

**CITY OF MARATHON, FLORIDA
RESOLUTION 2010-69**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, SUPPORTING THE PROPOSED TERMS AND CONDITIONS OF A PROPOSED AGREEMENT BETWEEN THE CITY OF MARATHON AND THE CITY OF KEY COLONY BEACH FOR THE PROVISION OF EMERGENCY MEDICAL AND FIRE RESCUE SERVICES; DIRECTING THE CITY MANAGER AND CITY ATTORNEY TO FINALIZE THE TERMS AND CONDITIONS AND PREPARATION OF THE PROPOSED AGREEMENT FOR FINAL APPROVAL BY THE CITY COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Manager has met with the Mayor of the City of Key Colony Beach (“KCB”) with the goal of providing the City of Marathon (“City”) and KCB with the best possible emergency medical and fire rescue services to the residents, property owners and visitors of each jurisdiction while equitably distributing the costs of such services between the jurisdictions; and

WHEREAS, the City Manager has developed proposed financial and non-financial terms and conditions that will serve as the basis of a proposed agreement for the provision of emergency medical and fire rescue services to KCB by the City, and seeks the support of the City Council to finalize the terms and conditions of the proposed agreement for final approval by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. The City Council endorses and supports the terms and condition of the a proposed agreement between the City and KCB for the provision of emergency medical and fire rescue services as set forth in the memorandum dated July 13, 2010, prepared by the City Manager, a copy of which is attached as Exhibit “A.” The City Manager and City Attorney are authorized to finalize the terms and conditions of the proposed agreement for final approval by the City Council.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13th DAY OF JUNE, 2010.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

AYES: Cinque, Keating, Ramsay, Worthington, Snead
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



City Attorney

Key Colony Beach Fire Fee Report – Cinque commented he wanted to be fair to the residents of Marathon and Key Colony Beach and thought the proposal was equitable.

Key Colony Beach Mayor Ron Sutton asked that the language “Four fifths vote of City Council required to modify/cancel.” be stricken, and wanted language added that the agreement could not be modified or cancelled due to price.

Ramsay commended that his intent was to satisfy the needs of both the City of Marathon and Key Colony Beach, and he had no problem striking the language regarding the four fifths vote.

Herin commented that the previous bullet point under the concepts the council was being asked to endorse (Extremely Limited Extraordinary Reopener Clause – a direct disaster impact to Marathon/KCB) provided for a disaster.

Hernstadt commented that the four fifths vote will not change the contract price unless there was a direct disaster affecting Marathon or Key Colony Beach.

Key Colony Beach Mayor Sutton stated he would be bringing this to his council on July 22nd, at 9:30 am.

Ramsay stated his idea of a mutual arrangement of a councilmember from each commission attending each other’s council meetings.

MOTION: Cinque moved to adopt Resolution 2010-69 as amended.

SECOND: Ramsay

With no objection from the members of Council, Snead declared the motion approved by unanimous consent.



CITY OF MARATHON, FLORIDA

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Memorandum

To: The Honorable Mayor and Members of the City Council

From: Roger T. Hernstadt, City Manager *Roger T. Hernstadt*

Date: July 13, 2010

Re: Key Colony Beach Fire Rescue and Emergency Medical Service Contribution

As requested, I have met with the Mayor of Key Colony Beach on several occasions with the goal of providing the Middle Keys the best possible Fire Rescue and Emergency Medical Services to protect Key Colony Beach and Marathon properties, residents, businesses and visitors and concurrently give thoughtful consideration to the respective concerns of both cities in establishing a fair distribution of the associated costs. Therefore, I am respectfully requesting that the Marathon City Council endorse the following concepts and forward the terms to the City of Key Colony Beach Council for consideration/approval.

- No catch up provision for past equipment shortfall(s) (FY 2009-10 to be completed under old formula/process)*.
- Five year contract (starting in Fiscal Year 2010-2011)
- \$525,000 per year (\$500,000 property taxes plus \$25,000 capital infrastructure)*.
- Extremely Limited Extraordinary Reopener Clause -- a direct disaster impact to Marathon/KCB.
- Four fifths vote of City Council required to modify/cancel.

*Current pension contribution from fire insurance premiums continues.