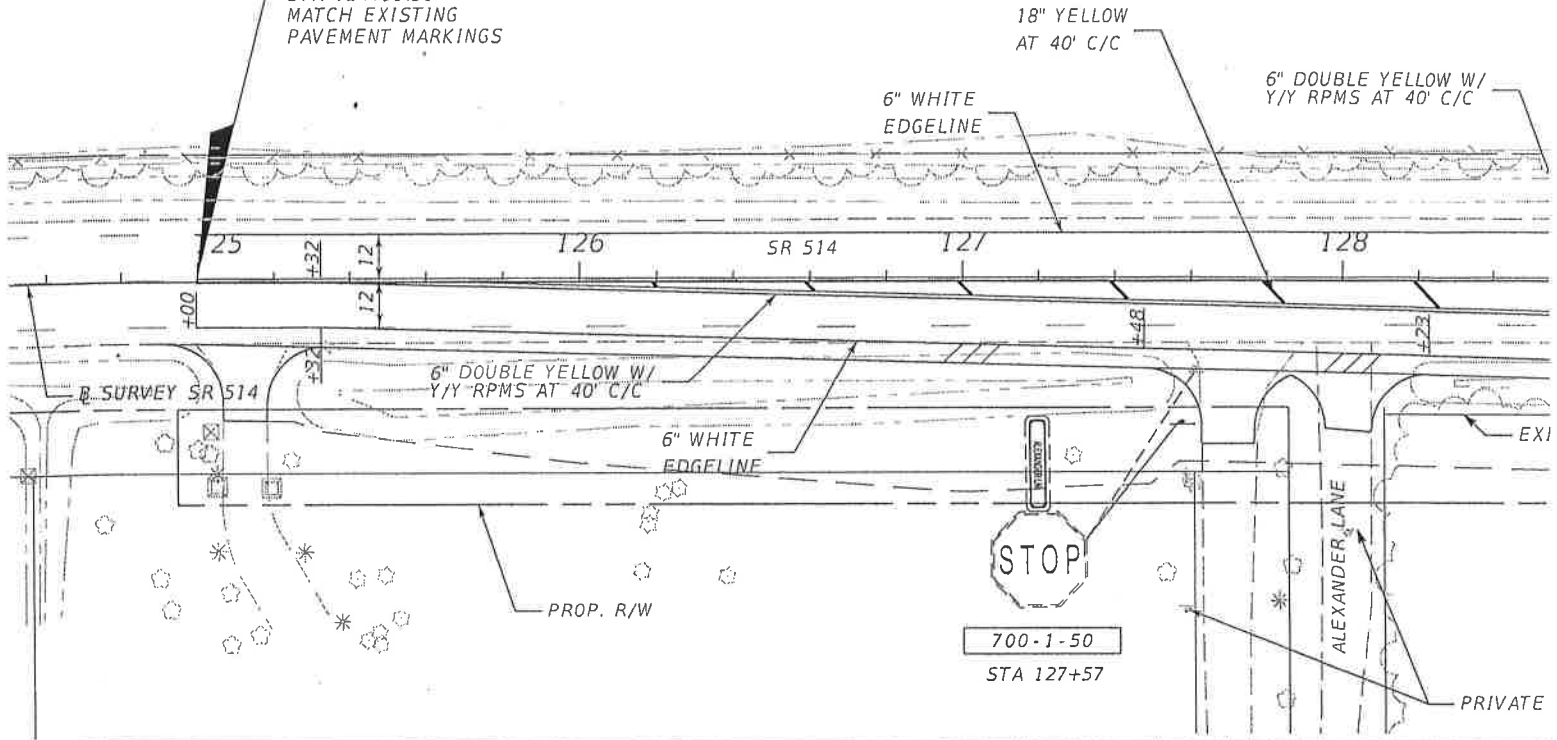
SALES/TRANSFERS

Date	Price	Type	Parcel	Deed
03/01/1999	\$31,000	07	Vacant	3982/3545
11/01/1983	\$22,500	WD	--	2465/2270
11/01/1980	\$10,000	--	--	2267/1833

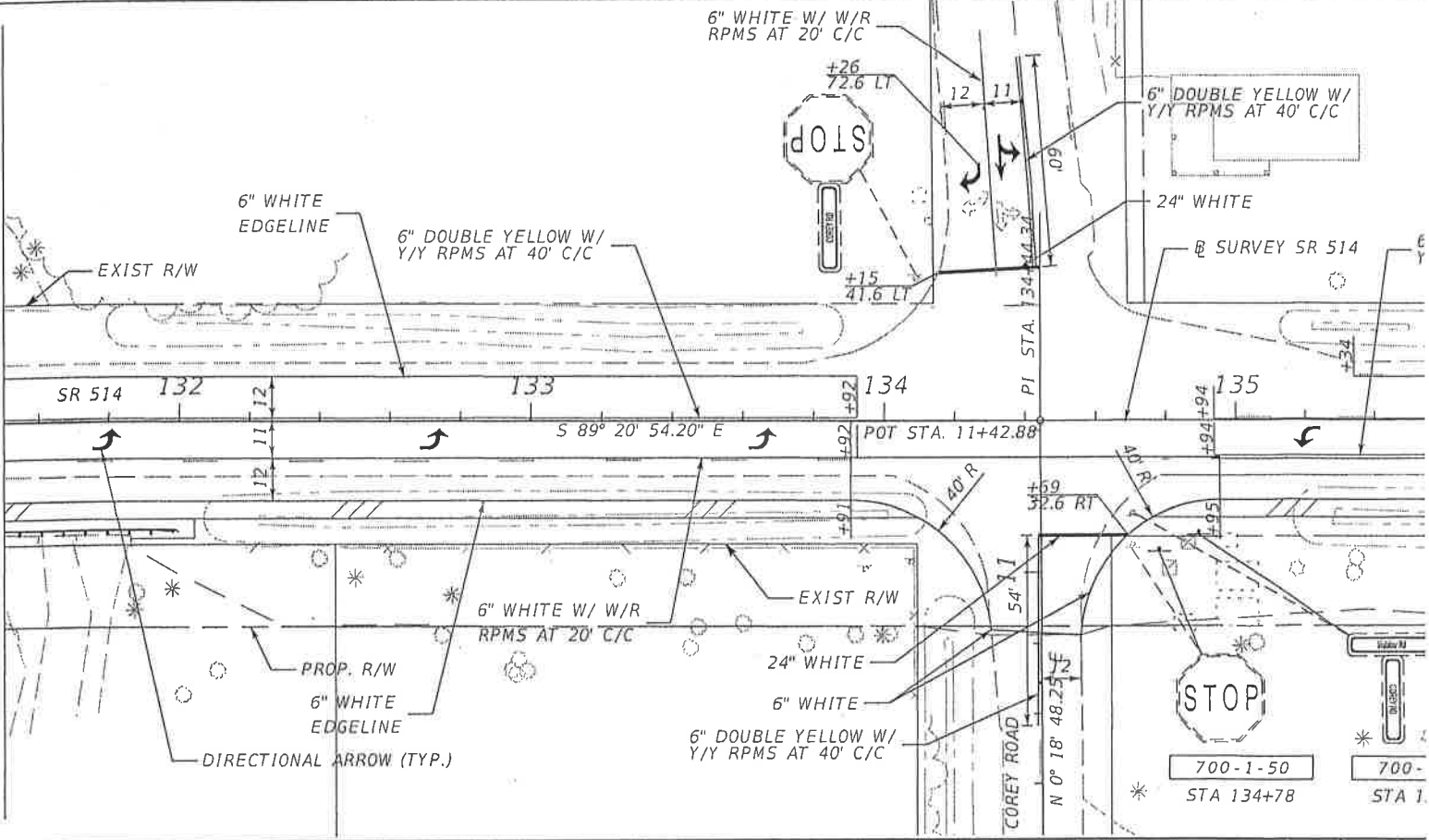
BUILDINGS

No Data Found

END EXCEPTION
 BEGIN SIGNING AND
 PAVEMENT MARKINGS
 STA 124+99.58
 MATCH EXISTING
 PAVEMENT MARKINGS



MATCHLINE STA. 131+50.00



REVISIONS	
NO.	DESCRIPTION

MOFFATT & NICHOL
 1025 GREENWOOD BLVD, STE 371
 LAKE MARY, FL 32746
 PHONE (407) 562-2030
 CERT. OF AUTH. NO. 4877

ENGINEER OF RECORD:
 JASON RILEY FLICK, P.E.
 FL REGISTRATION NO. 74741

700-1-50
 STA 134+78

700-1-50
 STA 131+50.00

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 3
Meeting Date: February 05, 2018

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Request from Property Owner to Change FLUM Designation

BACKGROUND/HISTORY:

Attached is a request from the agent for the property owner of 24+ acres on Malabar Road, just east of Weber Woods to change the designation on the proposed FLUM from OI (Office Institutional) to R/LC (Residential/Limited Commercial).

This designation stayed on the proposed FLUM until April 2017 when Council consensus was to only have the depth of commercial development 660'.

ATTACHMENTS:

Email from Bruce Moia, P.E., MBV Engineering
December 7, 2015 map showing change to R/LC for depth of entire parcel.
BCPAO data sheet and map showing parcel
August 25, 2017 map showing change to OI for dept of 660'

ACTION OPTIONS:

Staff recommends making the requested change.
During the FLUM update, the P&Z Board and Council position was to include the entire parcel when requested to avoid split land uses.

FW: Weber Woods

BTCM
2/5/18

Bruce M <brucem@mbveng.com>

Fri 1/26/2018 2:59 PM

To: Debby Franklin <townclerk@townofmalabar.org>;

2 attachments (766 KB)

Owner Authorization.pdf; Land Use Change.pdf;

Hi Debby,

Thanks for speaking with me on the phone yesterday. As I understand it, the Council may be finalizing the Comprehensive Plan amendment process at the March 2018 agenda meeting. I represent the owners of Tax Parcel 2963199 (Subject Property), see attached.

Back in Dec of 2015, I attended a Town Council meeting on the owner's behalf. We formally requested that the Subject Property be included in the R/LC land use, which it would abut per the proposed land use change map (also attached). They had no objection and I was under the impression that they directed staff to make the requested change in their final version. Now I understand that the Council approved something even different from the original change proposed and our request.

All that being said, we would like to formally request that the Subject Property be changed to the R/LC land use, in its entirety. The owner would expect to provide reasonably sufficient buffers as necessary from existing large lots.

Thank you for your consideration. Let me know if you have any questions.

Bruce A. Moia, P.E.

President, MBV Engineering, Inc.

[1250 W. Eau Gallie Blvd., Unit L, Melbourne, FL 32935](#)

P: 321.253.1510 C: 321.243.0583 F: 321.253.0911

BruceM@mbveng.com www.mbveng.comwww.linkedin.com/pub/bruce-moia/14/6a7/58a

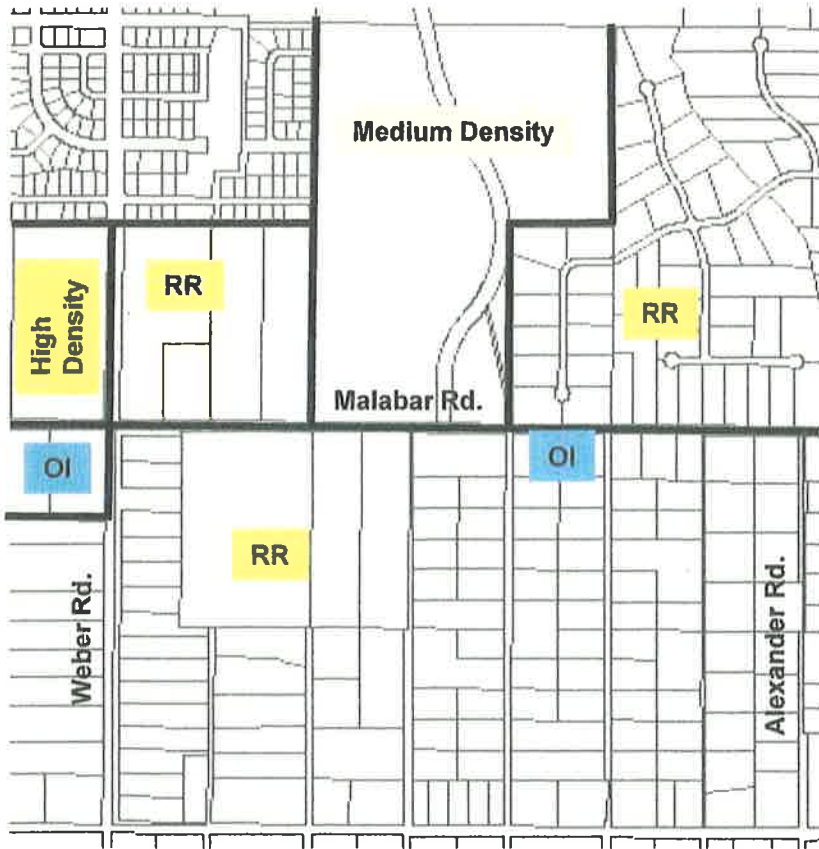
2017 Best Places to Work Award Recipient – CareerSource
2016 Small Business of the Year – IRC Chamber of Commerce
2013 Consultant of the Year – APWA

Also with offices in Vero : 772.569.0035 and Ft. Pierce: 772.468.9055

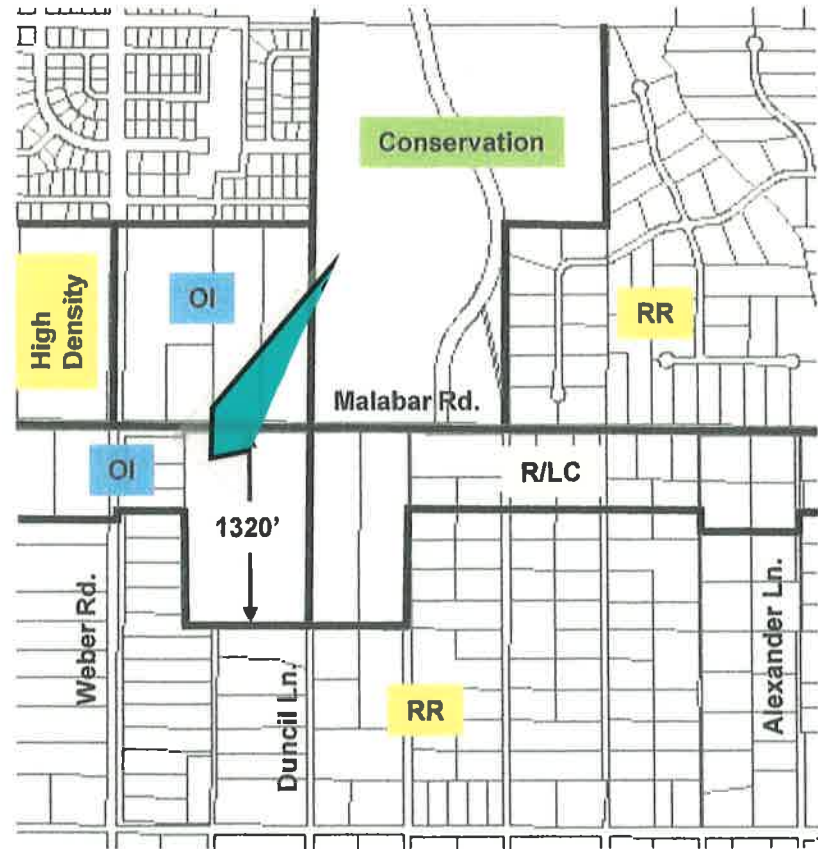


Land Use Along Malabar Rd. (Weber Rd. to Alexander Ln.)

Present Land Use



Proposed Land Use



December 7, 2015



Brevard County Property Appraiser

Titusville • Merritt Island • Viera • Melbourne • Palm Bay

PROPERTY DETAILS

Phone: (321) 264-6700

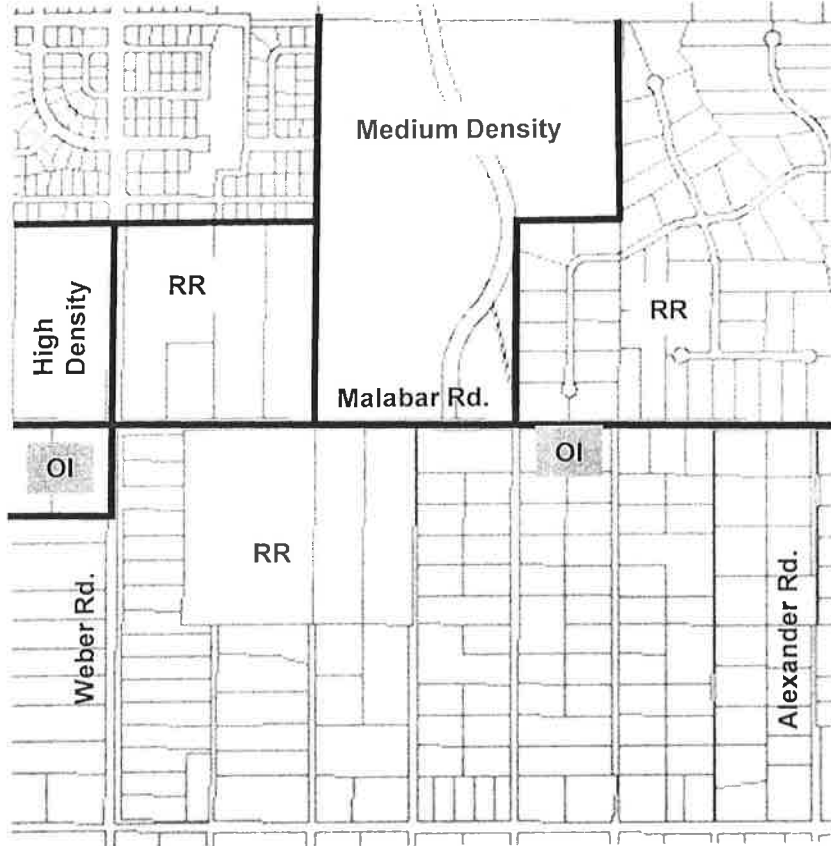
<https://www.bcpao.us>

Account	2963199
Owners	Weber Woods LLC
Mailing Address	516 Delannoy Ave Cocoa FL 32922
Site Address	Not Assigned
Parcel ID	29-37-02-00-253
Property Use	9909 - Vacant Residential Land (Single-Family, Unplatted)
Exemptions	None
Taxing District	34Z0 - Malabar
Total Acres	24.20
Subdivision	N/A
Site Code	0381 - Malabar Rd (Sr514)
Plat Book/Page	N/A
Land Description	Lot 26 & Part Of Lot 25 Of Pb 1 Pg 165 As Desc IN Orb 5447 Pg 7116

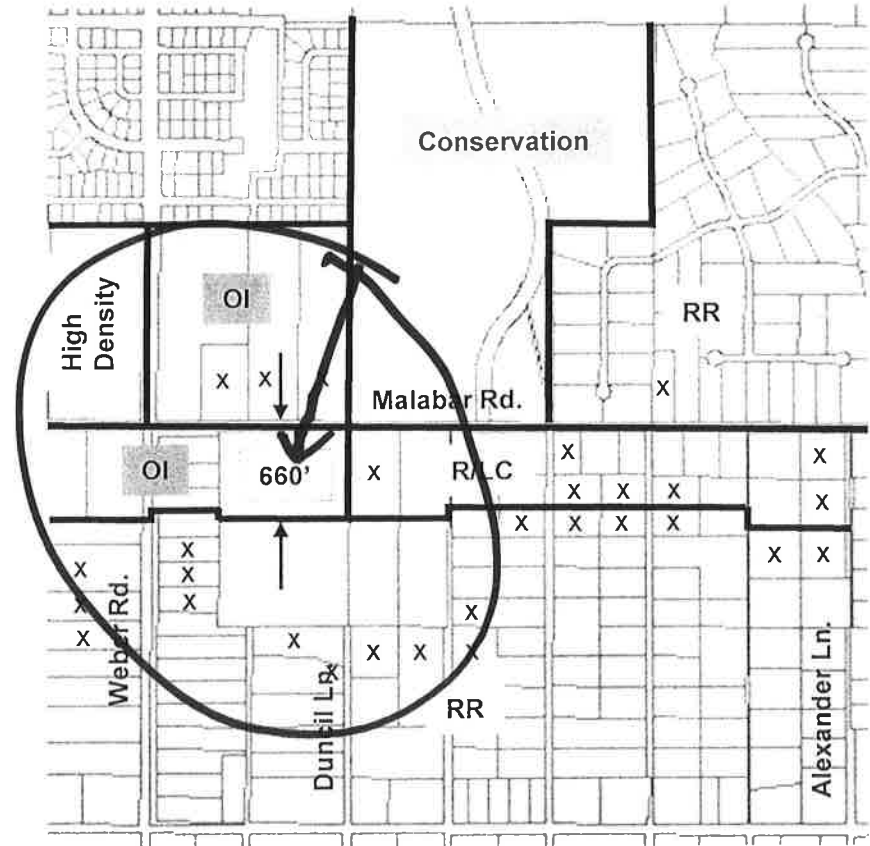


Land Use Along Malabar Rd. (Weber Rd. to Alexander Ln.)

Present Land Use



Proposed Land Use



X = Homes

August 25, 2017

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 4
Meeting Date: February 05, 2018

Prepared By: Debby Franklin, C.M.C., Town Clerk/Treasurer

SUBJECT: Appeal Requirement for NPDES Permit

BACKGROUND/HISTORY:

The Town Administrator will speak to this.

ATTACHMENTS: None

ACTION OPTIONS:

Support is requested