

RESOLUTION 88-2011 a

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO SUPPORT A REQUEST BY THE CITY OF PALM BAY TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO REDUCE THE SPEED ON SR 5, U.S. HIGHWAY 1 TO 45 MPH WITHIN THE JURISDICTION OF THE CITY OF PALM BAY; PROVIDING FOR DISTRIBUTION OF REQUEST; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, State Road 5, U.S. Highway 1, traverses the City of Palm Bay from north to south along the Indian River Lagoon in South Brevard County; and,

WHEREAS, the City of Palm Bay has asked Malabar to support their request for a speed reduction along SR 5, U.S. Highway 1 within Palm Bay city limits; and,

WHEREAS, the Town of Malabar desires to support their sister city; and,

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

SECTION 1. The Town of Malabar Supports the City of Palm Bay's Request for Reduced Speed on State Road 5, U. S. Highway 1 within Palm Bay city limits.

The Town Council of the Town of Malabar hereby supports the City of Palm Bay's request to the Florida Department of Transportation a request for reduced speed limit to 45 MPH along SR 5, U.S. Highway 1 within Palm Bay city limits.

SECTION 2. Distribution.

The Town Council of the Town of Malabar hereby directs the Town Clerk to distribute a copy of this resolution to the following: Secretary of the Florida Department of Transportation Mr. Ananth Prasad, Governor Rick Scott, U.S. Senator Bill Nelson, U.S. Senator Marco Rubio, Congressman Bill Posey, State Senator Mike Haridopolos, and State Representative John Tobia.

SECTION 3. 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All resolutions or parts of resolutions in conflict herewith are hereby repealed.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 Rivet. The motion was seconded by Council Member Acquaviva and, upon being put to a vote, the vote was as follows:

Council member Carl Beatty	Aye
Council member David White	Excused
Council member Steve Rivet	Aye
Council member Jeffrey (Jeff) McKnight	Excused
Council member Marisa Acquaviva	Aye

This Resolution was then declared to be duly passed and adopted this 16th day of May, 2011.

TOWN OF MALABAR

By: Thomas M. Eschenberg
Mayor Thomas M. Eschenberg
Council Chair

ATTEST:

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

(seal)