

**RESOLUTION 08-2023**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA; PROVIDING CERTIFICATION OF ANNUAL STORMWATER ASSESSMENT ROLL; ADOPTING AN ANNUAL BUDGET FOR THE TOWN'S STORMWATER UTILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on August 17<sup>th</sup>, 2017, the Town Council of Malabar held a Public Hearing and adopted a stepped increase for the calculation of the annual stormwater utility assessment roll for the operation and maintenance of the Town's Stormwater management Program for the fiscal year beginning October 1<sup>st</sup>, 2023; and

**WHEREAS**, an annual assessment roll has been prepared by Brevard County, a summary of which is attached to and made part of this Resolution by reference and labeled Exhibit "A"; and

**WHEREAS**, a copy of such annual Stormwater Utility Assessment Roll has been sent to the Brevard County Tax Collector for collection in the same manner as ad valorem taxes are collected; and

**WHEREAS**, the Malabar Town Council is satisfied that the annual Stormwater Utility Assessment Roll has been prepared for the fiscal year beginning on October 1<sup>st</sup>, 2023, in conformity with the Schedule of Rates adopted by the Town Council on August 4<sup>th</sup>, 2017, and incorporating the rate increases in the per ERU from \$52.00 to \$64.00 per ERU (Equivalent Residential Unit).

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, THAT:**

**SECTION 1.** The above "WHEREAS" statements are true and correct.

**SECTION 2.** Those Stormwater Utility Assessments imposed during the fiscal year beginning on October 1<sup>st</sup> 2023 shall be billed by the Town of Malabar of its authorized representative, pursuant to the provisions of Section 13.5-8 of the Code of Ordinance, Town of Malabar, and shall be due and payable on November 1<sup>st</sup> of each year,

pursuant to law.

**SECTION 3.** That a certified copy of this Resolution shall be delivered to the Tax Collector of Brevard County, Florida, along with the executed DR-408A.

**SECTION 4.** This Resolution shall take effect immediately upon its adoption. The Resolution was moved for adoption by Council Member Vail. The motion was seconded by Council Member Scardino and, upon being put to a vote, the vote was as follows:

Council Member Marisa Acquaviva	<u>Excused</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Jim Clevenger	<u>Aye</u>
Council Member David Scardino	<u>Aye</u>
Council Member Mary Hofmeister	<u>Aye</u>

This ordinance was then declared duly passed and adopted this 11<sup>th</sup> day of September 2023.

(Seal)



**TOWN OF MALABAR**

Patrick T. Reilly  
Mayor Patrick T. Reilly, Council Chair

**ATTEST:**

Richard W. Kohler  
Richard W. Kohler, Town Clerk

**Approved for Legal Sufficiency**

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



## CERTIFICATE TO NON-AD VALOREM ASSESSMENT ROLL

I, the undersigned, hereby certify that I am the Chairman of the Board, or authorized agent of Town of Malabar, located in Brevard County, Florida; as such, I have satisfied myself that all property included or includable on the Non-Ad Valorem Assessment Roll for the aforesaid county is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I further certify that, upon completion of this certificate and the attachment of same to the herein described Non-Ad Valorem Assessment Roll as part thereof, said Non-Ad Valorem Assessment Roll will be delivered to the Tax Collector of this county.

In witness whereof, I have subscribed this certificate and caused the same to be attached to and made a part of the above described Non-Ad Valorem Assessment Roll this the 11 day of September, 2023 year.

  
\_\_\_\_\_  
Chairman of the Board or authorized agent

of Town of Malabar  
\_\_\_\_\_  
Name of local government

\_\_\_\_\_  
Brevard County, Florida