

**TOWN OF MALABAR
REGULAR TOWN COUNCIL MEETING
MONDAY DECEMBER 05, 2016
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. **APPROVAL OF THE MINUTES:**
1. **Regular Town Council Meeting Minutes 11/21/16**
Exhibit: Agenda Report No. 1
Recommendation: Request Approval
- E. **BCSO REPORT:**
- F. **ATTORNEY REPORT:**
- G. **BOARD/COMMITTEE REPORTS:**
- H. **STAFF REPORTS: ADMINISTRATOR: CLERK: FIRE CHIEF**
REMINDER: Annual Christmas Tree Lighting December 10, 2016 at 6PM
- I. **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.**
- J. **PUBLIC HEARINGS/SPECIAL ORDERS: 0**
- K. **UNFINISHED BUSINESS/GENERAL ORDERS**
- ORDINANCES FOR FIRST READING: 0**
- RESOLUTIONS: 1**
2. **Establish Events Committee (Reso 19-2016)**
A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF AN AD-HOC EVENTS COMMITTEE; PROVIDING FOR THE PURPOSE OF THE COMMITTEE; PROVIDING FOR A TERMINATION DATE FOR THE COMMITTEE; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
Exhibit: Agenda Report No. 2
Recommendation: Approve Reso 19-2016
- MISCELLANEOUS: 1**
3. **Advance Mr. Doug Dial from Alternate to Regular Member of P&Z Board**
Exhibit: Agenda Report No. 3
Recommendation: Request Approval
 4. **Cancel RTCM 12/19/16**
Exhibit: Agenda Report No. 4
Recommendation: Request Approval
 5. **Approve RTCM Dates for January Due to Holidays (1/9 & 1/23/2017)**
Exhibit: Agenda Report No. 5
Recommendation: Request Approval
 6. **Authorize Expenditure to Rehab Soccer Field**
Exhibit: Agenda Report No. 6
Recommendation: Request Approval

COUNCIL CHAIR MAY EXCUSE ATTORNEY AT THIS TIME

L. DISCUSSION/POSSIBLE ACTION:

7. Amending Code on Culvert Requirements Article V and VIII

Exhibit: Agenda Report No. 7

Recommendation: Request Approval

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

L. REPORTS – MAYOR AND COUNCIL MEMBERS

M. ANNOUNCEMENTS:

(2) Vacancies on the Board of Adjustment; (2) Vacancies on the Park and Recreation Board;

N. 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: December 5, 2016

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

SUBJECT: Approval of Minutes

BACKGROUND/HISTORY:

Attached are the summary minutes for the following meetings:

- Regular Town Council Meeting – 11/21/2016

It was determined during the last year that the minutes should be a brief summary of what occurred in the meeting. This was confirmed again at the November 21, 2016 meeting. For specific details, audio of the meetings are available.

ATTACHMENTS:

Draft Minutes of the 11/21/2016 meeting

ACTION OPTIONS:

The Town Clerk requests approval of the minutes.

MALABAR TOWN COUNCIL REGULAR MEETING MINUTES
November 21, 2016 7:30 PM

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

A. CALL TO ORDER:

Mayor Reilly called the meeting to order at 7:30 pm. Mayor led the prayer and pledge.

B. ROLL CALL:

MAYOR	PATRICK T. REILLY
COUNCIL MEMBERS:	GRANT BALL
	LAURA MAHONEY
	STEVE RIVET
	DICK KORN
	RICHARD KOHLER
TOWN ADMINISTRATOR:	DOUGLAS HOYT
TOWN ATTORNEY:	KARL BOHNE
TOWN CLERK/TREASURER:	DEBBY FRANKLIN

For the Record, the Fire Chief Leonard Thomassen was also present.

C. SUNSHINE LAW OVERVIEW BY ATTORNEY

Attorney's Memo copied to all in paper form and attached to minutes.

D. NOMINATIONS FOR CHAIR AND VICE CHAIR

CM Ball / CM Rivet to nominate Mayor Reilly for Chair. None other. VOTE: All Ayes
CM Kohler / CM Korn to nominate CM Rivet for Vice-Chair. None other. VOTE: All Ayes

E. APPROVAL OF AGENDA - ADDITIONS/DELETIONS/CHANGES: none

F. APPROVAL OF THE MINUTES:

1. Regular Town Council Meeting Minutes 11/07/16, 11/10/16, 11/17/16

Exhibit: Agenda Report No. 1

Recommendation: Request Approval

MOTION: CM Kohler / CM Ball to approve RTCM of 11/7/16. CM Mahoney stated that minutes state that Meghan Wolfram reported for Events Committee and minutes stated she had attended all of the meetings and it should be stated that committee changed meeting dates so she could attend all meetings but there were two that she missed. Vote: all Ayes.

Atty Bohne addressed Council on benefit of using abbreviated minutes. Clerk apologized to Chair that the agenda face sheet only listed 11/7/16 minutes but actually the RTCM package also included the minutes from the Special mtg on 11/10/16 and the Joint WS mtg on 11/17/16 and were listed on the Agenda Report #1.

Vote: All Ayes.

Atty suggested the Mayor / Chair suggest that without objection, all minutes are approved.

G. ATTORNEY REPORT:

**H. STAFF REPORTS: ADMINISTRATOR: 0; CLERK: 0; Fire Chief: went over active members and paid staff and training hours of 87. Went over report (given to TC
Korn asked if it would help to reemphasize info for outside burning.
43 volunteers – Steve asked about the trend. It is up – we are a stepping stone for volunteers to find employment to other paid depts.**

I. 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.**

2 cards:

Skip Hard: 2560 Hard Lane, 2 cards for 2 subjects:

- 1) Citizen Budget Advisory Board to assist Council –
- 2) Just had an election and that changed the way district members are selected so we obviously need to do a reapportionment. Also there is an error in Code referencing 2000 census. Suggest we convene a citizen advisory to work on this. Clerk stated that staff is working on this. Districts are based on population not registered voters. Code does need to be updated. Staff is currently working on getting mapping showing rooftops. Then that will be compared to census maps that show how many people are in those rooftops. Then Council can start the reapportionment process. Then we work with Supervisor of Elections. Elections are going to be more expensive now.

J. PUBLIC HEARINGS/SPECIAL ORDERS: 1

2. Town Council Initiated Vacate of Unaccepted Portions of W. Railroad Avenue and Johnston Avenue Rights-of-Way for the Overall Benefit of the Town

Exhibit: Agenda Report No. 2
Recommendation: Request Council Approval

Discussion:

TA started off on this item. And read from agenda report

PUBLIC HEARING: opened

Mike Linnell at north end of road (West Railroad Ave. His only concern is that if a 40' road wide allow commercial travel.

PUBLIC HEARING closed

MOTION: CM Korn / CM Kohler to approve the Town Initiated Vacate of portions of ROW along W. Railroad Avenue to restore the original 40' ROW and the 15' "paper ROW" known as Johnston Avenue for the benefit of the Town.

ROLL CALL VOTE: CM Ball, Aye; CM Mahoney, Nay; CM Rivet, Aye; CM Korn, Aye; CM Kohler, Aye. Carried 4 to 1.

**K. UNFINISHED BUSINESS/GENERAL ORDERS
ORDINANCES FOR FIRST READING: 0**

RESOLUTIONS: 1

- 3. **Appoint Eric Bienvenu to Park and Recreation Board (Reso 18-2016)
A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF ERIC BIENVENU TO THE MALABAR PARK AND RECREATION BOARD AS A REGULAR MEMBER FOR A THREE YEAR TERM; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

Exhibit: Agenda Report No. 3
Recommendation: Request Council Approval

Discussion:

MOTION: CM Kohler / CM Rivet to adopt Reso 18-2016 appointing Eric Bienvenu to Park and Recreation Board.

ROLL CALL VOTE: CM Mahoney, Aye; CM Rivet, Aye; CM Korn, Aye; CM Kohler, Aye; CM Ball, Aye. Carried 5 to 0.

MISCELLANEOUS: 5

- 4. **Selection of Bill Reviewer for 2016/2017**

Exhibit: Agenda Report No. 4
Recommendation: Request Action

Discussion: CM Kohler is currently bill reviewer. Since it usually takes one year to grasp the types of expenditures, so a 2nd year is recommended by staff.

MOTION: CM Korn / CM Ball to appoint CM Mahoney as Bill Reviewer and CM Kohler as Alternate.

VOTE: All Ayes

5. Selection of Council Signatory for 2016/2017

Exhibit: Agenda Report No. 5

Recommendation: Request Action

Discussion:

MOTION: CM Ball / CM Kohler to appoint CM Ball as Council Check Signatory.

VOTE: All Ayes

6. Selection of SCLC Delegate & Alternate

Exhibit: Agenda Report No. 6

Recommendation: Request Action

Discussion: CM Korn has been attending the Board meetings and has offered to continue.

MOTION: CM Kohler / CM Ball to appoint CM Korn as Delegate and CM Kohler as Alternate.

VOTE: All Ayes

7. Selection of Town Representative to Transportation Advisory Committee (TAC) that advises the Transportation Planning Organization (TPO)

Exhibit: Agenda Report No. 7

Recommendation: Request Action

Discussion: CM Krieger filled this position temporarily after Mayor Beatty's death.

MOTION: CM Mahoney / CM Ball to appoint Don Krieger to continue as Malabar's representative.

VOTE: 3 Ayes; 2 Nays (Rivet and Korn)

8. Establish an Ad Hoc Committee that Reports to Council to Produce SpringFest 2017.

Exhibit: Agenda Report No. 8

Recommendation: Request Action

Discussion:

MOTION: CM Kohler / CM Ball to establish an Ad Hoc as the Events Committee to put on SpringFest 2017 that will sunset at some point after event.

CM Korn said GV has a Bar-b-Q sponsored by a radio station and Grant Seafood put on by the Grant Seafood committee. They are separate from the town. CM Ball said by making them an ad hoc they don't have to abide by Sunshine committee. Atty said no - they are still a sunshine committee. CM Korn said he knows that G-V Council just approves a special event permit and it is a private organization. What will be the ground rules for this ad hoc committee?

Teresa Sikinski. Some things should be finalized or in the works by now. She recommends that Council table this at this time and let staff handle it this year. You cannot even get the vendor or the bands in this short timeframe.

MOTION: CM Korn / none to table the above stated motion. Come up with info.

MOTION: CM Ball / none anything we do will be under the sunshine.

Go ahead now and approve the committee so they have the ability to plan event and get started. The Attorney said it can be formalized with a resolution at the next meeting.

VOTE: All Ayes

Chair may dismiss the Attorney at this time.

L. DISCUSSION/POSSIBLE ACTION:

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

N. REPORTS – MAYOR AND COUNCIL MEMBERS

Mayor – attended ground breaking for Route1 Motorsports last week.

- 1) Congrats to new members
- 2) Nothing
- 3) Big issue is the improvements to the drainage – he will be working with TA to get up to speed
- 4) Nothing
- 5) Nothing

O. ANNOUNCEMENTS:

(2) Vacancies on the Board of Adjustment; (2) Vacancies on the Park and Recreation Board.

P. ADJOURNMENT:

There being no further business to discuss and without objection, the meeting was adjourned by the Chair at 9:40PM.

BY: _____
Mayor Patrick T. Reilly

ATTEST:

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

Date Approved: 12/05/2016

DRAFT

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 2
Meeting Date: December 5, 2016

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

SUBJECT: Action on Events Committee (Reso 19-2016)

BACKGROUND/HISTORY:

Council approved the concept for a community Events Committee at the RTCM of 11/21/16. The Attorney stated such a creation should be done by resolution and include a sunset clause. Council directed that the Events Committee proceed with the planning for the SpringFest 2017 Event on March 25, 2017.

FINANCIAL IMPACT:

Up to budgeted cost in Dept. 574 - \$6,500.00

ATTACHMENTS:

Reso 19-2016
Portion of Code

ACTION OPTIONS:

Town Staff Approval of Reso 19-2016

RESOLUTION 19-2016

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR THE APPOINTMENT OF AN AD-HOC EVENTS COMMITTEE; PROVIDING FOR THE PURPOSE OF THE COMMITTEE; PROVIDING FOR A TERMINATION DATE FOR THE COMMITTEE; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Malabar Town Council has determined that the Malabar Community be more involved with the production of Special Events within the Town; and

WHEREAS, Malabar Town Council approved the Concept for this committee at the regular meeting on November 21, 2016 and directed to Laura Mahoney, Chair of Events Committee to move forward with SpringFest 2017 production.

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

Section 1. The Town Council of Malabar, Brevard County, Florida, hereby approves the establishment of the "Malabar Events Committee" to function in the planning set-up and operation of Special Events within the Town starting with SpringFest 2017 on March 25, 2017 and shall consist of _____ () members. One member of the committee shall be a town council member serving in an ex officio capacity. The Town council member shall be the Chairperson to preside over the meetings of the committee. The committee shall comply with the requirements of the Florida Sunshine Law and Florida's Public Records Law. The Town council appoints Councilmember Laura Mahoney as the ex officio member of the committee and the Chairperson of the committee

Section 2. The Town Council of Malabar, Brevard County, Florida, has budgeted the sum of \$6,500.00 for the SpringFest 2017 event. The Town Council hereby authorizes and directs the Town Clerk/Treasurer, pursuant to section 2-214 of the Town code, to disperse funds for vendors for this event after receipt of evidence that multiple quotes were sought for all expenditures over \$1,000.00. The clerk shall, if at all, pay the vendor approved by the committee. The goal is to have the committee approve the lowest and best quote.

Section 3. This Resolution shall automatically terminate and the Malabar Events Committee shall be automatically dissolved on the earliest of the Town Council adopting an ordinance establishing a permanent events committee or 15 months from the date of the adoption of this resolution.

Section 4. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall take effect upon adoption by Council.

This Resolution was moved for adoption by Council Member _____. This motion was seconded by Council Member _____ and, upon being put to 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 5th day of December, 2016.

TOWN OF MALABAR

By: _____
Mayor Patrick T. Reilly, Council Chair

ATTEST:

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

(seal)

Approved as to form and content:

Karl W. Bohne, Jr.
Town Attorney

Debby Franklin

From: kbohne@fla-lawyers.com
Sent: Thursday, December 01, 2016 2:53 PM
To: Debby Franklin
Subject: events committee
Attachments: 192016ResoEvents.doc

I am enclosing a revised events committee resolution. I do have some concerns. It appears that the committee will make a binding recommendation to the clerk for vendors. It seems the council will be out of the loop. Also, the structure of the committee brings it within the parameters of the sunshine law. This committee is more than a fact finding body and will exercise certain powers such as recommending and the approval of expending money on vendors. As you may recall I previously opined that Section 2-214. - Spending authority for boards and committees, Provides:

"At no time shall any boards or committees, except for the town council, have any authority to independently authorize the expenditure of public funds. The Town council may, from time to time, budget public funds for such boards or committees; however, such board or committee may only advise or recommend to the town council projects or purposes for the expenditure of such funds. The authority to expend any such funds and the purpose of the expenditure rests solely with the town council. The town council may authorize town staff to expend such funds for any project or purpose recommended by such board or committee. Any such expenditure shall be logged on an expense report. At no time shall expenditures exceed the amount authorized by the town council unless such excess expenditure has been authorized by the town council."

So while the council can appoint the clerk to spend the money the above code requires the recommendation of the committee.

In so much as this committee is more than a mere fact finding and gathering committee and its function goes beyond mere advisory. There may be an issue with any member of council can be on that committee. But with the way I drafted it I think we can get around it. For purposes of dual office holding:

Article II, section 5(a), Florida Constitution, provides in part:

"No person shall hold at the same time more than one office under the government of the state and the counties and municipalities therein, except . . . any officer may be a member of a . . . statutory body having only advisory powers."

While the term "office" is not defined by the Constitution, the Supreme Court of Florida has stated that the term "implies a delegation of a portion of the sovereign power to, and the possession of it by, the person filling the office"

This constitutional provision prohibits a person from serving simultaneously in more than one state, county, or municipal office. The prohibition applies to both elected and appointed offices.

Article II, section 5(a), Florida Constitution, however, contains several exceptions to its prohibition against dual office holding. One such exception is for statutory bodies having only **advisory powers**. It is this exception that has been the subject of interpretation both by the courts and by the Attorney General's Office. At first, my concern involved the powers of the committee making a recommendation to the clerk of vendors resulting in the expenditure of public funds on that recommendation.

However, there appears to be a judicially created exception for *ex officio* members. It has long been a settled rule in this state that assuming a particular officeholder is subject to the constitutional dual office-holding prohibition, a legislative designation of that officer to perform *ex officio* the function of another or additional office is not a holding of two offices at the same time in violation of the Constitution, provided the duties imposed are consistent with those being exercised] The term "ex officio" means "by virtue or because of an office," and simply describes the manner by which a particular official may validly serve as a member of another board or commission -- that is, by a legislative directive that the official serve as a member of and carry out the powers and duties of another office because of an office already held by the officeholder. The newly assigned duties are viewed as an addition to the existing duties of the officer.

For example, in Advisory Opinion to Governor, 1 So. 2d 636 (Fla. 1941), the Florida Supreme Court held that the chairman of the State Road Department could serve as an *ex officio* member of the State Planning Board. In Attorney General Opinion 81-72, this office stated that a city council, as the legislative body of a municipality, could impose by ordinance the *ex officio* duties of the office of city manager on the city clerk.

Attorney General Opinion 00-72, stated that a legislative designation that a representative from county government, the school district, the sheriff's office, the circuit court, and the county children's board serve on a Community Alliance constituted an *ex officio* designation of officers from the enumerated governmental entities. Thus, it concluded that public officers of the entities statutorily enumerated could serve on Community Alliances in an *ex officio* capacity without violating the dual office-holding prohibition in section 5(a), Article II, Florida Constitution.

So as long as the council member is an *ex officio* member there appears to be no dual office holding issue. I have drafted the resolution to address these concerns.

Karl W. Bohne, Jr.

Schillinger & Coleman, P.A.

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Sec. 2-212. Open meetings, public comment and agendas.

All meetings of any advisory board or committee created by the town council to assist in the council's decision-making process, including committee and subcommittee meetings of such boards or committees are declared to be public meetings and open to the public at all times. Open meetings of advisory boards and committees shall be governed by the following standards:

- (1) The minutes of such meetings shall be recorded by a recording secretary who is a member of staff and shall be promptly made available for public inspection.
- (2) Reasonable notice must be given to the public of the time and place of such meetings. Responsibility for providing such notice is delegated to the staff person assigned to assist the advisory board or committee and act as their secretary.
- (3) Each advisory body shall allow for public comment at the beginning and end of all meetings.
- (4) The advisory board/committee chair along with the assigned staff member shall prepare the meeting agenda and any back-up material which shall be made available for inspection during regular business hours prior to each meeting.

(5) All boards/committees shall use Robert's Rules as a guide in meeting protocol.
(Ord. No. 14-08, § 1, 6-16-14)

**Sec. 2-213. Ad hoc committees.**

From time to time the town council may establish ad hoc committees which are designed to assist the town council in its decision making process on limited topics and issues. Such committees are designed for a limited purpose and duration and can be dissolved or inactivated by the town council at any time. Such committees shall be governed by the provision of this division. Such committees are not quasi-judicial authorities. There are no durational residency requirements for appointments to any ad hoc committee; however, members shall be residents of the town. The town council shall have the sole discretion to determine the number of members and make up of such committees.

(Ord. No. 14-08, § 1, 6-16-14)

Sec. 2-214. Spending authority for boards and committees.

At no time shall any boards or committees, except for the town council, have any authority to independently authorize the expenditure of public funds. The Town council may, from time to time, budget public funds for such boards or committees; however, such board or committee may only advise or recommend to the town council projects or purposes for the expenditure of such funds. The authority to expend any such funds and the purpose of the expenditure rests solely with the town council. The town council may authorize town staff to expend such funds for any project or purpose recommended by such board or committee. Any such expenditure

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 3
Meeting Date: December 5, 2016

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

SUBJECT: Advance Mr. Doug Dial from Alternate to Regular Member of P&Z Board

BACKGROUND/HISTORY:

Doug Dial was appointed to P&Z as an Alternate and the Board agreed that when Pat Reilly moved up to take his seat as Mayor, that Doug should move up to become a regular Member. The Board would like Council to formally advance Mr. Dial to the position of Regular Member. This Board is now full with five regular and two Alternate Members.

FINANCIAL IMPACT:

None

ATTACHMENTS:

List of all Board Members with Terms

ACTION OPTIONS:

Motion to advance Doug Dial from Alternate to Regular Member of P&Z Board.



MALABAR BOARDS

Members and Terms

as of December 1, 2016

All Terms run from November 1 to October 31

	District	Began	Expiration	Notes:
<u>PLANNING AND ZONING</u>				
Patrick Reilly, Chair	3	2001	2016	To Council 11/2016
Doug Dial (replaced Pat)	2	2015	2018	Reso 04-2015
Wayne Abare	2	2014	2017	Reso 28-2014
Liz Ritter, Reso37-2008	1	2008	2017	Reso 34-2014
Charles 'Bud' Ryan	3	2002	2019	Reso 13-2016
George Foster	3	2013	2019	Reso 12-2016
Alt., Allen Rice	2	2016	2019	Reso 10-2016
Alt., Mary Hofmeister	2	2016	2019	Reso 11-2016

TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 4
Meeting Date: December 5, 2016

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

SUBJECT: Cancel 2nd Meeting in December

BACKGROUND/HISTORY:

It was suggested that the second meeting in December be cancelled. There is no new business that staff is aware of at this time that would require a 2nd meeting.

FINANCIAL IMPACT:

N/A

ATTACHMENTS:

N/A

ACTION OPTIONS:

Staff requests Council action.

TOWN OF MALABAR

AGENDA ITEM REPORT

AGENDA ITEM NO: 5

Meeting Date: December 5, 2016

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

SUBJECT: Approve Meeting Dates for January due to Holidays

BACKGROUND/HISTORY:

January 2, is the first Monday of the month but Town Hall will be closed in observance of New Year's Day.

January 16 is a Federal Holiday (MLK Jr. Day) and I had proposed meeting instead on January 23rd in my memo to you November 21, 2016. This will be the 2nd and 4th Mondays of the month.

Then in February the Meeting will be on February 7, but the 2nd meeting falls on another Federal Holiday (Presidents Day) so we are proposing no 2nd meeting in February.

Historically, during this time period the Clerk/Treasurer's Office is busy with compliance with the Outside Auditing Firm.

FINANCIAL IMPACT:

N/A

ATTACHMENTS:

N/A

ACTION OPTIONS:

Staff requests Council action.

TOWN OF MALABAR

MEMORANDUM

Date: November 21, 2016 2016-TC/T-042

To: Honorable Council, Mayor Reilly

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

Ref: Calendar for December 2016 and all of 2017 Meetings & Holidays

For your planning purposes, the schedule of Council meetings, proposed workshop dates and holidays are listed below. This has historically been given out at the November meeting after the election.

The budget timeline is established by the State. We receive the Certification of Taxable Value on July 1 and must report to the Property Appraisers by August 4 what the tentative millage will be and when we will hold the 1st Public Hearing on the budget. The Budget workshop and PH dates proposed are just estimates at this time.

Dec 23, 2016 CLOSED 4 hours Holiday & 4 hours Vacation
Dec 26, 2016 CLOSED 8 hours Holiday for Christmas
Dec 30, 2016 CLOSED 4 hours Holiday & 4 hours Vacation
Jan 2, 2017 CLOSED 8 hours Holiday for New Year's Day
Jan 09, 2017 – RTCM – 2nd Monday due to holiday- New Year's Day
Jan 23, 2017 – RTCM – 4th Monday due to holiday– MLK Holiday
Feb 06, 2017 – RTCM
Feb 20, 2017 – No meeting – Presidents Day
March 06 & 20, 2017 RTCM
Apr 03 & 17, 2017 RTCM
May 01 & 15, 2017 RTCM
Jun 05 & 19, 2017 RTCM
Jul 03 & 17, 2017 RTCM
July 24, 2016 for Budget Workshop
Aug 07 & 21, 2017 RTCM
Aug 15 & 29, 2017 for Budget Workshop
Sept 11 & 25, 2017 RTCM – tentative proposed 1st & 2nd reading on Millage and Budget
Oct 02 & 16, 2017 RTCM
Nov 06 & 20, 2017 RTCM and Nov 9, 2017 for Special post-election mtg
Dec 04 & 18, 2017 RTCM

The Federal holidays for 2017 are as follows:

01/02/2017 – Monday, New Year's Day
01/16/2017 – MLK Jr.
02/20/2017 – Presidents Day
05/29/2017 – Memorial Day
07/04/2017 – Independence Day
09/04/2017 – Labor Day Friday

11/11/2017 – Veterans Day
11/23/2017 - Thanksgiving
11/24/2017 day after T-day
12/22/2017- half day for Eve
12/25/2017 - Christmas Day
12/29/2017 – half day for Eve

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 6
Meeting Date: December 5, 2016

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

SUBJECT: Authorize Rehab of Soccer Field at Malabar Community Park

BACKGROUND/HISTORY:

TA has provided information on the preferred vendor to do the rehab on this field if approved by Council.

The other information in the packet is provided to demonstrate that Malabar has an over abundance of public land set aside for recreation. Malabar Council has established a ratio of 5 acres per 1000 residents in its Comp Plan which is consistent with State and Federal regulations. Malabar has 152 acres.

FINANCIAL IMPACT:

None

ATTACHMENTS:

Memo date 11/17/16 from TA Doug Hoyt with attachments

ACTION OPTIONS:

Staff requests direction



Town of Malabar

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

Thursday, November 17, 2016

Honorable Mayor Reilly and Council Members,

Your staff is charged with, as part of our jobs, with fiduciary responsibility for the Town of Malabar. Every year a budget is thoughtfully prepared and adopted by Council. Historically the Town has overspent the budget for the past ten years to the extent of \$978,000.00 or roughly \$97,000.00 per year.

One of the areas of concern is the Public Recreation areas that the Town oversees. Both the Federal Government and the Town state that we are to have 5 acres of public accessible lands per 1000 citizens. Malabar adopted, in its Comp Plan, chapter 7, level of service analysis, 5 acres per 1000 residents. Malabar has a population of approximately 3000 citizens. The Malabar Community Park and the Disc Golf Sanctuary more than meets this requirement with a combined total of 27 acres. In fact, projecting our current growth rate of 12 homes per year, these 27 acres will meet the Town's requirements until the year of 2052.

The 1100 homes in Malabar is designed to financially support 15 acres of recreational area. In order to support the 152 acres of public lands we now have, 6,250 residences would be required in our tax base.

The cost of acquisition is a minor part of this system of parks/sanctuaries/public areas within the Town. The real cost is the annual upkeep of these facilities. A case in point is the Soccer Field at the Malabar Community Park. Our previous vendor (Massy) contracted to fertilize and treat the soccer field and the ball field for weeds and insects with minimal results. Constant usage of the soccer field has damaged the turf to the point some areas must be sodded, seeded or ignored. Massy quoted \$13,000.00 to do this work. In my opinion the condition of this area should have been brought to the attention of this office (Massy) long before the condition of this field deteriorated to its present condition.

We have a proposal from another vendor (copy attached) who believes that through proper management the field can be brought back to a satisfactory condition. Their proposal for this restoration is \$8,740.00. Additionally, the field would not be available for play for a 6 to 9-month period.

The Town does not have the ability to perform this work because of the state and federal licensing and permit requirements for our personnel.

Please note that any decision to expend funds for this maintenance was not a considered item in the 2016-2017 fiscal budget.

Malabar is not the only municipality wishing to contain costs associated with the maintenance of public lands, for example Brevard County is trying to divest itself of the public area at the west most end of Malabar Rd. to name just one.

We respectfully ask for guidance on this matter.

Douglas C. Hoyt
Administrator, Town of Malabar

Pearce Power Spraying and Pest Control, Inc.

694 Atlantis Road Suite 8

Melbourne, FL 32904

321-728-1533 ofc 321-728-3966 fax

WEBSITE: www.ppspest.com EMAIL: SERVICE@PPSPEST.COM


RECOMMENDED SCHEDULE OF SERVICES FOR THE TOWN OF MALABAR NOVEMBER 15, 2016
TREATING SOCCER & BASEBALL FIELD 1850 MALABAR RD MALABAR, FL 32950 727-7764 DOROTHY

November 2016	LAWN SPRAY including 21-0-0 + iron + insecticide	\$450.00
December 2016	0-0-8 pre-emergent to control crabgrass	\$385.00
1 st Week	Bermuda Grass Princess 77 + Harrell's Premium Ryegrass Blend South/BARE AREAS ONLY	<u>\$1050.00</u> \$1435.00 TOTAL
December 2016	18-46-0 Diammonium Phosphate	\$225.00
2 nd Week	FOR BARE AREAS ONLY	
February 2017 1 st Week	20-0-10 Gran Fertilizer on all turf areas + Spot treating fire ants	\$450.00
February 2017 4 th Week	0-0-8 pre-emergent for entire turf + Bermuda Grass Princess 77	\$385.00 <u>\$1050.00</u> \$1435.00 TOTAL
March 2017 1 st Week	LAWN SPRAY Harrell's Phosphorus Plus + Harrell's 12-0-0 6% FE,3%MN w/Umaxx + Harrell's EarthMAX/HuMax	\$450.00
April 2017 1 st Week	LAWN SPRAY Harrell's Phosphorus Plus + Harrell's 12-0-0 6% FE,3%MN w/Umaxx	\$450.00
April 2017 4 th Week	Top Choice Fire ant control for fields & all turf areas	\$1275.00
May 2017 1 st Week	LAWN SPRAY Harrell's Phosphorus Plus + Harrell's 12-0-0 6% FE,3%MN w/Umaxx + Harrell's EarthMAX/HuMax for all turf areas	\$450.00
May 2017 4 th Week	20-0-10 Gran Fertilizer for fields	\$450.00

Pearce Power Spraying and Pest Control, Inc.
694 Atlantis Road Suite 8
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321-728-1533 ofc 321-728-3966 fax
WEBSITE: www.ppspest.com EMAIL: SERVICE@PPSPEST.COM

June 2017 2 nd Week	0-0-8 pre-emergent for entire turf	\$385.00
July 2017 1st Week	LAWN SPRAY Harrell's Phosphorus Plus + Harrell's 12-0-0 6% FE,3%MN w/Umaxx + Harrell's EarthMAX/HuMax for all turf areas	\$450.00
September 2017 1st Week	20-0-10 Gran Fertilizer on all turf areas	\$450.00
October 2017 1 st Week	0-0-8 pre-emergent for entire turf	\$385.00
GRAND TOTAL FOR SERVICES		\$8740.00

ACCEPTED AND APPROVED:



Customer Signature



David C. Pearce, President

HARRELL'S RECOMMENDED PRODUCTS AND APPLICATION SCHEDULE FOR TOWN OF MALABAR

Application Date: 5/25/17 Spreadable

TL-1005 20-0-10 Gran Fert

Application Date: 6/10/17 Spreadable

1610-5003 0-0-8 Pre-emergent Herbicide

Application Date: 7/5/17 Sprayable

820571 Harrell's Phosphorus Plus
822610 Harrell's 12-0-0 6%Fe, 3%Mn (CL 3B) w/Umaxx
880062 Harrell's EarthMAX/HuMax

Application Date: 9/4/17 Spreadable

TL-1005 20-0-10 Gran Fert

Application Date: 10/7/17 Spreadable

1610-5003 0-0-8 Pre-emergent Herbicide

HARRELL'S RECOMMENDED PRODUCTS AND APPLICATION SCHEDULE FOR TOWN OF MALABAR

Application Date: 11/18/16 Sprayable

200060 21-0-0 Ammonium Sulfate

Application Date: 12/5/16 Spreadable

1610-5003 0-0-8 Pre-emergent Herbicide
600517 Bermuda Grass Princess 77
620050 Harrell's Premlum Ryegrass Blend South

Application Date: 12/12/16 Spreadable

200051 18-46-0 Diammonium Phosphate

Application Date: 2/6/17 Spreadable

TL-1005 20-0-10 Gran Fert

Application Date: 2/25/17 Spreadable

1610-5003 0-0-8 Pre-emergent Herbicide
600517 Bermuda Grass Princess 77

Application Date: 3/6/17 Sprayable

820571 Harrell's Phosphorus Plus
822610 Harrell's 12-0-0 6%Fe, 3%Mn (CL 3B) w/Umaxx
880062 Harrell's EarthMAX/HuMax

Application Date: 4/3/17 Sprayable

820571 Harrell's Phosphorus Plus L
822610 Harrell's 12-0-0 6%Fe, 3%Mn (CL 3B) w/Umaxx
880062 Harrell's EarthMAX/HuMax

Application Date: 4/25/17 Spreadable

Top Choice Fire Ant Insecticide

Application Date: 5/7/17 Sprayable

820571 Harrell's Phosphorus Plus
822610 Harrell's 12-0-0 6%Fe, 3%Mn (CL 3B) w/Umaxx
880062 Harrell's EarthMAX/HuMax

Douglas C. Hoyt

From: Pearce Power Spraying <service@ppspest.com>
Sent: Tuesday, November 15, 2016 12:43 PM
To: Douglas C. Hoyt
Subject: PEARCE POWER SPRAYING

Dear Mr. Hoyt,

We have emailed you our schedule of services as well as Harrell's recommended product usage & timing for the Town of Malabar soccer & baseball field separately. Please contact us with any questions. If you would like to proceed please sign & return our recommended service schedule to us by email at service@ppspest.com or by mail at 694 Atlantis Road, Suite 8, Melbourne, FL 32904. We look forward to hearing from you & thank you for the opportunity to serve you!

Sincerely,

Jana Arcury
Office Manager

CHAPTER SEVEN

RECREATION AND OPEN SPACE ELEMENT

PURPOSE

The Recreation and Open Space Element of the Malabar Comprehensive Plan addresses recreation and open space planning issues for the Town. Statements of a goal, objectives and policies for guiding the Town's implementation actions conclude the element. It is the intent of the Town that this plan element sets forth a comprehensive framework for guiding decisions on public policy and capital improvements for recreation facilities and programs in a manner consistent with the Town's goals and objectives.

The Town of Malabar is situated in the southeast section of Brevard County. The Recreation and Open Space Element of the Town's Comprehensive Plan is a reflection of the town's location and desire to preserve and provide access to the open spaces and recreational opportunities afforded in this area of Florida.

Recreation and Open Space


The first component of the Element is the Town's focus on the conservation of and public access to environmentally sensitive lands and habitats. The Town has been an important partner to the Brevard County Environmentally Endangered Lands (EEL) program which has set aside approximately 912 acres of wetland and upland community habitats within the Town. In conjunction with Brevard County's EEL program and the Brevard Metropolitan Planning Organization (MPO), the Town has assisted in the development of a countywide trail system that links conservation lands, parks, and open spaces. The Brevard Greenways and Trails Master Plan is a proposed a multimodal system of urban connector trails that utilize existing right of way as well as greenway trails with their own right of way in less developed areas. Included in the Greenways and Trails Master Plan proposal is a 22-mile South Brevard Linear Trail linking Malabar's endangered lands with neighboring communities. The Malabar Scrub Sanctuary and Jordan Scrub Sanctuary – both EEL program lands located within the Malabar Town limits – are along this proposed multi-use corridor to be renamed after the late conservationist Al Tuttle. In Malabar, a bicycle path is already being planned along Marie Street, which connects the two sanctuaries.

The second component of the Element is access to the Indian River Lagoon (IRL). While the Town does not have Atlantic Ocean frontage, its eastern border is the IRL. The IRL offers many potential recreational and economic benefits to the communities along its banks. While the IRL extends along the entire eastern border of the Town, the Town does not own any land along the IRL and therefore has been unable to provide public access to the IRL.

EXISTING CONDITIONS AND DATA

Level of Service Analysis

The Town has adopted a Level of Service of five (5) acres of park and recreation lands per 1,000 residents. As can be seen in the following table, the Town will continue to meet this level of service through 2030. The existing park space is based upon Town-owned parks and open space. It does not include parks and spaces leased by the Town.


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MAIN
COMMUNITY FACTS
GUIDED SEARCH
ADVANCED SEARCH
DOWNLOAD CENTER

Community Facts - Find popular facts (population, income, etc.) and frequently requested data about your community.

Enter a state, county, city, town, or zip code: GO

Population

Age

Business and Industry

Education

Governments

Housing

Income

Origins and Language

Poverty

Race and Hispanic Origin

Veterans

Show All

Brevard County, Florida

Population
Bookmark/Save | Print

543,376

Source: 2010 Demographic Profile

Popular tables for this geography:

2010 Census

- General Population and Housing Characteristics (Population, Age, Sex, Race, Households and Housing, ...)
- Race and Hispanic or Latino Origin
- Hispanic or Latino by Type (Mexican, Puerto Rican, ...)
- Households and Families (Relationships, Children, Household Size, ...)
- Compare Cities and Towns for Population, Housing, Area, and Density
- Compare Census Tracts for Population, Housing, Area, and Density

2014 American Community Survey

- Demographic and Housing Estimates (Age, Sex, Race, Households and Housing, ...)

2015 Population Estimates Program

- Annual Population Estimates

Census 2000

- General Demographic Characteristics (Population, Age, Sex, Race, Households and Housing, ...)
- Compare Cities and Towns for Population, Housing, Area, and Density

• Want more? Need help? Use Guided Search or visit [Census.gov's Quick Facts](#).

Note: The Town of Malabar has 10% of the public lands in the Brevard County but only has ½ % percent of the population to support these areas.

Outdoor Recreation in Florida, 2008

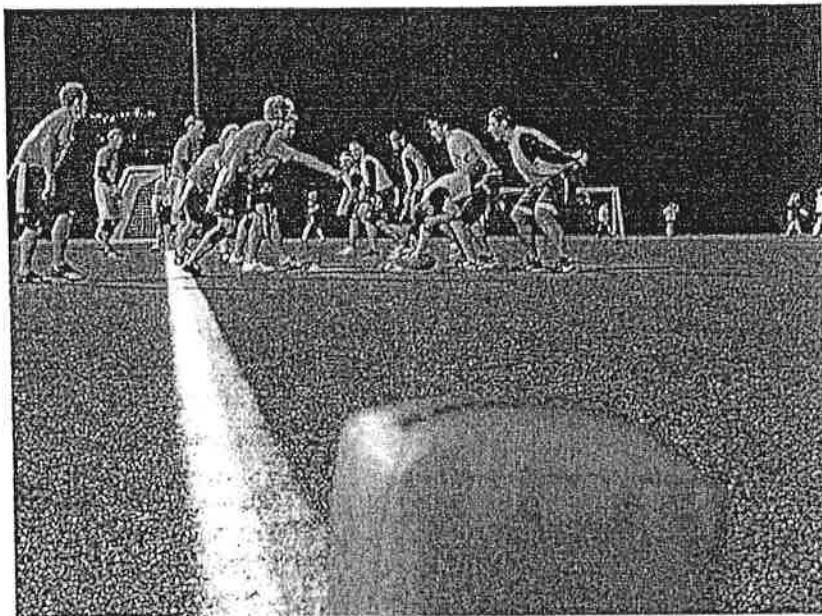
Table 4.6.3
Major Outdoor Recreation Areas
East Central Florida Region
2007
 (continued)

<i>Southwest Florida WMD</i>	<u>Acres</u>	Wildlife Management Areas, Wildlife & Environmental Areas and Mitigation Parks	<u>Acres</u>
Green Swamp-Little Withlacoochee Tract*	37,545	Hilochee (Lake County portion)*	6,246
<i>South Florida WMD</i>		Prairie Lakes Unit - Three Lakes*	8,859
Lower Reedy Creek (Osceola County portion)*	5,039	Salt Lake*	7,800
Shingle Creek	1,650	Split Oak	1,689
Upper Reedy Creek	4,070	Three Lakes*	52,976
		Triple N Ranch*	15,391
		Tosohatchee*	30,701

*Hunting managed by Florida Fish and Wildlife Conservation Commission as a wildlife management area.

Reported County and Municipal Areas

	<u>County</u>		<u>Municipal</u>	
	Areas	Acres	Areas	Acres
Brevard	247	12,014	184	1,619
Lake	45	713	103	1,055
Orange	92	16,211	246	5,926
Osceola	64	2,129	28	336
Seminole	37	6,131	84	1,048
Volusia	116	16,068	237	14,342



University of Central Florida, Orange County

tate a high priority for creating user-oriented outdoor recreation opportunities close to urban areas, the rapid depletion of suitable resources gives a sense of urgency to the resource-based outdoor recreation program. Because they satisfy essentially different human needs, it is difficult to compare these two types of outdoor recreation in terms of importance or urgency, except to say that both are important and both must be met expeditiously to keep up with the demands of a growing population.

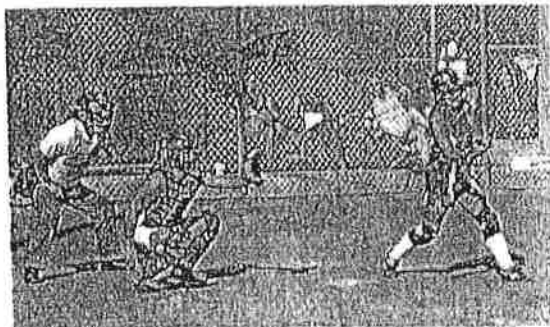
Roles in Providing Outdoor Recreation

Some division of responsibility is needed if the state's diverse public outdoor recreation needs are to be efficiently met. It is not reasonable, for example, to expect that agencies charged with managing state parks, forests, wildlife and water management areas would also be responsible for local ball fields, tennis courts and neighborhood parks. State government has the responsibility for promoting and coordinating all outdoor recreation efforts beneficial to the general public. It is the only level of government where this task can be accomplished effectively, especially when the resource on which the recreation is based crosses jurisdictional boundaries as in a regional or



*Resource-based Outdoor Recreation
Big Shoals State Park, Columbia County*

statewide trail. Thus, the state must ensure, either directly or indirectly, that the public's demand for outdoor recreation is brought into a reasonable balance, at least on a broad regional level, with the availability of opportunities for meeting this demand. Rather than meet these needs entirely through state-level programs, the state should assume responsibility for ensuring that needs are met through the planned and coordinated efforts of state, federal and local governments and private interests.



*User-oriented Outdoor Recreation,
Broward County*

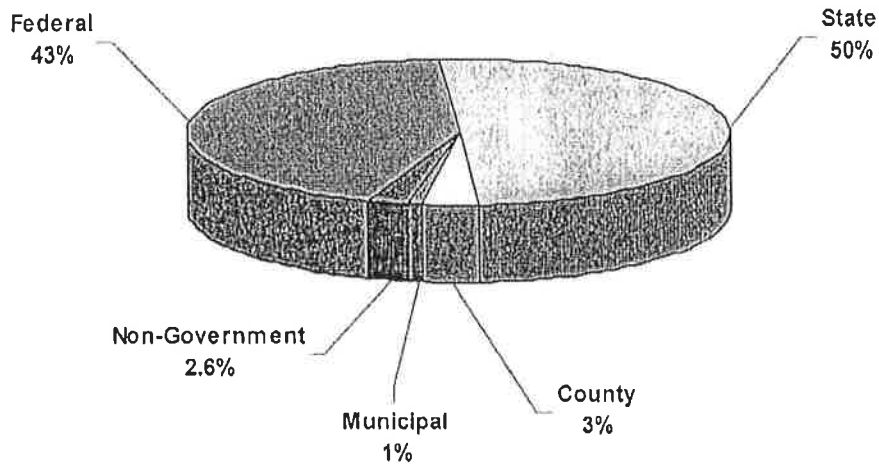
As far as its direct programming efforts are concerned, the state's primary responsibility is to provide resource-based outdoor recreation. It accomplishes this through the acquisition of lands and development of facilities necessary to make natural and cultural outdoor recreation resources of regional or statewide significance available to the public. The extensive land requirements, the typical location outside urban centers, and the higher costs of operation have led the state to assume this role as a bridge between the large, nationally significant parks

						church facility. Safe walking or bike access.
Basketball 1. Youth 2. High School 1. Collegiate	2400-3036 sq. ft. 5040-7280 sq. ft. 5600-7980 sq. ft.	46-50'x84' 50'x84' 50'x94' with 5' unobstructed space on all sides	Long axis north-south	1 per 5000	¼ - ½ mile	Same as badminton. Outdoor courts in neighborhood and community parks, plus active recreation areas in other park settings.
Handball (3-4 wall)	800 sq. ft. for 4-wall 1000 for 3-wall	20'x40' – Minimum of 10' to rear of 3-wall court. Minimum 20' overhead clearance	Long axis north-south. Front wall at north end.	1 per 20,000	15-30 minute travel time	4-wall usually indoor as part of multi-purpose facility. 3-wall usually outdoor in park or school setting
Ice Hockey	22,000 sq. ft. including support area	Rink 85'x200' (minimum 85'x185') Additional 5000 sq. ft. support area	Long axis north-south if outdoor	Indoor – 1 per 100,000 Outdoor – depends on climate	½ - 1 hour travel time	Climate important consideration affecting no. of units. Best as part of multi-purpose facility.
Tennis	Minimum of 7,200 sq. ft. single court (2 acres for complex)	36'x78'. 12' clearance on both sides; 21' clearance on both ends.	Long axis north-south	1 court per 2000	¼-1/2 mile	Best in batteries of 2-4. Located in neighborhood/community park or adjacent to school
Volleyball	Minimum of 4,000 sq. ft.	30'x60'. Minimum 6' clearance on all sides	Long axis north-south	1 per 5000	¼ - ½ mile	Same as other court activities (e.g. badminton)
Baseball 1. Official 1. Little League	3.0-3.85 A minimum 1.2 A minimum	Baselines – 90' Pitching distance 60 ½' foul lines – min. 320' Center field – 400'+ Baselines – 60' Pitching distance – 46' Foul lines – 200' Center field – 200' – 250'	Locate home plate to pitcher throwing across sun and batter not facing it. Line from home plate through pitchers mound run east-north-east.	1 per 5000 Lighted 1 per 30,000	¼ - ½ mile	Part of neighborhood complex. Lighted fields part of community complex.
Field Hockey	Minimum 1.5 A	180' x 300' with a minimum of 6' clearance on all sides.	Fall season – long axis northwest to southwest. For longer periods north-south	1 per 20,000	15-30 minutes travel time	Usually part of baseball, football, soccer complex in community park or adjacent to high school.
Football	Minimum 1.5 A	160' x 360' with a minimum of 6' clearance on all sides.	Same as field hockey.	1 per 20,000	15-30 minutes travel time	Same as field hockey.
Soccer	1.7 – 2.1 A	195' to 225'x330' to 360' with a minimum 10' clearance all sides.	Same as field hockey.	1 per 10,000	1-2 miles	Number of units depends on popularity. Youth soccer on smaller fields adjacent to schools or neighborhood parks.
Golf-driving Range	13.5 A for minimum of 25 tees	900'x690' wide. Add 12' width for each additional tee.	Long axis southwest-northeast with golfer driving toward northeast.	1 per 50,000	30 minutes travel time.	Part of a golf course complex. As separate unit may be privately owned.
¼ Mile Running Track	4.3 A	Overall width – 276' Length – 600.02' Track	Long axis in sector from north to south to north-	1 per 20,000	15-30 minutes	Usually part of high school, or in community park complex in

		width for 8 to 4 lanes is 32'.	west-south-east with finish line at northerly end.		travel time	combination with football, soccer, etc.
Softball	1.5 to 2.0 A	Baselines – 60 ' Pitching distance- 46' min. 40' women. Fast pitch field Radius from Plate – 225' Between foul Lines. Slow Pitch – 275' (men) 250' (women)	Same as baseball	1 per 5,000 (if also used for youth baseball)	¼ - ½ mile	Slight differences in dimensions for 16" slow pitch. May also be used for youth baseball.
Multiple Recreation Court (basketball, volleyball, tennis)	9, 840 sq. ft.	120' x 80'	Long axis of courts with primary use is north-south	1 per 10,000	1-2 miles.	
Trails	N/A	Well defined head maximum 10' width, maximum average grade is 5% not to exceed 15%. Capacity rural trails – 40 hikers/day/mile. Urban trails – 90 hikers/day/mile.	N/A	1 system per region	N/A	
Archery Range	Minimum 0.65 A	300' Length x Minimum 10' wide between targets. Roped clear space on sides of range minimum 30', clear space behind targets minimum of 90'x45' with bunker.	Archer facing north = or – 45 degrees.	1 per 50,000	30 minutes travel time	Part of regional or metro park complex.
Combination Skeet and Trap Field (8 Stations)	Minimum 30 A	All walks and structures occur within an area approximately 130' wide by 115' deep. Minimum cleared area is contained within 2 superimposed segments with 100-yard radii (4 acres). Shot-fall danger zone is contained within 2 superimposed segments with 300-yard radii (36 acres).	Center line of length runs northeast-southwest with shooter facing northeast.	1 per 50,000	30 minutes travel time	Part of regional/metro park complex
Golf 1. Par 3 (18 hole)	50-60 A Minimum 50 A	Average length vary 600-2700 yd. Average length –2250 yards	Majority of holes on north-south axis	-- 1/25,000	½ to 1 hour travel time	9 hole course can accommodate 350 people/day.

Outdoor Recreation in Florida, 2008

Figure 4.1
Statewide Outdoor Recreation Acreage by Category of Provider



Statewide Overview of Supply

Table 4.1 shows the statewide results of the outdoor recreation supply inventory update by level of provider. Public agencies and private providers supplied a total of more than 13 million acres of land and water for outdoor recreational use. Federal and state lands constitute 93 percent of the total outdoor recreation and conservation acreage in the state. The federal government provides 43 percent of the statewide acreage through various types of areas of national significance, including national parks and preserves, national forests, national wildlife refuges and military lands. State agencies provide fully one-half of the statewide acreage through a variety of programs and managed areas, including state parks, state forests, water management areas, greenways and

trails, wildlife management areas and water management lands.

Florida's local governments supply only four percent of the statewide outdoor recreation acreage, but they provide two-thirds of the individual parks and recreation areas in the state. Typically, they provide numerous passive and open space areas and access to many water bodies, affording opportunities for a variety of water-dependent recreation activities. Their primary involvement, however, is in supplying virtually all of the public facilities needed for user-oriented recreation.

Non-government organizations provide the remaining lands (346,000 acres) through a variety of commercial enterprises, non-profit organizations and clubs. A significant por-

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 7
Meeting Date: December 5, 2016

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

SUBJECT: Request for a Citizen's Budget Advisory Committee

BACKGROUND/HISTORY:

The Chair directed that this be an agenda item for discussion.

FINANCIAL IMPACT:

Unknown

ATTACHMENTS:

ACTION OPTIONS:

Council Discussion

**TOWN OF MALABAR
AGENDA ITEM REPORT**

AGENDA ITEM NO: 8
Meeting Date: December 5, 2016

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

SUBJECT: Amending Code on Culvert Requirements

BACKGROUND/HISTORY:

There is information in several sections of our Code that contradicts the Town's efforts in improving the Town's Stormwater Drainage System. Staff is preparing some amendments to this language to remove the contradictions and add the wording necessary to improve the overall drainage within the Town.

The TA is prepared to speak to this.

Once the Ordinance is in DRAFT form with the "line-throughs" and "underscores" it will be presented to Council for review before the first reading is scheduled.

FINANCIAL IMPACT:

Unknown

ATTACHMENTS:

None at this time

ACTION OPTIONS:

Council Discussion