

**RESOLUTION NO. 47-2010**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, RELATING TO THE FLORIDA STATE TRANSPORTATION TRUST FUND; MAKING FINDINGS; REQUESTING THAT THE FLORIDA LEGISLATURE NOT MAKE "SWEEPS," TRANSFERS, OR DIVERSIONS OF MONIES, FROM THE STATE TRANSPORTATION TRUST FUND; PROVIDING FOR THE DISTRIBUTION OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION.**

**WHEREAS**, the Florida House of Representatives has passed House Bill 5001, adopting the Florida State Budget for 2010-2011, which provides in Section 83 of the bill that the budget shall be balanced by transfer of \$278,000,000 from the State Transportation Trust Fund ("STTF") to the General Fund;

**WHEREAS**, the foregoing transfer is commonly referred to as a one-time "sweep" of STTF;

**WHEREAS**, the Florida House of Representatives has also passed House Bill 5503, which includes a recurring 8% general revenue service charge for Fiscal Years 2010-2011 through 2014-2015 of certain transportation related revenue sources which would otherwise be deposited in the STTF;

**WHEREAS**, the effect of House Bill 5503 will be to divert approximately \$179 million *per year* for five years which monies would otherwise be deposited in the STTF;

**WHEREAS**, for Fiscal Year 2010-2011 the foregoing proposed transfers and diversion of monies will divert approximately \$179,000,000 from the STTF, plus remove \$278,000,000 from the STTF for a total of \$457 million;

**WHEREAS**, the proposed transfers and effects of House Bills 5001 and 5503 will result in an approximate \$1.2 billion cut in the Florida Department of Transportation's Work Program and diversion of money away from the STTF during the period 2010 through 2015;

**WHEREAS**, each year the Legislature is now resorting to sweeps of the State Transportation Trust Fund to balance the state budget, which sweeps have been estimated by the Space Coast Transportation Planning Organization to amount to approximately \$10 billion since Fiscal Year 2006;

**WHEREAS**, the U.S. Department of Transportation estimates that every \$1 billion spent on transportation construction creates or maintains 28,000 jobs, and the yearly sweeps of transportation trust funds have likely cost Florida tremendous employment;

**WHEREAS**, a "Macroeconomic Impacts" report prepared by the Florida Department of Transportation indicates that every \$1 of money spent on transportation projects yields \$5.50 in positive economic activity;

**WHEREAS**, the Florida Senate has refused to approve this year's proposed "sweep" and the proposed five (5) years of diversions of monies from the State Transportation Trust Fund proposed by the Florida House of Representatives;

**WHEREAS**, the matter has been submitted to a joint Florida Senate/Florida House of Representatives Conference Committee;

**WHEREAS**, continued raids year after year on the State Transportation Trust Fund are wreaking havoc on the Florida transportation construction program exacerbating an estimated \$68.6 billion transportation shortfall in Florida metropolitan

areas over the next 20 years, dramatically reducing the ability of the FDOT to preserve and improve Florida's multi-modal transportation, and severely impacting Florida's national and global economic competitiveness; and

**WHEREAS**, on April 19, 2010, the Malabar Town Council considered this Resolution and approved the same.

**NOW, THEREFORE, BE IT RESOLVED BY THE SPACE COAST LEAGUE OF CITIES, INC., that:**

**SECTION 1.** The Town Council of Malabar respectfully requests that the Florida Legislature make no more "sweeps" or transfers from the State Transportation Trust Fund. The Town Council of Malabar further respectfully requests that the Florida Legislature make no diversions of monies intended to be deposited into the State Transportation Trust Fund. The State Transportation *Trust* Fund is exactly that, a fund to be held in trust and used exclusively for Florida's transportation program.

**SECTION 2.** The Town Clerk is hereby directed to forward copies of this resolution to Members of Brevard County Legislative Delegation, the Senate President, the Speaker of the House, the Brevard County Commission, the Florida Metropolitan Planning Organization Advisory Council, the Florida Transportation Commission, the Florida Department of Transportation, and the Florida League of Cities.

**SECTION 3.** This Resolution shall become effective immediately upon its adoption.

This Resolution was moved for adoption by Council Member Rivet. This

motion was seconded by Council Member Borton and, upon being put to vote, the vote was as follows:

Council Member Nancy Borton	<u>Aye</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Aye</u>
Council Member Marisa Acquaviva	<u>Aye</u>

This Resolution was then declared to be duly passed and adopted this 19th<sup>th</sup> day of April, 2010.

By: Thomas M. Eschenberg  
Mayor Thomas M. Eschenberg, Chair  
Town of Malabar

Approved as to form and content:  
Karl W. Bohne, Jr.  
Karl W. Bohne, Jr.  
Town Attorney

ATTEST:  
Debby K. Franklin  
Debby K. Franklin  
Town Clerk/Treasurer

(seal)