

RESOLUTION NO. 96-2011

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR COUNCIL APPROVAL OF THE ONE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT WITH BREVARD COUNTY FOR STORMWATER PROGRAM ADMINISTRATION AND MANAGEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Malabar has participated in the previous Interlocal Agreements with Brevard County since 2001; and

WHEREAS, and this Agreement authorizes Brevard County to administer and manage the Town's Stormwater Program consistent with the policies, procedures, and practices of the County's Natural Resource Management Office Stormwater Program; and

WHEREAS, the Town of Malabar desires to participate in this Intergovernmental Agreement for the one-year period in FY 2011/2012.

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 and directs that the one-year extension of the Interlocal Agreement to be signed by the appropriate Town Officials.

Section 2. The Town Council of Malabar, Brevard County, Florida, hereby authorizes and directs that the signed one-year extension of the Interlocal Agreement be forwarded to the Brevard County Department of Natural Resources.

Section 3. This Resolution shall take effect immediately upon its adoption.

This Resolution was moved for adoption by Council Member Rivet. This motion was seconded by Council Member Beatty and, upon being put to vote, the vote was as follows:

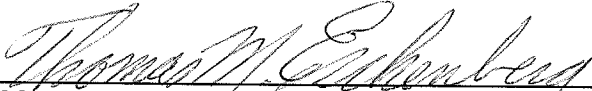
Council Member Carl Beatty

Aye

Council Member David White	<u>Excused</u>
Council Member Steven (Steve) Rivet	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Excused</u>
Council Member Marisa Acquaviva	<u>Aye</u>


This Resolution was then declared to be duly passed and adopted this 12th day of September, 2011.

By:



Mayor Thomas M. Eschenberg
Town of Malabar

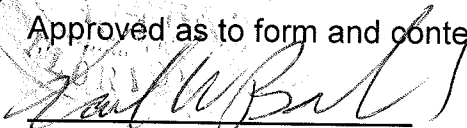
ATTEST:



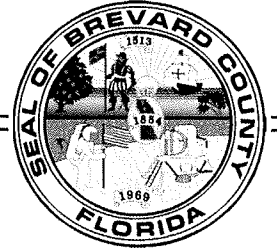
Debby K. Franklin, C.M.C.
Town Clerk/Treasurer

(seal)

Approved as to form and content:



Karl W. Bohne, Jr., Town Attorney



NATURAL RESOURCES MANAGEMENT OFFICE
2725 Judge Fran Jamieson Way, Building A-219, Viera, FL 32940

September 17, 2011

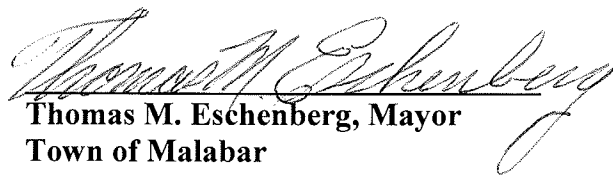
Bonilyn Wilbanks
Town Administrator
Town of Malabar
2725 Malabar Rd.
Malabar, FL 32950-4427

RE: Stormwater Utility Interlocal Agreement

Dear Bonilyn:

This is to notify you that in accordance with the Stormwater Interlocal Agreement entered on October 9, 2007, by and between Brevard County and the Town of Malabar for services related to the administration of the City's stormwater utility, the agreement will expire on October 9, 2011. Per the terms of the agreement (attached) Section 22. DURATION OF AGREEMENT stipulates that the County may extend this agreement in one year increments beyond the initial three year period, by mutual written consent of both parties.

By signing below the Brevard County Natural Resources Director, and the Town of Malabar Mayor agree to extend the agreement for a period of one year until October 9, 2012.


Thomas M. Eschenberg, Mayor
Town of Malabar

(As Approved by the Town Council on
October 1, 2007)

Ernest N. Brown, Director
Brevard County
Natural Resource Management Office
(As approved by the Board on
October 9, 2007)

C: Howard N. Tipton, County Manager
Debby Franklin, Town Clerk/Treasurer