



**City of Marathon City Council Agenda**  
**Council Chambers, 9805 Overseas Hwy., Marathon**  
**Tuesday, February 26, 2019 5:30 P.M.**

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of agenda and consent agenda** [Approval of Consent Agenda passes all routine items indicated by asterisk (\*). Consent Agenda items are not considered separately unless a council member so requests. In the event of such a request, the item is returned to the Regular Agenda.]
5. **City Council Items**
  - \*A. Approval of Minutes
  - B. Community Announcements
6. **City Manager Report**
  - A. Wastewater Utility Report
  - B. Parks and Recreation Report
  - C. Marina Report
7. Citizens' comments on agenda items not scheduled for public hearing and items other than those appearing on the agenda [Those who have signed in will be given the first opportunity to speak. Time is limited to 2 minutes per speaker and 30 minutes total time for this agenda item.] TIME CERTAIN TO 6:30 PM OR AS SOON AS POSSIBLE THEREAFTER OR AFTER THE LAST AGENDA ITEM; WHATEVER COMES FIRST
8. **Ordinances for Second Public Hearing and Enactment**
  - A. Ordinance 2019-02, Creating A Share Account Plan To Amend The Retirement Plan And Trust For The Firefighters Of The City Of Marathon, Florida; Amending Section 2-103 Of The Code To Add Reference To The Share Account Plan; Providing For Conflicts; Providing For Severability; Providing For Repeal Of Ordinances In Conflict; And Providing An Effective Date.
9. **Ordinances for First Public Hearing**
  - A. **Ordinance 2019-03** Amending The Comprehensive Plan Future Land Use Map (FLUM) Designation From Residential Medium (RM) To Mixed Use Commercial (MU-C) And Residential Medium (RM) For Part Of The Property Described As 222 99th St. Ocean, Marathon, Monroe County, Florida, Having Real Estate Number 00352210-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity.

B. **Ordinance 2019-04**, Amending The Official Zoning Map From From Residential Medium (Rm) To Mixed Use (Mu) And Residential Medium (Rm) For Part Of The Property Described As 222 99th St. Ocean, Marathon, Monroe County, Florida, Having Real Estate Number 00352210-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity

C. **Ordinance 2019-05**, Amending Chapter 2, Article 1, Of The City Code Of Ordinances By Creating Section 2-1, "Municipal Seal," Providing For The Repeal All Ordinances Or Parts Of Ordinances Found To Be In Conflict, Providing For Inclusion In The Code Of Ordinances, Providing For Severability; And Providing For An Effective Date

10. **Quasi-Judicial Public Hearings:** Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment upon these items, please inform the Clerk by filling out the available sign-up form. An opportunity for persons to speak on the items will be made available after the applicant and staff has made their presentations on the items. All testimony, including public testimony and evidence, will be made under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will not be considered. The general public will not be permitted to cross-examine witnesses, but the public may request the Council to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. (Councilmember's to communicate ex parte communication.)

A. **Resolution 2019-18**, Consideration Of A Request By Mario And Kay Ferrucci For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled "Conditional Use Permits," Authorizing The Development Of Six (6) Affordable Housing Units For Part Of The Property Described As 222 99th ST. Ocean, Marathon, Monroe County, Florida, Having Real Estate Number 00352210-000000. Nearest Mile Marker 52.

B. Consideration Of A Request For An Amendment To An **Existing Development Agreement** Documented As Recorded In City Of Marathon Resolution 2007-093 For Keys RV/Mobile Home Condominium Association, Inc., Pursuant To Chapter 102, Article 8 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Development Agreement" In Order To Amend The Agreement Revising The Lot Designation For Lot 15 E From Transient (T) to Mobile Home (MH); For Property Which Is Legally Described As Key By The Sea Condominium; Located At 6099 Overseas Highway, Having Real Estate Numbers 00338830-001250 (As Stated In The Resolution), Nearest Mile Marker 50.

11. **Resolutions for Adoption**

\*A. **Resolution 2019-19**, Accepting The Ranking And Recommendation Of The City's Evaluation Team Of The Community Park Soccer Field Refurbishment RFP; Authorizing The City Manager To Execute A Contract With The Top Ranked Firm XGD Systems, LLC in the Amount of \$118,500.00; And Providing For An Effective Date And Providing For An Effective Date.

\* B. **Resolution 2019-20**, Approving The Professional Service Agreement Between The City And RS&H, Inc., For Construction Engineering and Inspection (CEI) Services For The Aviation Blvd. Multi-Use Trail Project In An Amount Not To Exceed \$163,030.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

\* C. **Resolution 2019-21**, Approving The Professional Service Agreement Between The City And Cardno, Inc., For Construction Engineering and Inspection (CEI) Services For The Sombrero Beach Reconstruction Project In An Amount Not To Exceed \$144,240.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

12. Citizens' comments [2 minutes per individual - Each individual has one opportunity to speak.]

13. Council comments

14. Adjournment

The public hearings will commence at 5:30 p.m., or as soon thereafter as business permits, in the Marathon City Council Chambers, 9805 Overseas Highway, Marathon, FL. All interested persons are invited to attend the meeting and participate in the discussion; or, written comments may be sent to the City of Marathon, c/o City Clerk, 9805 Overseas Hwy, Marathon, FL 33050.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. Please contact the City Clerk at [clavierd@ci.marathon.fl.us](mailto:clavierd@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.