

RESOLUTION 21-2015

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, JOINING WITH THE CITY OF MELBOURNE IN SUPPORTING THE REQUEST BY PALM BAY TO ENCOURAGE THE BREVARD COUNTY COMMISSIONERS TO PLACE A REFERENDUM QUESTION ON THE 2016 BALLOT TO ALLOW BREVARD VOTERS TO APPROVE OR DENY A HALF-CENT LOCAL GOVERNMENT INFRASTRUCTURE SALES TAX TO ASSIST IN FUNDING NECESSARY ROAD MAINTENANCE AND IMPROVEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, infrastructure (roads) is a core function of local government, and

WHEREAS, Malabar Council supports the findings of both the City of Palm Bay and Brevard County Board of County Commissioners ad hoc committees relating to unfunded transportation infrastructure needs, and

WHEREAS, the Town of Malabar has 75 Public dirt or milled Rights-of-Way that have been improved and accepted by Council for road maintenance and 28 paved street; and

WHEREAS, the Local Option Gas Tax is not sufficient to fund all the costs associated with maintaining the dirt roads that have been accepted, capping the paved roads as they begin to fail and do life safety maintenance on the dozens of Unaccepted dirt roads within the boundaries of Malabar; and

WHEREAS, the Town of Malabar no other source of revenue to assist in covering these expenditures, and

WHEREAS, the Malabar Town Council recognizes the following recommendation, approved by a vote of 15-1 of the Blue Ribbon Advisory Board for transportation infrastructure, verbatim: *"A half-cent infrastructure sales tax generates significant revenue - about \$17.5M (per year) for the County and almost \$14M (per year) for distribution to the cities. It is the only option that provides a reasonable attempt at closing the unfunded transportation backlog. Additionally the revenues collected will increase as the economy expands. The infrastructure sales tax is the only funding mechanism that provides the revenue needed to support maintenance, reconstruction, and capacity for the County and cities. They also recommend the development of Interlocal agreements for the County and cities, prior to the referendum that include the*

following commitments:"

- *Limited to 15 years*
- *Revenue can only be used for transportation infrastructure (as defined by statute)*
- *Funds will be distributed based on the Department of Revenue allocation formula*
- *Resurfacing and maintenance of existing infrastructure will be prioritized*
- *Each jurisdiction will produce and maintain a list of project priorities*
- *Each jurisdiction will be required to produce an annual accountability report*
- *(Any) addition gas tax would be rescinded during the years that the infrastructure sales tax is collected*
- *Bonding is discouraged, or limited, and*

WHEREAS, the estimated revenue to the Town of Malabar via a half-cent Local Government Infrastructure Sales Tax, as provided for by Section 212.055(2), Florida Statutes, would contribute towards local roads within the municipal boundaries an estimated \$140,000 annually or \$2.1 million over fifteen (15) years.

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

SECTION 1. The above recitals are true and correct and by this reference are hereby incorporated into and made an integral part of this resolution.

SECTION 2. The Malabar Council encourages the Brevard County Board of County Commissioners to allow the constituents of Brevard County, FL to exercise self-government via placement of a referendum on the General Election, November 8, 2016, to approve or deny a half-cent Local Government Infrastructure Sales Tax.

SECTION 3. A copy of this resolution shall be provided to the Brevard County Board of County Commissioners and the municipalities within Brevard County, Florida.

SECTION 4. This resolution shall take effect immediately upon the enactment date.

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

Council Member Grant Ball	<u>NAH</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Don Krieger	<u>NAH</u>
Council Member Dick Korn	<u>Aye</u>
Council Member Marisa Acquaviva	<u>Aye</u>

This Resolution was then declared to be duly passed and adopted this 14th day of September, 2015.

TOWN OF MALABAR

By:

(seal)

Marisa Acquaviva
 Marisa Acquaviva,
 Council Chair

ATTEST:

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

Approved as to Form and Content:

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