

RESOLUTION 16-2022

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY FLORIDA; CALLING AND SCHEDULING A NON-BINDING REFERENDUM ELECTION TO DETERMINE IF THE TOWN SHOULD ADOPT A MILLAGE RATE OF 5.0000 FOR FISCAL YEAR 2023/2024 TO FUND CAPITAL IMPROVEMENTS AND OPERATION; PROVIDING FOR THE MANNER IN WHICH SUCH ELECTION SHALL BE CONDUCTED; ESTABLISHING THE FORM OF THE BALLOT FOR SUCH ELECTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Town Council has determined that the ability to provide for necessary public works projects, road construction, road grading, park maintenance, fire protection, stormwater projects, Town Hall construction and improvements and other municipal services, capital improvements and operations authorized by law is dependent upon the town being able to fund such services; and,

WHEREAS, increasing the millage to 5.0000 mills for fiscal year 2023/2024 would provide the Town the financial resources to provide such services to the Town residents at a level the Town residents deserve.

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

Section 1. A non-binding referendum election is hereby called and scheduled to be held concurrent with the general election on the 8th day of November, 2022, to determine whether the Town should adopt a millage rate of 5.0000 for fiscal year 2023/2024. Such non-binding referendum election shall be held and conducted in a manner prescribed by law for all general elections. The place for voting in such non-binding referendum election shall be the usual place for voting in the Town in the general election to be held on the 8th day of November, 2022.

The polls shall be open at such voting place on the day of such non-binding referendum election during the hours specified by the general laws of the State of Florida. All duly registered voters residing within the Town shall be entitled to participate in and vote at such referendum election.

Section 2. The ballot to be used at such non-binding referendum election shall contain a statement of the proposed subject matter of the question and shall provide facilities for registered voters to vote on the non-binding referendum question regarding support for a millage rate of 5.0000 for fiscal year 2023/2024. Said ballot shall be in substantially the following form:

Non-Binding Referendum Ballot Question 2022 Town of Malabar, Florida

Question 1. Would you support a millage rate of 5.0000 for the fiscal year 2023/2024 to fund capital improvements and operations.

The Town Council proposes a millage rate of 5.0000 mills for fiscal year 2023/2024. The cost breakdown for a house with a taxable value of \$85,000.00 if the millage rate is 5.0000 mills for 2023/2024 would be 425.00 in fiscal year 2023/2024.

____ Yes
____ No

Instruction to voters: If you are in favor of the ballot question, mark the space to the left of the word "YES". If you are not in favor of the ballot question, mark the space to the left of the word "NO".

Section 3. The Town Clerk is hereby authorized and directed to instruct the Supervisor of Elections of Brevard County to include the above-described non-binding referendum question on the ballot for the general election to be held on the 8th day of November, 2022.

Section 4. This Resolution shall become effective five business days after its adoption.

The foregoing Resolution was moved for adoption by Council Member Vail.
The motion was seconded by Council Member Rivet and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva
Council Member Brian Vail
Council Member Steve Rivet
Council Member David Scardino
Council Member Mary Hofmeister

Aye
Aye
Aye
Aye
Aye

This resolution was then declared to be duly passed and adopted this 15th day of August 2022.



Debby K. Franklin
Debby K. Franklin, CMC
Town Clerk/Treasurer

TOWN OF MALABAR

BY: Patrick T. Reilly
Mayor/Chair, Patrick T. Reilly

Approved as to form and content:

Karl W. Bohne, Jr.
Karl W. Bohne, Jr.
Town Attorney

Exhibit A
NOTICE OF NON-BINDING REFERENDUM ELECTION
TOWN OF MALABAR, FLORIDA

Public notice is hereby given that on November 8th, 2022; the non-binding referendum question to determine whether the registered voters of the Town would support a millage rate of 5.0000 for fiscal year 2023/2024 to fund capital improvements and operations will be submitted to the registered voters of the Town of Malabar and will appear on the same election ballot as a non-binding referendum on that date as one separate ballot question.

The Town Council of the Town of Malabar has adopted a resolution calling the said election on the following question:

AS TO QUESTION 1.

Question 1. Would you support a millage rate of 5.0000 for the fiscal year 2023/2024 to fund capital improvements and operations.

The Town Council proposes a millage rate of 5.0000 mills for fiscal year 2023/2024. The cost breakdown for a house with a taxable value of \$85,000.00 if the millage rate is 5.0000 mills for 2023/2024 would be 425.00 in fiscal year 2023/2024.

☐ Yes
☐ No

Instruction to voters: If you are in favor of the ballot question, mark the space to the left of the word "YES". If you are not in favor of the ballot question, mark the space to the left of the word "NO".

The places of voting shall be the usual places of voting in the Town of Malabar during the general election scheduled on November 8th, 2022 and the polls shall be open from 7:00 a.m. to 7:00 p.m. on the said date. All duly qualified electors residing within the Town of Malabar shall be entitled to participate and vote in said referendum election.

The ballot containing the question to be so submitted to the electors shall be in substantially the following form:

**Non-Binding Referendum Ballot Question 2022
Town of Malabar, Florida**

Question 1. Would you support a millage rate of 5.0000 for the fiscal year 2023/2024 to fund capital improvements and operations?

The Town Council proposes a millage rate of 5.0000 mills for fiscal year 2023/2024. The cost breakdown for a house with a taxable value of \$85,000.00 if the millage rate is 5.0000 mills for 2023/2024 would be 425.00 in fiscal year 2023/2024.

☐ Yes
☐ No

Instruction to voters: If you are in favor of the ballot question, mark the space to the left of the word "YES". If you are not in favor of the ballot question, mark the space to the left of the word "NO".

For further information regarding this non-binding referendum election, contact the Town Clerk of the Town of Malabar. A minimum of five copies of this Resolution are on file at the office of the said Town Clerk at Town Hall, 2725 Malabar Road, Malabar, Florida, 32950, and are available for inspection upon request during normal business hours.