



**City of Marathon City Council Agenda  
Marathon Council Chambers, 9805 Overseas Hwy., Marathon  
Tuesday, May 28, 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. Permission to hold the 39<sup>th</sup> Annual Bridge Run on March 28, 2020
    - C. Land Authority (Councilmember Zieg)
    - D. Increase of Maximum Building Height Discussion (Councilmember Senmartin)
    - E. Community Announcements
- 6. City Manager Report**
  - A. Five Year Service Award, Amanda Riley
  - B. Draft Budget Calendar
  - C. Report on Breakout of Number of Temporary Placement Structures
  - D. Wastewater Utility 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 AT THE CONCLUSION OF ALL COUNCIL BUSINESS; WHICHEVER OCCURS FIRST.**
- 8. Quasi Judicial Public Hearing** - 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 2019-46**, Approving A Request By Grassy Key Resort Group, LLC For A Conditional Use Permit, Pursuant To Chapter 102, Articles 13 Of The City Of Marathon Land Development Regulations (LDRS) Entitled "Conditional Use Permit" Seeking Authorization For The Redevelopment Of An Existing Hotel Resort And

Commercial Uses On Property Located At 58070 And 58182 Overseas Highway, Which Is Legally Described As Township 65, Section 24, Range 33; Bk 36 Lots 1-2-3-4, Pt Lots 5-6 (Parcel A) And Westerly 15ft Unnamed St Adjacent Lot 1 Res B-C-C 8/11/61 And Adjacent Portion Of Flagler Street And Grassy Key Bay Bottom Adjacent Lots 1-2-3, Lot 12 And Pt Lot 13 In The Crains Subdivision, Grassy Key, Marathon, Florida: Having Real Estate Numbers 00370940-000000 And 00371060. Nearest Mile Marker 58.5.

**B. Resolution 2019-47**, Approving A Request By Grassy Key Resort Group, LLC For A Development Agreement, Pursuant To Chapter 102, Articles 8 Of The City Of Marathon Land Development Regulations (LDRS) Entitled “Development Agreement” Seeking Authorization For The Redevelopment Of An Existing Hotel Resort And Commercial Uses On Property Located At 58070 And 58182 Overseas Highway, Which Is Legally Described As Township 65, Section 24, Range 33; Bk 36 Lots 1-2-3-4, Pt Lots 5-6 (Parcel A) And Westerly 15ft Unnamed St Adjacent Lot 1 Res B-C-C 8/11/61 And Adjacent Portion Of Flagler Street And Grassy Key Bay Bottom Adjacent Lots 1-2-3, Lot 12 And Pt Lot 13 In The Crains Subdivision, Grassy Key, Marathon, Florida: Having Real Estate Numbers 00370940-000000 And 00371060. Nearest Mile Marker 58.5.

**C.** Consideration Of A Request For A Conditional Use Permit And Development Agreement For 1477 Overseas Highway LLC And Seasons Inc., Pursuant to Chapter 102, Articles 8 & 13 Of The City of Marathon Land Development Regulations (Code) Entitled “Conditional Use Permits” And “Development Agreements,” For The Redevelopment Of The Properties As An Affordable Mobile Home Park, Located at 1477 Overseas Highway And 263 15<sup>th</sup> Street, Which Are Legally Described As The North 150 Feet of Lot 1 and 2, Part of Lots 1 and 2, Block 2 , Parrish Subdivision, Marathon, Florida, Having Real Estate Numbers 00326770-000000 and 00326760-000000. Nearest Mile Marker 48.

## **9. Ordinances for First Public Hearing**

**A. Ordinance 2019-10**, Amending The City’s Comprehensive Plan To Modify Or Add To Its Conservation And Coastal Element, Goals Objectives, And Policies To Comply With Florida Statute 163.3178(2)(F) “Peril of Flood”; Intending To Modify, “Purpose;” Goal 4-1, “Conserve, Manage, Use, And Protect Natural And Environmental Resources;” Policy 4-1.3.3, “Surface Water Management And Flood Damage Prevention;” And Objective 4-1.17, “Minimum Coastal Hazards;” And Intending To Add Policies To Include Policy 4-1.17.8, “Strategies For Responding To Sea Level Rise;” Policy 4-1.17.9, “Flood-Resistant Development Requirements;” Policy 4-1.17.10, “Extreme Weather Event Mitigation;” And Policy 4-1.17.11, “Best Practices And Mitigation Strategies;” And Finally, Intending To Modify Objective 4-1.22, “Reduce Exposure To Natural Hazards,” Policy 4-1.22.5, “Manage Redevelopment Activities; And Policy 4-1.22.8, “Regulate Redevelopment Of Non-Conforming Structures To The Required Base Flood Elevation;” Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After The First Hearing By The City Council; And Providing For An Effective Date.

## 10 Resolutions for Adoption

**\*A. Resolution 2019-48** Consideration Of A Request To The City Council Of The City Of Marathon, Florida To Release Funds In The Amount Of \$300,000 To First Tropical Getaways, Inc and Marathon Rentals, LLC; Said Funds Are Held By A Local Attorney Pursuant To Conditions And Requirements Promulgated In Resolutions 2015-123 and 2017-94; The Terms For The Release Of Said Funds Is Similarly Prescribed Under each Development Agreement; And Providing For An Effective Date.

**\*B. Resolution 2019-49** Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of a 600 KW Trailer Mounted Emergency Generator, Under The Florida Sheriff’s Bid FSA18-VEH16.0 Specification #79 From Mid Florida Diesel, In An Amount Not To Exceed \$208,785.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, And Expending Budgeted Funds; And Providing For An Effective Date

**\*C. Resolution 2019-50** Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of a Ford F250 Utility Body, Under The Florida Sheriff’s Bid 2019-120716-NAF From Alan Jay Fleet Sales, In An Amount Not To Exceed \$36,589.50; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

**\*D. Resolution 2019-51,** Awarding contract for the Service Area 3 to 4 Influent Re-Pump Design and Construction Engineering Services and Area 3 Pre-Treatment Construction Engineering Services To Weiler Engineering Corporation.; Approving Contract in the Amount of \$110,770.00; Authorizing The City Manager To Execute The Contract, Appropriating and Expending Funds On Behalf Of The City; And Providing For An Effective Date. (This work qualifies and will be submitted for reimbursement through the LP44041 FDEP Grant when the project is complete. The Construction of this project may be eligible for future ACOE grant funding.)

**\*E. Resolution 2019-52** Approving A First Amendment To The Agreement Between The City Of Marathon And James (Jack) Bridges For Code Enforcement Special Magistrate Services And Providing For An Effective Date

**\*F. Resolution 2019-53,** Revising Development Order 2016-12 To Include Administrative Revisions Concerning Changes In Ownership And Minor Changes In Conditions That Will More Accurately Reflect The True Conditions Of Upcoming Construction Approvals; For A Project Now Owned By Marathon Key Housing Partners, LP For A Conditional Use Permit Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Conditional Use Permits”, Authorizing The Development Of Fifty-Five (55) Multifamily Affordable Housing Units On Properties Located At 4800 Overseas Highway, Which Are Legally Described As Part Of Lot 1 Formerly Overseas Highway, As Well As Part Of Lot 1, Part Of Lot 2, Part Of Lot 3, Part Of Lot 4, Part Of Lot 4 (Parcel A), & Adjacent Bay Bottom Of Thompson & Adams Subdivision, Key Vaca, Monroe County, Florida, Having Real Estate Numbers As Listed in the Resolution. Nearest Mile Marker 50

**\*G Resolution 2019-54**, Approving The Second Amendment To The Interlocal Agreement (ILA) Between The City Of Marathon And Monroe County Transferring Affordable Housing Residential Dwelling Unit Allocations For An Approved Project In The Current Ownership Of Marathon Key Housing Partners LP; Said Ila Originally Approved Pursuant To City Resolution 2016-113 And Subsequently Amended Pursuant To Resolution 2019-27; The Subject Amendment Will Update Current Ownership In The Project And Add A Section Titled, “Owner’s Right To Transfer; Performance By Recognized Mortgagee;” Said Project To Be Located Between 4700 And 4800 Overseas Highway, Marathon, Florida On Properties Including Real Estate As Stated in the Resolution; Rescinding Resolution 2017-107; And Providing For An Effective Date. Nearest Mile Marker 50

**\*H Resolution 2019-55**, Revising Development Order 2016-07 To Include Administrative Revisions Concerning Changes In Ownership And Minor Changes In Conditions That Will More Accurately Reflect The True Conditions Of Upcoming Construction Approvals; For A Project Now Owed By Crystal Cove Housing Partners, LP For A Conditional Use Permit Pursuant To Chapter 102, Articles 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Conditional Use Permits," Authorizing The Development Of A Twenty-Eight (28) Unit RV Park, Forty-Six Affordable Housing Units And 7,700 Square Feet Of Commercial Retail On Properties Located At And Adjacent To 4900 Overseas Highway; Real Estate Numbers 00327150-000000, 00327910-000000, 00327920-000000, 00327990-000000, 00328000-000000, 00328010-000000, 00328020-000000, And 00328030-000000. Nearest Mile Marker 50

**\*I Resolution 2019-56**, Approving The Second Amendment To The Interlocal Agreement (Ila) Between The City Of Marathon And Monroe County Transferring Affordable Housing Residential Dwelling Unit Allocations For An Approved Project In The Current Ownership Of Crystal Cove Housing Partners LP; Said Ila Originally Approved Pursuant To City Resolution 2016-125 And Subsequently Amended Pursuant To Resolution 2019-28; The Subject Amendment Will Update Of Current Ownership In The Project And Add A Section Titled, “Owner’s Right To Transfer; Performance By Recognized Mortgagee;” Project In The Ownership Of Crystal Cove Market Site LLC (Formerly HTG Crystal Cove), To Be Located 4900 Overseas Highway, Marathon, Florida On Properties Including Real Estate Numbers As Listed In The Resolution; Nearest Mile Marker 50; Rescinding Resolution 2017-106; And Providing For An Effective Date.

**\*J. Resolution 2019-57**, Approving Minor Revisions To An Interlocal Agreement Between Monroe County And The City Of Marathon Transferring Affordable Housing Residential Allocation For A Project In The Name Of Multiple Corporations Including Callianasa Corp., Key Vaca LLC, Driftwood LLC, CB Schmitt Real Estate Company, Inc., And Twenty-Third Street, LLC, And Providing For An Effective Date.

**\*K. Resolution 2019-58**, Approving Minor Revisions To An Interlocal Agreement Between Monroe County And The City Of Marathon Transferring Affordable Housing Residential Allocation For A Project In The Names Of Seaward Landings LLC And Seaward Pointe LLC; And Providing For An Effective Date.

**\*L. Resolution 2019-59**, Approving The Release Of A Unity Of Title In The Name Of Jo-Jo’s Of The Florida Keys, LLC As Recorded With The Monroe County Clerk Of Courts, Book 2469, Page 2156; And Providing For An Effective Date

11. **Citizens' comments** [2 minutes per individual - Each individual has one opportunity to speak.]
12. **Council comments**
13. **Adjournment**

The public hearings will commence at 5:30 p.m., or as soon thereafter as business permits, in the City Hall 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. ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marathon City Attorney at (305) 289-4130 at least five days prior thereto. Please contact the City Clerk at [clavird@ci.marathon.fl.us](mailto:clavird@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.