



**TOWN
OF
MALABAR**

AGENDA PACKET

September 11, 2017

Council Meeting
7:30 PM

**TOWN OF MALABAR
REGULAR TOWN COUNCIL MEETING
MONDAY, SEPTEMBER 11, 2017
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. ATTORNEY REPORT:**
- E. STAFF REPORTS: ADMINISTRATOR: CLERK: FIRE CHIEF:**
- F. 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.**
- G. PUBLIC HEARINGS/SPECIAL ORDERS: First Reading on Millage and Budget**
- 1. Adopt Millage (Ord 2017-10)**
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 2.0906 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH AND INCLUDING SEPTEMBER 30, 2018, PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.
Exhibit: Agenda Report No. 2
Recommendation: Adopt Ord 2017-10
- 2. Adopt Budget (Ord 2017-11)**
AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$1,879,053.00 FOR THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH AND INCLUDING SEPTEMBER 30, 2018; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.
Exhibit: Agenda Report No. 3
Recommendation: Adopt Ord 2017-11
- H. UNFINISHED BUSINESS/GENERAL ORDERS MAY INCLUDE ITEMS DIRECTLY RELATED TO RESIDENTS PRESENT AT MEETING (RECOMMENDATIONS FROM BOARDS, HOA REQUESTS, RESIDENT GRIEVANCES)**

ACTION ITEMS:

ORDINANCES FOR FIRST READING: 0

RESOLUTIONS: 1

3. Resolution 15-2017

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, SUPPORTING A REQUEST FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO SUPPORT A CONCEPT FOR THE WIDENING OF SR 514,

MALABAR ROAD FROM THE WESTERN BOUNDARIES OF THE TOWN TO U.S. HIGHWAY 1 (SR 5) IN THE TOWN OF MALABAR AND TO PROVIDE ONGOING MAINTENANCE OF THE MULTI-USE TRAIL INCLUDED IN THE RECOMMENDED ALTERNATIVE FROM MALABAR WOODS BOULEVARD TO MARIE STREET; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5

Recommendation: Adopt Reso 15-2017

MISCELLANEOUS: 2

4. Qualifying Candidates for Election:

Exhibit: Agenda Report No. 4

Recommendation: Request Action

5. Authorization to Proceed with Paving of Eva Lane:

Exhibit: Agenda Report No. 5

Recommendation: Request Action

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

I. DISCUSSION/POSSIBLE ACTION:

J. PUBLIC COMMENTS: General Items (Speaker Card Required)

K. REPORTS – MAYOR AND COUNCIL MEMBERS

L. ANNOUNCEMENTS:

- (2) Vacancies on the Board of Adjustment;
- (3) Vacancies on the Park and Recreation Board;
- (1) Vacancy on the Planning & Zoning Board

M. 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 insure 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: September 11, 2017

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

SUBJECT: Setting Millage for Fiscal Year 2017 / 2018 (Ord 2017-10)

BACKGROUND/HISTORY:

The Florida Statutes lay out 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 2017/2018 proposed millage rate of 2.0906 to levy on property values
2. State this is an increase of 10.00% over the rolled back rate of 1.9005
3. The final millage rate of 2.0906 is to fund the expenses commencing October 1, 2017 and ending September 30, 2018.

Malabar Council held three Budget Workshops in preparing this budget. Council stated that the focus for the upcoming fiscal year is to improve streets and roads with ad valorem taxes and stormwater and drainage improvements with the non advalorum fees.

FINANCIAL IMPACT:

Council directed the millage be set at 2.0906.

ATTACHMENTS:

- Ord. No. 2017-10

ACTION OPTIONS:

Approve Ord 2017-10 for 1st reading.

ORDINANCE 2017-10

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 2.0906 FOR THE LEVY OF AD VALOREM TAX WITHIN THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH AND INCLUDING SEPTEMBER 30, 2018, PROVIDING FOR REPEAL 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;

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 adopted the millage rate of 2.0906, to be levied for the General Fund upon all real and tangible personal property located within the boundaries of the above named taxing authority.

SECTION 2. The final levy of 2.0906 mills will result in a 10.00% increase to the rolled back rate of 1.9005.

SECTION 3. This final millage rate of 2.0906 is to fund the expenses for the fiscal year commencing October 1, 2017 and ending September 30, 2018.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 6. This ordinance shall become effective immediately upon its adoption after the second public hearing.

This ordinance was moved for adoption by Council Member _____ and was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Council Member Grant Ball	_____
Council Member Laura Mahoney	_____
Council Member Steve Rivet	_____
Council Member Dick Korn	_____
Council Member Richard Kohler	_____

This ordinance was then declared duly passed and adopted this _____th day of September, 2017.

By: _____
Mayor Patrick T. Reilly, Council Chair

ATTEST:

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

(seal)

First Reading: 09/11/17 Vote to .
Second Reading: 09/25/16

TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 2

Meeting Date: September 11, 2017

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

SUBJECT: Budget Approval for Fiscal Year 2017 / 2018 – Ord 2017-11

BACKGROUND/HISTORY:

Council consensus during the budget workshop process was to:

- Commit additional funds to make some significant road improvements.
- Commit additional funds to make significant drainage improvements
- Encourage Commercial development on the arterial roads
- Continue to Fund to properly maintain the Fire Dept and purchase a new fire truck
- Provide pay increase as noted in the budget
- Provide Additional funds to improved maintenance at the Malabar Community Park
- Continue to Develop Long Range Plans for Funding Capital Improvements

FINANCIAL IMPACT:

As stated in attached budget documents

ATTACHMENTS:

- Ord No. 2017-11 setting FY 2017/2018 Budget

ACTION OPTIONS:

Adoption of Ord 2017-11 setting Budget for FY 2017/2018.

ORDINANCE 2017-11

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET OF \$1,879,053.00 FOR THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2017 THROUGH AND INCLUDING SEPTEMBER 30, 2018; PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Malabar has compiled a budget for the period from October 1, 2017 through and including September 30, 2018; and accordance with the laws of the State of Florida;

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 final Budget of \$1,625,193.00 for the proposed expenditures commencing on October 1, 2017 through and including September 30, 2018, reflecting the general operating millage rate of 2.0906 mills in addition to the \$253,860.00 in approved expenditures for Stormwater projects funded through non-ad valorem fees.

SECTION 2. This budget may be adjusted during the year if necessary, by resolution.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. In the event a court of competent jurisdiction shall hold or determine that any part of this ordinance is invalid or unconstitutional, the remainder shall not be affected and it shall be presumed that the Town Council of the Town of Malabar did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the Town Council would have enacted the remainder of this ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 5. This ordinance shall become effective on October 1, 2017 upon its adoption after the second reading and public hearing.

This ordinance was moved for adoption by Council Member _____ and was seconded by Council Member _____ and, upon being put to a vote, the vote was as follows:

Council Member Grant Ball	_____
Council Member Laura Mahoney	_____
Council Member Steve Rivet	_____
Council Member Dick Korn	_____
Council Member Richard Kohler	_____

This ordinance was then declared to be duly passed and adopted this ____ day of September, 2017.

TOWN OF MALABAR

Mayor Patrick T. Reilly, Council Chair

First Reading: 09/11/2017 Vote to _____

Second Reading: 09/25/2017

ATTEST: (Seal)

Debby K. Franklin, CMC, Town Clerk/Treasurer



Draft Budget 17/18

Workshop #3 on 8/29/2017

ACCT NO.	ACCOUNT DESCRIPTION	BUDGET FY 15/16	FYTD 9/19/2016	BUDGET FY 16/17	FYTD FY 16/17	Proposed FY 17/18	Workshop FY 17/18
	Funding Sources					2.0906	
31	TAXES	852,884	873,864	876,926	834,873	932,868	0
32	PERMITS, FEES, & SPECIAL ASSESSMENTS	321,925	315,479	323,600	279,239	340,600	0
33	INTERGOVERNMENTAL REVENUE	238,644	234,769	237,788	199,776	262,681	0
34	CHARGES FOR SERVICES	37,260	31,926	29,644	27,586	40,394	0
35	FINES AND FORFEITURES	200	179	150	86	150	0
36	MISCELLANEOUS	86,600	109,230	80,400	86,970	128,827	0
38	OTHER SOURCES	25,000	25,547	15,000	81,536	25,000	0
	TOTAL REVENUE	1,562,513	1,590,994	1,563,508	1,510,066	1,730,520	0
38 Cont.	USE OF RESERVED FUNDING	91,042	28,548	0	0	148,533	0
	TOTAL FUNDING	1,653,555	1,619,542	1,563,508	1,510,066	1,879,053	0

ACCT NO.	ACCOUNT DESCRIPTION	BUDGET FY 15/16	FYTD 9/19/2016	BUDGET FY 16/17	FYTD FY 16/17	Proposed FY 17/18	Workshop FY 17/18
	EXPENDITURES	BUDGET FY15/16	FYTD	BUDGET FY16/17	FYTD FY16/17	Proposed FY 17/18	Workshop FY 17/18
						2,0906	
511	LEGISLATIVE	13,079	11,016	26,061	12,508	13,500	0
512	EXECUTIVE	82,121	60,010	64,618	50,812	59,618	0
513	FINANCE & ADMINISTRATIVE	176,110	181,951	189,442	156,671	220,028	0
514	LEGAL	31,500	28,739	30,306	32,574	40,000	0
515	COMPREHENSIVE PLANNING	500	0	5,000	60	11,000	0
519	GENERAL GOVERNMENT	81,174	101,636	72,320	67,164	98,700	0
522	FIRE CONTROL	464,151	455,391	488,324	399,322	582,818	0
524	PROTECTIVE INSPECTIONS	88,586	79,621	75,113	66,388	88,111	0
525	DISASTER RELIEF	0	0	0	11,825	0	0
538	FLOOD CONTROL/SW MANAGEMENT	252,078	89,324	70,000	29,135	253,860	0
541	STREETS AND ROADS	437,011	342,511	455,974	271,888	438,007	0
572	PARKS AND RECREATION	20,745	107,278	79,850	44,649	68,411	0
574	SPECIAL EVENTS	6,500	4,438	6,500	0	5,000	0
	TOTAL EXPENDITURES	(1,653,555)	(1,461,914)	(1,563,508)	(1,142,996)	(1,879,053)	0

GENERAL FUND FUNDING SOURCES								
population per State for formulas - 2,817								
ACCT	ACCOUNT DESCRIPTION	BUDGET FY 15/16	FYTD 9/16	Final BUDGET FY 16/17	FYTD 8/1/17	Proposed FY 17/18	Workshop	Notes FY 17/18
31	TAXES							based on DR420 - GTV of 227,832,918 95% of 476307
311.1000	Ad Valorem Taxes 2.0906%	366,400	374,427	385,487	411,618	452,492		
312.4000	Local Option Gas Tax	97,214	104,623	110,365	93,371	98,376		Est. from County
314.1000	Utility Tax - Electricity	260,000	270,914	260,000	225,395	260,000		based on prior receipts
314.4000	Utility Tax - Gas	11,000	8,445	9,500	8,256	10,000		based on prior receipts
315.1000	Communications Services Tax	98,270	94,392	89,574	75,513	90,000		Est. from State
316.1000	Business Tax Receipts - Malabar	20,000	21,063	22,000	20,720	22,000		Local Business
	TOTAL TAXES	852,884	873,864	876,926	834,873	932,868		
32	PERMITS,FEES,& SPECIAL ASSESS							
322.1000	Building Permits	81,000	77,226	81,000	95,611	81,000		This Funds Dept 524
323.1000	Electric - Franchise	197,000	198,346	200,000	161,637	210,000		30 yr contract
323.4000	Water - Franchise Fee	5,000	4,992	5,000	4,765	6,000		Contract
324.1200	TIFT Commercial	0	0	0	0	6,000		Transportation Impact fee Commercial Dev
323.7000	Solid Waste Franchise	35,000	33,490	36,000	17,226	36,000		7 yr contract - paid qtrly
329.1000	OPSA - Land Use Related	3,925	1,425	1,600	0	1,600		Land Uses Incl.
	TOTAL PERMITS, FEES, & SPECIAL ASSESS	321,925	315,479	323,600	279,239	340,600		
33	INTERGOVERNMENTAL REVENUE							
335.1200	State Revenue Sharing	71,265	71,460	72,000	57,871	78,164		Est. from State
335.1400	State Mobile Home Tax	2,100	1,946	2,100	2,138	2,100		Based on past receipts
335.1500	Alcoholic Beverage Licenses	1,600	1,608	1,600	1,594	1,600		Based on past receipts
335.1800	Local Gov't Half Cent Sales Tax	156,599	151,935	154,000	137,032	172,557		Est. from State
335.4900	Other General Government - Traffic Signal Maintenance	6,080	6,688	6,888	0	7,060		Annual (July) Reimbursement from FDOT
338.2000	Business Tax Receipts Brevard Ct	1,000	1,132	1,200	1,141	1,200		From Brevard Cty BTR receipts
	TOTAL INTERGOVERNMENTAL REVENUE	238,644	234,769	237,788	199,776	262,681		
34	CHARGES FOR SERVICES							
349.2000	Cell Tower Lease	18,960	21,009	19,044	19,670	26,244		Per Lease 1587 + 600 monthly
349.5000	Special Event Revenue	7,800	6,692	6,500	1,136	5,000		
349.7000	Fire Dept Training Fees - others	8,000	680	1,000	4,000	6,000		training outsiders

GENERAL FUND FUNDING SOURCES								
population per State for formulas - 2,817								
ACCT	ACCOUNT DESCRIPTION	BUDGET FY 15/16	FYTD 9/16	Final BUDGET FY 16/17	FYTD 8/1/17	Proposed FY 17/18	Workshop	Notes FY 17/18
349.7010	FF Vol Background Check	400	910	500	480	500		
349.8010	Golf Cart Registration Fee	200	100	100	200	150		1-time cost
349-9000	Lien Searches	1,900	2,535	2,500	2,100	2,500		based on prior receipts
TOTAL CHARGES FOR SERVICES		37,260	31,926	29,644	27,586	40,394		
35	FINES & FORFEITURES							
351.5000	Fines & Forfeitures	200	179	150	86	150		
TOTAL FINES & FORFEITURES		200	179	150	86	150		
36	MISCELLANEOUS REVENUES							
361.1000	Interest	300	985	100	1,070	2,500		
363.1000	SW Assessment	72,000	67,501	70,000	69,080	105,327		based on \$52/ERU
363.2300	TIFT Received	0	28,247	0	0	0		
365.1000	Sale of Surplus Materials	1,000	0	1,000	8,913	10,000		
366.1000	Donations FD	7,000	9,822	6,000	5,530	7,000		
369.3000	Insurance Refund	6,000	2,429	3,000	1,903	3,500		
369.9000	Miscellaneous Revenues	300	246	300	474	500		
TOTAL MISCELLANEOUS REVENUE		86,600	109,230	80,400	86,970	128,827		
38	OTHER SOURCES							
389.2000	General Grant Revenue	0	0	0	0	0		future grant applications
389.3000	VFA State Grant	20,000	25,547	10,000	8,036	20,000		FD 50/50 match from VFA
389.4000	Safety Grants	5,000	0	5,000	0	5,000		100% pd by FMIT
389.5000	DEP Grant	0	0	0	73,500	0		
TOTAL OTHER SOURCES		25,000	25,547	15,000	81,536	25,000		
38 Cont.	USE OF RESERVED FUNDING							
389.9540	Use of SW Reserved Funding	91,042	28,548	0	0	148,533		Slope Mower/ CIP funding
TOTAL OTHER SOURCES		91,042	28,548	0	0	148,533		
TOTAL FUNDING		1,653,755	1,619,721	1,563,658	1,510,152	1,879,203		

511 - LEGISLATIVE								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Notes	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Operating Expenses							
511.3400	Contractual Services -	3,005	373	10,400	1,628	2,000		Municode, Recording
511.4000	Travel & Per Diem - Mayor	210	1,725	1,671	610	1,500		
511.4010	Travel & Per Diem - Council	1,290	4,060	4,639	2,237	2,500		
511.4100	Printing, Postage, PR	5,500	2,928	5,500	5,160	5,000		
511.4900	Discretionary Projects	0	0	0	0	0		
511.4910	District 1 - Discretionary Projec	0	0	0	0	0		
511.4920	District 2 - Discretionary Projec	0	0	0	0	0		
511.4930	District 3 - Discretionary Projec	0	0	0	0	0		
511.4940	District 4 - Discretionary Projec	0	0	0	0	0		
511.4950	District 5 - Discretionary Projec	0	0	0	0	0		
511.5200	Operating Supplies	2,774	1,630	2,551	2,278	2,500		FLC, SCLC, Civ-Mil, League of Mayors
	Total Operating Expenses	12,779	10,716	24,761	11,913	13,500		
	Capital Outlay							
511.6300	Capital Improvements	0	0	0	0	0		Budget for CIP
511.6400	Machinery & Equipment	300	300	1,300	595	0		Chairs
	Total Capital Outlay	300	300	1,300	595	0		
	TOTAL LEGISLATIVE	13,079	11,016	26,061	12,508	13,500		

512 - EXECUTIVE

ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Personnel Services							
512.1300	Town Administrator no FRS	62,000	51,403	55,000	45,904	55,000		
512.1000	Administrator	0	0	0	0	0	85,000	avg cost of TA
512.1600	Retiree Payout	0	0	0	0	0	30,000	
512.2100	FICA Taxes	4,743	3,932	4,208	3,350	4208	6,503	
512.2200	Retirement Contribution - FR	4,650	0	0	0	0	19,304	
512.2300	Health & Dental Insurance	4,171	10	0	0	0	8,084	
	Life Insurance						428	
512.2400	Workers Compensation	410	308	410	205	410	450	
512.2500	Unemployment Compensation	0	0	0	0	0	0	
	Total Personnel Services	75,974	55,653	59,618	49,459	59,618	149,769	
	Operating Expenses							
512.4000	Travel & Per Diem Car Allow	6,147	4,357	3,000	303	0	12,000	Exp reimbursements
	Total Operating Expenses	6,147	4,357	3,000	303	0	12,000	
	Capital Outlay							
512.6400	Machinery & Equipment	0	0	2,000	1,050	0	0	
	Total Capital Outlay	0	0	2,000	1,050	0	0	
	TOTAL EXECUTIVE	82,121	60,010	64,618	50,812	59,618		161,769

513 - FINANCE & ADMINISTRATION

ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Personnel Services							
513.1100	Clerk/Treasurer	55,742	59,504	57,000	47,577	58,710		3 percent
513.1200	Clerk/Treasurer, Deputy	22,055	20,181	35,360	28,875	38,896		10 percent
513.1300	Reception/Clerical Asst to Clerk	10,000	9,985	15,210	12,851	15,666		3 percent
513.1400	Overtime	1,800	781	1,500	335	1,000		
513.2100	FICA Taxes	6,809	7,166	8,133	6,210	7,467		
513.2200	Retirement Contribution - FRS	8,000	14,053	14,638	11,581	22,166		
513.2300	Health & Dental Insurance	11,829	7,437	15,461	14,561	16,167		
	Life Insurance					856		
513.2400	Workers Compensation	820	713	1,640	718	1,400		
-	Historical Expenses	28,000	27,155	0	0	0		
	Total Personnel Services	145,055	146,975	148,942	122,708	162,328		
	Operating Expense							
513.3100	Election Expenses	2,000	1,988	1,500	633	4,500		3 precincts and referenfum
513.3210	Auditing	23,000	25,000	27,000	25,154	33,000		
513.4000	Travel & Per Diem	1,000	1,816	5,000	3,035	5,000		
513.4900	Charges & Obligations	2,000	1,959	2,000	2,926	2,000		
513.4920	Contingency	0	0	0	0	0		
513.5200	Operating Supplies	2,355	2,223	3,000	215	1,200		
-	Historical Expenses	0	1,650	0	0			
	Total Operating Expenses	30,355	34,636	38,500	31,963	45,700		
	Capital Outlay							
513.6400	Machinery & Equipment	700	340	2,000	2,000	12,000		Server solution, IT equip
	Total Capital Outlay	700	340	2,000	2,000	12,000		
	TOTAL FINANCE & ADMIN.	176,110	181,951	189,442	156,671	220,028		

514 - LEGAL

ACCT NO.	ACCOUNT DESCRIPTION	BUDGET FY 15/16	FYTD 9/16	Final BUDGET FY 16/17	FYTD 8/1/17	Proposed FY 17/18	Workshop	Notes FY 17/18
	Operating Expenses							Points of interest: Painted Acres, FD Union, employee handbook
514.3100	Professional Services	31,500	28,739	30,306	32,574	40,000		
	TOTAL LEGAL	31,500	28,739	30,306	32,574	40,000		

515 - COMPREHENSIVE PLANNING								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Operating Expenses							
515.3100	Professional Services	500	0	5,000	60	11,000		7 yr Comp Plan required
	TOTAL COMP PLANNING	500	0	5,000	60	11,000		

519 - GENERAL GOVERNMENT

ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final	FYTD	Proposed	Workshop	Notes
NO.		FY15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Operating Expenses							
519.3100	Contractual Serv: Engineer	2,000	2,593	2000	1200	2500		Misc needs throughout the year
519.3120	Contractual Serv: Surveyor	500	500	1100	750	1200		Misc needs throughout the year
519.3400	Contractual Serv: Pest Control	836	456	500	1453	2000		pd monthly for TH & PW
519.3420	Contractual Serv: IT /Web	7,000	7,000	7000	5280	10000		IT service support as needed and website
519.3460	Contractual Serv: Cleaning	3,120	3,180	3120	2240	3200		Cleaning TH, PW, BD
519.4100	Comm & Freight - Tele/ISP	6,200	6,639	5500	5306	6000		hosted TH phone services, ISP, cell phones
519.4300	Utilities - Electric	3,000	3,467	3100	3435	4200		Elec for TH, PW, lighted sign
519.4400	Rentals & Leases	2,800	3,713	4000	3348	4600		copier, postage machine
519.4500	Insurance - Property Liability	47,218	60,276	35900	33662	50000		property, liability & auto ins, exec travel,
519.4600	Repair & Maintenance	5,000	7,344	6000	5800	6500		normal and scheduled main and repair
519.4900	Other Current Chrgs & Oblig	1,300	1,561	1000	837	1500		bank fees, recording fees, FRS fees
519.4920	Contingency	0	0	0	0	3000		good budgeting practice to have \$ here
519.5200	Operating Supplies	2,200	4,907	3100	3853	4000		chlorine, water, salt, daytime coffee
	Total Operating Expenses	81,174	101,636	72,320	67,164	98,700		
	Capital Outlay							
519.6200	Building Improvements	0	0	0	0	0	15000.00	TH high impact windows /reroof
519.6400	Machinery & Equipment	0	0	0	0	0		
	Total Capital Outlay	0	0	0	0	0		
	TOTAL GENERAL GOVERNMENT	81,174	101,636	72,320	67,164	98,700		

522 - FIRE CONTROL								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Staff Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		
	Personnel Services							
522.1100	Executive - Fire Chief	25,000	26,019	41,814	26,319	41,814		Salary approved 1/9/17 for 3 yrs
522.1200	Reg Salaries - Lt - 4 each	129,565	127,686	147,025	109,071	118,702		3% inc FTE Lt (13.44/hr x 2208) = 29675.52 x 4 = 118,702
	Regular Salary - Admin Asst					17,273		3% 1 PTE (1560 hr @ 11.07) = 17,273 (Blanca)
522.1212	PT FF -	0	43,561	49,920	44,081	51,917		3% 4 PTE FF (10.40 x1248) = 12,979.20 x 4 = 50,917
522.1300	Holiday	1,210	4,994	5,000	4,888	7,500		based on prior expenses
522.1400	Overtime	1,600	3,450	3,000	6,246	7,500		based on prior expenses
522.1500	Pay Per Call vol FF	17,000	24,980	17,000	15,426	20,000		PPC FD volunteers
522.2100	FICA taxes	13,312	15,137	17,155	13,692	17,573		PTE & FTE at 10/1/17 rates = \$229,706
522.2200	FRS- Town's portion	29,649	40,612	47,711	37,525	50,802		Chief, Part-time, Full-time,
522.2300	Health & Dental Insurance	28,000	18,212	28,000	31,305	48,809		FTE Health, dental
	ST,LT,ADD,Life					3,850		100.00%
522.2400	Workers Compensation	5,160	9,181	11,523	8,642	11,000		Based on insurance renewal audit.
	Total Personnel Services	250,496	313,832	368,148	297,195	396,740		
	Operating Expenses							
522.3100	Physicals for paid FF	2,000	1,889	3,500	1,273	3,000		50 per drug test & 100 for phys
522.3400	Pest Control	260	524	260	1,400	2,400		\$200 x 12 mo
522.3420	IT, Cloud, Related	5,500	2,892	5,500	3,579	7,500		MSO 365 & maintenace & firewall
522.3440	Training for MVFD members	7,000	5,126	6,000	3,642	5,000		MVFD personnel
522.3460	Fire Academy Training	2,500	0	2,500	0	1,500		MFD performing training to others (349.7000)
522.3470	ILA for 800 Mhz Sys	3,450	3,538	3,700	3,595	3,800		ILA MFD portion for Cty Backbone
522.3490	ILA 911 County Dispatch	9,500	9,500	9,500	9,500	9,500		ILA annual payment w/ County
522.4000	Travel & Per Diem	400	136	400	35	600		outside training
522.4100	Com & Freight-Telephone	3,410	3,879	3,410	5,236	6,000		phone and mailings
522.4300	Utilities - Electric	6,000	6,130	6,000	6,026	7,600		FD & Annex
522.4400	Rentals & Leases	3,250	3,618	3,250	2,606	3,600		Ice Mach, copier
522.4600	Repairs & Maintenance	29,058	25,777	24,279	24,124	25,000		bldg & vehicles
522.4615	Expenditures from Donations	3,800	451	800	2,326	3,000		see revenue 366.1000 for donations
522.4620	Repairs & Maint - Gear/Radio	2,500	407	1,500	119	5,000		2 new radios and maintenane on others
522.4800	Promotional Activities	500	479	500	0	500		coloring books, hats crayons, pancake b-fast exp
522.4900	Other Chg & Obligations	450	562	0	0	0		

522 - FIRE CONTROL								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Staff Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		
522.4920	Contingency	0	0	0	0	100		
522.5100	Office Supplies	500	638	500	625	700		pens, copy paper, etc.
522.5110	Fire Academy Supplies	800	0	300	0	200		
522.5200	Operating Supplies - Fuel	7,000	5,644	7,000	5,917	7,500		
522.5210	Operating Expenses	20,000	12,227	13,500	9,934	12,000		
522.5400	Books, Pub, Subscrip, Membership	2,084	2,580	2,084	2,989	3,100		
-	Historical Expenses	70,000	0	0	0	0		
	Total Operating Expenses	179,962	85,997	94,483	82,926	107,600		
	Capital Outlay							
522.6200	Buildings	0	0	0	0	0		CIP Improvements
522.6300	Lease Purchase - Engine 99	0	0	0	0	49,978		10 year agreement first payment October 2017
522.6400	Machinery & Equipment	13,693	22,262	5,693	3,128	8,500		
522.8300	Grants	20,000	33,300	20,000	16,073	20,000		50% reimbursed VFA grant
	Total Capital Outlay	33,693	55,562	25,693	19,201	78,478		
	TOTAL FIRE CONTROL	464,151	455,391	488,324	399,322	582,818		

524 - PROTECTIVE INSPECTIONS								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Personnel Services							
524.1100	Executive - Building Official - P/T	4,059	6,154	0	0	0	33,280	PTE (32 per hr x 1040 = 33280)
524.1200	AABO Regular Salaries	32,944	35,266	34,900	29,122	35,947		FTE 3% inc
524.1400	Overtime	3,000	2,601	3,000	1,573	2,700		
524.2100	FICA Taxes	4,482	3,030	2,520	2,077	2,750		
524.2200	Retirement Contribution - FRS	4,257	2,671	2,477	2,159	2,847		
524.2300	Health & Dental Insurance	7,000	6,244	8,016	6,670	8,389		
	Life insurance					428		
524.2400	Workers' Compensation	1,244	648	1,250	307	750		
524.2500	Unemployment Compensation	0	0	0	0	0		
-	Historical Expenses	0	289	0	0	0		
	Total Personnel Services	56,986	56,903	52,163	41,908	53,811		
	Operating Expenses							
524.3100	Professional Services - Engineer	3,500	7,440	6,000	4,370	6,000		BP related
524.3110	Professional Services - Planner	300	0	0	0	4,000		
524.3440	Contractual Serv - BO & F Insp	20,500	9,445	10,000	17,410	20,000		As needed contract services
524.4000	Travel & Per Diem	400	20	400	168	400		training
524.4100	Communication & Freight	300	279	350	0	300		Bldg Dept portion
524.4400	Rental and Leases	2,800	2,640	2,500	2,056	2,500		copier
524.4900	Other Current Charges & Obligations	1,500	491	500	245	500		misc not otherwise described
524.4920	Contingency	0	0	0	0	0		good budgeting
524.5210	Operating Expenses	1,800	2,087	2,000	201	600		combined 5100 & 5200 here
-	Historical Expenses	500	316	0	0	0		
	Total Operating Expenses	31,600	22,718	21,750	24,450	34,300		
	Capital Outlay							
524.6400	Machinery & Equipment	0	0	1,200	1,000	0		
	Total Capital Outlay	0	0	1,200	1,000	0		
	Total Protective Services	88,586	79,621	75,113	66,388	88,111		This Dept s/b net w/ 322.1000

525 - Disaster Relief								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Operating Expenses							Additional \$7900 will be 75% reimbursed by FEMA
525.1000	Hurricane Expenses	0	0	0	11,825	0		
	TOTAL DISASTER RELIEF	0	0	0	11,825	0		

538 - Flood Control / Storm Water Management								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Operating Expenses							
538.3100	Cont Serv - Engineering	12,000	8,880	18,000	8,893	18,000		
538.3400	Administrative Fees/Costs	12,078	6,594	6,900	5,219	10,533		10% for admin
538.4900	SW Projects related costs	65,000	45,302	45,100	15,023	45,000		planned projects
	Total Operating Expenses	89,078	60,776	70,000	29,135	73,533		
	Capital Outlay							
538.6300	Infrastructure - Stormwater	163,000	28,548	0	0	105,327		CIP projects
538.6400	Equipment	0	0	0	0	75,000		Slopemower
	Total Capital Outlay	163,000	28,548	0	0	180,327		
	TOTAL FLOOD CONTROL	252,078	89,324	70,000	29,135	253,860		

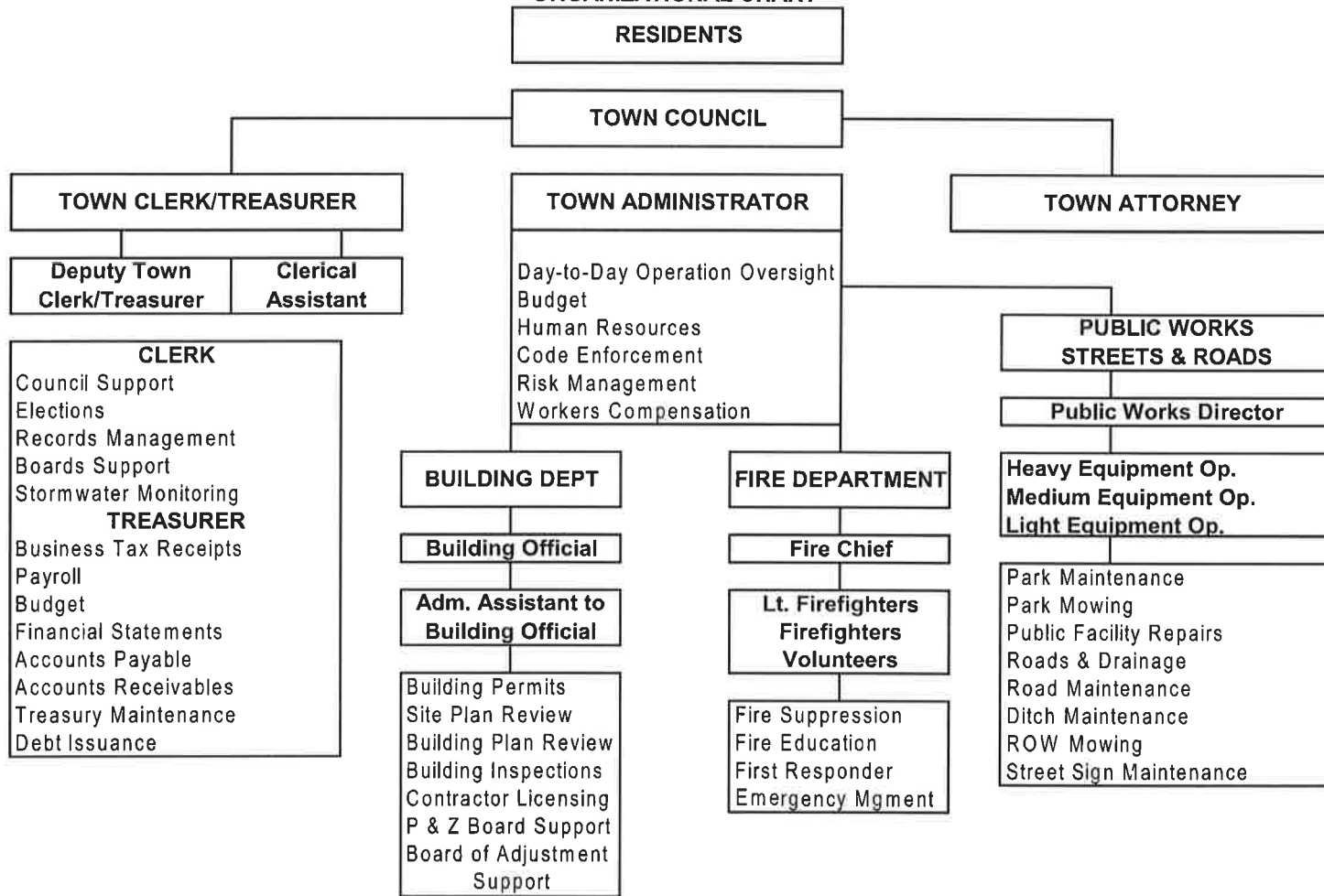
541 - STREETS & ROADS								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Personnel Services							3% inc for all
541.1100	Public Works Director	43,465	46,247	45,799	36,112	47,173		Director
541.1200	Regular Salaries & Wages	137,562	120,723	122,720	105,795	155,324		2 MEO, 2 LEO, 1 HEO
541.1400	Overtime	1,000	1,234	1,250	489	1,200		
541.2100	FICA Taxes	12,715	11,436	12,658	9,597	15,491		
541.2200	Retirement Contribution - FRS	12,250	11,476	14,863	9,983	16,038		
541.2300	Health & Dental Insurance	59,000	36,857	25,017	34,927	42,819		75% Health,Dental,Vision
	ST,LT,ADD,Life					1,711		100.00%
541.2400	Workers' Compensation	9,061	10,910	10,000	7,212	10,000		
541.2500	Unemployment Compensation	0	0	0	0	0		
	Total Personnel Services	275,053	238,883	232,307	204,115	289,756		
	Operating Expenses							
541.4000	Travel & Per Diem	500	389	500	0	0		
541.4300	Electric St. Lights & Signals	11,765	12,288	11,000	10,727	11,000		Partially offset from FDOT 335.4900
541.4600	Repair & Main -vehicles	28,000	30,306	25,000	25,721	24,000		
541.4610	Repair & Main - roads	81,000	30,222	81,250	14,623	83,200		material, capping, striping
541.4650	Repair/Main - RR Crossing	3,402	3,402	71,917	3,402	3,402	140,000	for Jordan RR xing per FEC
541.4900	Other Charges & Obligations	4,000	3,824	3,000	2,677	3,500		
541.4920	Contingency	4,000	1,433	15,000	600	0		Unplanned Expenditures
541.5200	Operating Supplies - Fuel	15,000	9,727	10,000	6,131	8,000		
541.5210	Operating Supplies	4,291	4,185	6,000	3,892	5,000		
	Total Operating Expenses	151,958	95,776	223,667	67,773	138,102		
	Capital Outlay							
541.6300	Trans Impact Fee \$ - TIFT Projects	0	0	0	0	0		
541.6400	Machinery and Equipment	10,000	7,852	0	0	0		
541.6410	Equipment Replacement	0	0	0	0	10,149		Capital Equipment Replacement Plan
	Total Capital Outlay	10,000	7,852	0	0	10,149		
	TOTAL STREETS & ROADS	437,011	342,511	455,974	271,888	438,007		

572 - PARKS AND RECREATION

ACCT NO.	ACCOUNT DESCRIPTION	BUDGET	FYTD	Final BUDGET	FYTD	Proposed	Workshop	Notes
		FY 15/16	9/16	FY 16/17	8/1/17	FY 17/18		FY 17/18
	Personnel Services							
572.1200	Regular Employee					32136		15.45/hr
572.2100	FICA Taxes					2458		
572.2200	Retirement Contribution - FRS					2545		
572.2300	Health & Dental Insurance					8084		75% employer portion
	ST, LT, ADD, Life					428		
572.2400	Workers Compensation					210		
	Total Personnel Expenses					45861		
	Operating Expenses							
572.3400	Cont Serv - Pest Control	4,065	4,742	5,000	700	1,200		restrooms 100 per month
572.3460	Cont Serv - Pk Restroom Cleaning	2,120	2,220	2,500	1,525	1,200		2 restrooms
572.3470	Contractual Services - Sprinkler Main	2,000	1,464	1,500	1,121	0		fields & general area: CANCELLED
572.4300	Utilities - Electric	1,600	695	750	508	700		MCP and Sandhill Trailhead
572.4400	Rentals and Leases-Port-a-lets	1,300	2,699	2,000	2,251	1,200		port-a-let @ Golf Disc
572.4600	Repairs and Maintenance	5,810	6,039	7,000	4,191	15,000		pesticides, fertilizer, mulch & gen park repair
572.4900	Other Current Charges & Obligations	100	240	100	27	250		misc expense i.e. flag memorial
572.4930	Greenways & Trails Develop	1,000	1,000	1,000	908	3,000		
-	Historical Expenses	0	0	0	0	0		
	Total Operating Expenses	17,995	19,099	19,850	11,231	22,550		
	Capital Outlay							
572.6400	Machinery & Equipment	0	0	10,000	7,852	0		
572.6410	Infrastructure	2,750	6,575	10,000	0	0		
572.8300	Grant - Trailhead Restroom	0	81,604	40,000	25,566	0		
-	Historical Capital Outlays	0	0	0	0	0		
	Total Capital Outlay	2,750	88,179	60,000	33,418	0		
	TOTAL PARK AND RECREATION	20,745	107,278	79,850	44,649	68,411		

574 - SPECIAL EVENTS								
ACCT	ACCOUNT DESCRIPTION	BUDGET	FYTD	BUDGET	FYTD	Proposed	Workshop	Notes
NO.		FY 15/16	9/16	FY 16/17	8/1/17	17/18		FY 17/18
	Operating Expenses							
574.4800	Expenditures	6,500	4,438	6,500	0	5,000		Fall Fest, Tree Lighting, Spring Fest
	Total Operating Expenses	6,500	4,438	6,500	0	5,000		

**TOWN OF MALABAR
ORGANIZATIONAL CHART**



RESIDENTS

TOWN COUNCIL

TOWN CLERK/TREASURER

Deputy Town Clerk/Treasurer

Clerical Assistant

CLERK
Council Support
Elections
Records Management
Boards Support
Stormwater Monitoring
TREASURER
Business Tax Receipts
Payroll
Budget
Financial Statements
Accounts Payable
Accounts Receivables
Treasury Maintenance
Debt Issuance

TOWN ADMINISTRATOR

Day-to-Day Operation Oversight
Budget
Human Resources
Code Enforcement
Risk Management
Workers Compensation

BUILDING DEPT

Building Official

Adm. Assistant to Building Official

Building Permits
Site Plan Review
Building Plan Review
Building Inspections
Contractor Licensing
P & Z Board Support
Board of Adjustment Support

FIRE DEPARTMENT

Fire Chief

**Lt. Firefighters
Firefighters
Volunteers**

Fire Suppression
Fire Education
First Responder
Emergency Mgmt

TOWN ATTORNEY

**PUBLIC WORKS
STREETS & ROADS**

Public Works Director

**Heavy Equipment Op.
Medium Equipment Op.
Light Equipment Op.**

Park Maintenance
Park Mowing
Public Facility Repairs
Roads & Drainage
Road Maintenance
Ditch Maintenance
ROW Mowing
Street Sign Maintenance

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 3
Meeting Date: September 11, 2017

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

SUBJECT: Resolution 15-2017 Supporting the Widening Plan for SR514

BACKGROUND/HISTORY:

This resolution was on the August 7, 2017 agenda. It was withdrawn at the request of the consulting engineer for FDOT so the new FDOT Representative on the project could review it. It was subsequently resubmitted with a request for Council support and adoption.

FINANCIAL IMPACT: none

ATTACHMENTS:

- Reso 15-2017

ACTION OPTIONS: Council Action on Reso 15-2017

RESOLUTION 15-2017

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, SUPPORTING A REQUEST FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION TO SUPPORT A CONCEPT FOR THE WIDENING OF SR 514, MALABAR ROAD FROM THE WESTERN BOUNDARIES OF THE TOWN TO U.S. HIGHWAY 1 (SR 5) IN THE TOWN OF MALABAR AND TO PROVIDE ONGOING MAINTENANCE OF THE MULTI-USE TRAIL INCLUDED IN THE RECOMMENDED ALTERNATIVE FROM MALABAR WOODS BOULEVARD TO MARIE STREET; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, SR 514 Malabar Road is a State Road that intersects the Town of Malabar from Highway 1 westward to the Town limits, approximately three miles; and,

WHEREAS, SR 514 Malabar Road is used as a major collector and evacuation route and is used anytime there is an incident on I-95 requiring alternative routing; and

WHEREAS, SR 514 Malabar Road will require unique design in the widening to avoid negative effects on future commercial growth and the active Disc Golf course; and

WHEREAS, the recommended alternatives support the Town's desired goals to limit impacts to private property and the Disc Golf Course; and,

WHEREAS, FDOT has acknowledged since the 1980's the need to widen SR 514, within Malabar jurisdiction and the Town has requested assistance from FDOT in writing since 2004 for traffic calming improvements, a Trail Crossing at Marie Street and expedited construction of the intersection improvements at Corey and Weber Roads to alleviate current dangerous conditions; and

WHEREAS, the Florida Department of Transportation has asked for input from Malabar Town Council on proposed concepts including a four-lane alternative, a two-lane alternative, multi-use trail on the north side of Malabar Road, and the use of roundabouts; and,

NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF MALABAR OF BREVARD COUNTY, FLORIDA that;

SECTION 1. Findings:

1. The **WHEREAS** statements are true and correct.
2. The Town of Malabar supports the recommended alternative of SR 514 Malabar Road, including updated sections from Weber to Marie Street as follows:
 - a. Weber Road to Corey Road: Four-lane suburban typical section that features two (2) vehicular lanes in each direction of travel, a bike lane in each direction of travel, and sidewalks on both sides; and
 - b. Corey Road to Marie Street: two-lane Rural typical section that features one (1) vehicular lane in each direction of travel, paved shoulders on both sides, and a multi-use trail on the north side; and

- c. Installation of Trail Crossing at Marie Street in alignment with the Sandhill Trail; and
 - d. Roundabouts at the intersections of Malabar Road with Weber Road and Corey Road.
3. The Town of Malabar will provide ongoing maintenance to the paved multi-use trail on the north side of Malabar Road from Malabar Woods Boulevard to Marie Street.

SECTION 2. Distribution:

The Town Clerk is directed to send copies of this resolution to FDOT, the City of Palm Bay, Town of Grant-Valkaria, Brevard County, and the Space Coast League of Cities and solicit support for our request to FDOT.

SECTION 3. Severability.

The provisions of this Resolution are declared to be severable and if any section of this Resolution shall be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections of this Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION 4. Conflict.

All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 5. Effective Date.

This Resolution shall take effect immediately upon passage.

This Resolution 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 Grant Ball _____
- Council Member Laura Mahoney _____
- Council Member Steve Rivet _____
- Council Member Dick Korn _____
- Council Member Richard Kohler _____

This Resolution was then declared to be duly passed and adopted this 7th day of August, 2017.

By: TOWN OF MALABAR

Mayor Patrick T. Reilly,
Council Chair

(seal)

ATTEST:

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

Approved for Legal Sufficiency:

Karl Bohne, Jr.
Town Attorney

TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: September 11, 2017

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

SUBJECT: Approval of Qualified Candidates for Office 2017 Election

BACKGROUND/HISTORY:

Per the Charter, the Town Clerk is the Elections Officer for Malabar and handles the qualifying requirements of Malabar, Brevard County and the State of Florida. Once those requirements have been met, the Council formally "Qualifies" the candidates for Malabar elected offices after the close of the qualifying period.

In November, 2016, Malabar Electors voted to approve Single District Voting, meaning not only do the Candidates live within the Five (5) Districts that make up Malabar, but, only those electors living within those Districts may vote for their Candidate. Prior to 2017 there was at-large voting for both the Mayor and each District Seat.

Council District Seats 4 and 5 were open during this 2017 Qualifying period of 8/9/17 - 8/23/17. The Candidates for District 4 and 5 all submitted qualifying paperwork required by the State Election Laws and the Town of Malabar and consisted of:

- Minimum Residency was stated
- Oath of Candidate - willingness to serve
- Statement of Candidate – understanding of the Election Laws of Florida
- Form 1 – Financial Disclosure
- DS-DE-9 naming their Campaign Treasury and Treasurer
- Petitions of a minimum of 15 registered voters within the Candidates District

Candidates for District 4: incumbent Dick Korn and candidate William "Skip" Hard

Candidates for District 5: no incumbent due to Redistricting -
Barbara Payne
Donald E. Krieger
James "Danny" White

Malabar Code, Chapter 7 states there shall be meeting held within three days of the Election for the Malabar Council to "certify" the Election results (unofficial) and swear in the new members. This meeting date is set for Thursday, November 9, 2017.

ATTACHMENTS:

Candidate Oaths
Charter Section 2.06

ACTION OPTIONS:

Town Clerk requests Council to "qualify" the candidates.

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)



OFFICE USE ONLY

OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, Dick Korn

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * -- NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Council Seat District 4, 4
(office) (district #)

n/a · n/a; I am a qualified elector of Brevard County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X Dick Korn (321) 403-4900
Signature of Candidate Telephone Number Email Address

3115 Weber Road Malabar FL 32950
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 101016747

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

Dick Korn

STATE OF FLORIDA
COUNTY OF BREVARD

Sworn to (or affirmed) and subscribed before me this 10 day of August, 2017.

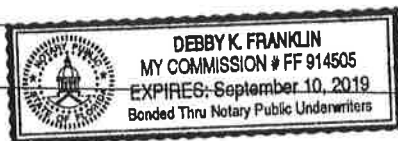
Personally Known: or

Produced Identification: _____

Type of Identification Produced: _____

Debby K. Frankl
Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public





2725 Malabar Road
Malabar, FL 32950

Tel: 321-727-7764
Fax: 321-727-7779

Sworn Statement 2017

Before me, an officer authorized to administer oaths, personally appeared Dick Krow to me well known OR produced identification _____, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a permanent resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is **willing to serve if elected/appointed.**

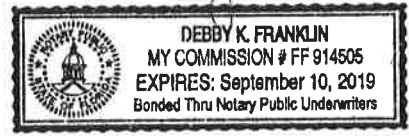
Dick Krow
Signature of Candidate

3115 WEBER RD - MALABAR
Address

Occupation: Self Employed - Run a Pet Supplies - sole proprietor

Sworn to and subscribed before me this 9 day of August, 2017.

Debby K. Franklin
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known OR Produced Identification _____:

Type of Identification Produced : _____

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)



OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

W. H.
I, Wm. "SKIP" HARD
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of TOWN COUNCELOR, 7
(office) (district #)
N/A, N/A; I am a qualified elector of BREVARD County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X William H. Hardy (321) 693-8004 skiphard@hotmail.com
Signature of Candidate Telephone Number Email Address

2560 HARD LANE MALABAR FLORIDA 32950
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 100943096

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

W. H. SKIP HARD

STATE OF FLORIDA
COUNTY OF BREVARD

Sworn to (or affirmed) and subscribed before me this 18 day of August, 2017.

Personally Known: ✓

Produced Identification: _____

Type of Identification Produced: _____



Debby K. Franklin
Signature of Notary Public
Print, Type, or Stamp Commissioned Name of Notary Public



2725 Malabar Road
Malabar, FL 32950

Tel: 321-727-7764
Fax: 321-727-7779

Sworn Statement 2017

Before me, an officer authorized to administer oaths, personally appeared William H. Hard to me well known OR produced identification _____, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a permanent resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

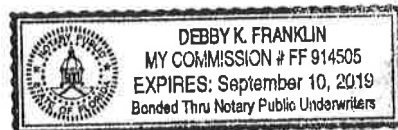
William H. Hard
Signature of Candidate

2560 HARD WAY, MALABAR, FL
Address

Occupation: Retiree

Sworn to and subscribed before me this 17 day of August, 2017.

Debby K. Franklin
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known OR Produced Identification _____:

Type of Identification Produced : _____



CANDIDATE OATH – NONPARTISAN OFFICE

(Not for use by Judicial or
School Board Candidates)

OFFICE USE ONLY

OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, DONALD E. KRIGER
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * – NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of TOWN COUNCIL, 5
(office) (district #)

—, —; I am a qualified elector of BREVARD County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X [Signature] (321) 724-2143 DONK.MALABAR@GMAIL.COM
Signature of Candidate Telephone Number Email Address
2345 LINEBERRY LA MALABAR FL 32950
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 100961250

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):
DONALD DAHNAHLD KRIGER

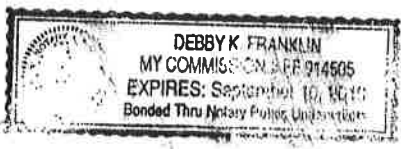
STATE OF FLORIDA
COUNTY OF BREVARD

Sworn to (or affirmed) and subscribed before me this 18th day of August, 2017.

Personally Known: or

Produced Identification: _____

Type of Identification Produced: _____



[Signature]
Signature of Notary Public
Print, Type, or Stamp Commissioned Name of Notary Public



2725 Malabar Road
Malabar, FL 32950

Tel: 321-727-7764
Fax: 321-727-7779

Sworn Statement 2017

Before me, an officer authorized to administer oaths, personally appeared DONALD E. KRIEGER to me well known OR produced identification _____, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a permanent resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

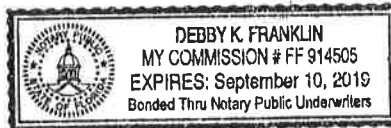
[Signature]
Signature of Candidate

2345 LINEBERRY LA, MALABAR, FL
Address

Occupation: PUBLISHER

Sworn to and subscribed before me this 18 day of August, 2017.

[Signature]
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known OR Produced Identification _____:

Type of Identification Produced : _____

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)



OFFICE USE ONLY

OATH OF CANDIDATE
(Section 99.021, Florida Statutes)

I, Barbara Payne
(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * -- NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Town Council, 5
(office) (district #)

 ; I am a qualified elector of BREVARD County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X Barbara Payne (21) 243 7386 Hair 527 500 BellSouth.nc
Signature of Candidate Telephone Number Email Address

2220 Dancil Ln Malabar FL 32950
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 101007056

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

Bar-bar-a Pain

STATE OF FLORIDA
COUNTY OF BREVARD

Sworn to (or affirmed) and subscribed before me this 22 day of August, 20 17.

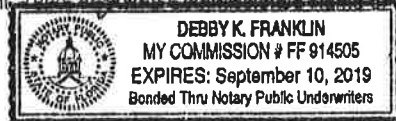
Personally Known: _____ or _____

Produced Identification:

Type of Identification Produced: FL DL

Debbie K. Franklin
Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public





2725 Malabar Road
Malabar, FL 32950

Tel: 321-727-7764
Fax: 321-727-7779

Sworn Statement 2017

Before me, an officer authorized to administer oaths, personally appeared Barbara Ross Payne to me well known , OR produced identification _____, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a permanent resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

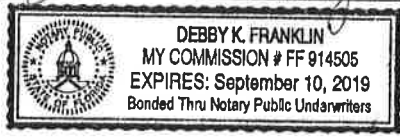
Barbara Ross Payne
Signature of Candidate

2220 Duncail Lane
Address

Occupation: Salon Owner

Sworn to and subscribed before me this 22 day of Aug., 2017.

Debby K. Franklin
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known OR Produced Identification :

Type of Identification Produced: FL DL

**CANDIDATE OATH –
NONPARTISAN OFFICE**

(Not for use by Judicial or
School Board Candidates)



OFFICE USE ONLY

OATH OF CANDIDATE

(Section 99.021, Florida Statutes)

I, DANNY WHITE

(PLEASE PRINT NAME AS YOU WISH IT TO APPEAR ON THE BALLOT * -- NAME MAY NOT BE CHANGED AFTER THE END OF QUALIFYING)

am a candidate for the nonpartisan office of Council Set District 5, 5
(office) (district #)

n/a · n/a; I am a qualified elector of Brevard County, Florida;
(circuit #) (group or seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office from which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

X [Signature]
Signature of Candidate

(832) 603 9991
Telephone Number

TURBOPJ@CEBRIDGE.NET
Email Address

1770 Atz Road Malabar FL 32950
Address City State ZIP Code

Candidate's Florida Voter Registration Number (located on your voter information card): 123469041

* Please print name phonetically on the line below as you wish it to be pronounced on the audio ballot for persons with disabilities (see instructions on page 2 of this form):

DA KNEE WHITE

STATE OF FLORIDA
COUNTY OF BREVARD

Sworn to (or affirmed) and subscribed before me this 22 day of August, 2017.

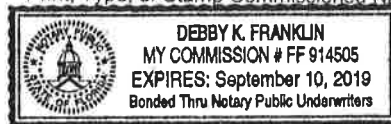
Personally Known: _____ or

Produced Identification: ✓

Type of Identification Produced: FL DL

[Signature]
Signature of Notary Public

Print, Type, or Stamp Commissioned Name of Notary Public





2725 Malabar Road
Malabar, FL 32950

Tel: 321-727-7764
Fax: 321-727-7779

Sworn Statement 2017

Before me, an officer authorized to administer oaths, personally appeared James D. White to me well known FL DL, OR produced identification FL DL, who being sworn that he/she is a qualified elector of the Town of Malabar, Brevard County, Florida, and that he/she is qualified under the Town Charter of the Town of Malabar, Florida, and the Florida Statutes to hold the office of COUNCIL MEMBER of the Town of Malabar, Florida, for which he/she desires to be elected/appointed. Said qualifications are as follows, to wit:

- He/She is eighteen (18) years of age or older.
- He/She is not presently adjudicated mentally incompetent under the laws of any state.
- He/She has never been convicted of a felony without having his/her civil rights restored.
- He/She has registered to vote in Brevard County, Florida.
- He/She is now and has been for at least six (6) months consecutively and immediately prior to this date, a permanent resident of the Town of Malabar, Brevard County, Florida within the District the candidate is running.
- He/She is willing to serve if elected/appointed.

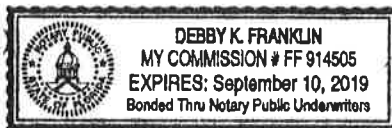
James Daniel White
Signature of Candidate

1770 ATZ Rd MALABAR FL 32950
Address

Occupation: RETIRED AIR TRAFFIC CONTROL SPECIALIST

Sworn to and subscribed before me this 22 day of August, 2017.

Debby K. Franklin
(Signature of Notary Public - State of Florida)



(Print, Type, or Stamp Commissioned name of Notary Public)

Personally Known OR Produced Identification :

Type of Identification Produced: FL DL

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 5
Meeting Date: September 11, 2017

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

SUBJECT: Authorization to Proceed with Paving of Eva Lane

BACKGROUND/HISTORY:

The paving of this road was discussed at several council meetings and during the budget workshops. The Administrator provided a memo previously detailing the intent to provide acquire the LBR profiles from KSM Engineering to determine how much sub base material may be needed before paving.

The Administrator has also received two quotes for the paving. Staff is asking for Council approval to initiate these improvements with whatever funds are remaining in the FY 16/17 budget. The balance of the expense will come out of the FY 17/18 budget.

FINANCIAL IMPACT: as noted above

ATTACHMENTS:

- Memo on Eva Lane dated 8/16/17

ACTION OPTIONS: Council Approval to Proceed

Wednesday, August 16, 2017

EVA LANE

Over the years, Eva Lane has Transitioned from a Country Lane (dead end) to a collector road.

Streets and Roads have indicated that over the past ten years the maintenance costs (fill material and labor) have exceed the cost of paving the road.

Due to the volume of traffic on this now collector, the continued maintenance of fill dirt and grading does not provide a satisfactory solution to the upkeep of this 2,600-foot-long road. Moreover, as the road material is pushed off the road it ends up in our Stormwater ditches and we have to spend time and money removing this material from the ditches, an added cost.

Not everyone in Malabar wishes to live on a paved lane, however we have received numerous requests, over the past 20 years from the residents on Eva Lane to “do something” ie: pave the road.

To insure proper construction, we have enlisted the aid of KSM Engineering to do a compaction test and a LRB profile of the proposed road bed.

We will also have our surveyor establish the center line and edges of a 22-foot-wide paved area, in order to, the best of our ability, have a straight road of the proper width over a proven road base.

Simple paving does not a road make. Paving is akin to a roof on a house. No matter how good the shingles are, if your house doesn't have a proper foundation and support, your roof will not last. A road is no different.

A 3" thick topping of crushed concrete to bring the road to grade takes 530 cubic yards of material. This is 31 dump truck loads of material at \$300.00 per truck load or \$9,346.00. Add to this the cost of Streets and Roads personnel going to get the material and grading, it becomes evident that not paving this road becomes an expensive proposition. With a paved road the Town can expect 7 years of service life before any maintenance should be required.

Intangible benefits to the residents and the Town are: Resident satisfaction, Reduced dust (health hazard?), Improved Town image, Reduced wear and tear on our vehicles, Improved property values (increased Ad-Valorum), and A highly visible improvement being made to our infrastructure within the Town.

Doug