



NATURAL RESOURCES MANAGEMENT OFFICE  
1725 Judge Fran Jamieson Way, Building A-219, Viera, FL 32940

September 17, 2010

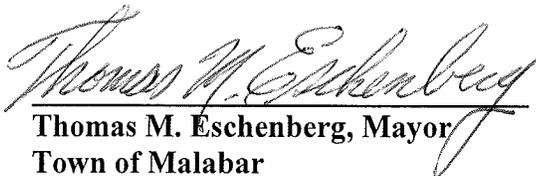
Bonilyn Wilbanks  
Town Administrator  
Town of Malabar  
2725 Malabar Rd.  
Malabar, FL 32950-4427

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, 2010. 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, 2011.



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

**RESOLUTION NO. 66-2010**

**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 2010/2011.

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

Council Member Nancy Borton

Aye

Council Member Brian Vail

Aye

Council Member Steven (Steve) Rivet

Aye

Council Member Jeffrey (Jeff) McKnight

Aye

Council Member Marisa Acquaviva

Aye

This Resolution was then declared to be duly passed and adopted this 20th day of September, 2010.

By:

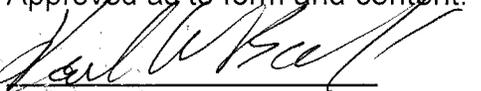
  
\_\_\_\_\_  
Mayor Thomas M. Eschenberg  
Town of Malabar

ATTEST:

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

(seal)

Approved as to form and content:

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