

## RESOLUTION 06-2016

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A REQUEST FROM THE FLORIDA TRANSPORTATION PLANNING ORGANIZATION TO RECOMMEND A CONCEPT FOR THE WIDENING ON SR 514, MALABAR ROAD FROM THE WESTERN BOUNDARIES OF THE TOWN TO U. S. 1 (STATE ROAD 5) IN THE TOWN OF MALABAR; PROVIDING FOR DISTRIBUTION OF REQUEST; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Malabar Road is a State Road that intersects the Town of Malabar from east to west at Township lines 28 and 29 in South Brevard County; and,

**WHEREAS**, SR 514 Malabar Road from US Highway 1 to Babcock Street (in Palm Bay) is approximately three and a half miles of which three miles is within the jurisdiction of the Town of Malabar; and,

**WHEREAS**, The Transportation Planning Organization has asked their input for multiple concepts as well as review of the currently accepted no-build two to three lane concept at the RTCM of April 18, 2016 and,

**WHEREAS**, the two four lane alternatives had negative effects on, future commercial growth, an active disk golf course, private lands, and the closure of a current through road serving the community and multimodal transportation and,

**WHEREAS**, the three lane alternative did not utilize land from the north side of the curve that is EELs and county lands, and did not implement a multimodal path on the north side of SR514, and not effect the active disk golf course on the south side of SR514; and,

**WHEREAS**, the townspeople have expressed a desire to expedite the already accepted and funded improvements to the Corey Road and Weber Road (project 413761) in order to improve traffic flow and alleviate current dangerous conditions..

**NOW, THEREFORE BE IT RESOLVED BY THE TOWN OF MALABAR OF BREVARD COUNTY, FLORIDA that;**

### **SECTION 1. Findings:**

1. The two lane (currently accepted) concept or a three lane modified concept be designed without south-side road closures and with north-side bike paths.
2. The state lands on the north side of the Malabar SR514 curve be utilized to enhance multimodal use.
3. Glatter Road (old Township Road) not be closed as it is currently accommodating horse, bike and multimodal traffic. Explore improvement of this road as an alternate downtown route.
4. Investigate fast tracking the improvements of Weber Road and Corey Road intersections.
5. Protect the current Disc Golf course.

### **SECTION 2. Severability.**

The provisions of this Resolution are declared to be severable and if any section, sentence, clause or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

**SECTION 4. Conflict.**

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

**SECTION 5. Effective Date.**

This Resolution shall take effect immediately upon passage.

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

- Council Member Grant Ball
- Council Member Brian Vail
- Council Member Don Krieger
- Council Member Dick Korn
- Council Member Richard Kohler

This Resolution was then declared to be duly passed and adopted this 6th day of June, 2016.

By: TOWN OF MALABAR  
Phil Crews  
Mayor Phil Crews, Council Chair

ATTEST:

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



Approved for Legal Sufficiency:  
Karl Bohne, Jr.  
Karl Bohne, Jr., Town Attorney