



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon
Tuesday, August 11, 2020 5:30 P.M.**

Pursuant to Executive Order No. 20-69, Monroe County Emergency Directive 20-06 and Center for Disease Control (“CDC”) social distancing guidelines established to contain the spread of the COVID-19 virus, this meeting will be held virtually via Zoom Meetings.

Members of the public who wish to view the City Council Meeting may do so by watching local via the web at: www.youtube.com/channel/UCFimq7DjLHNolPgqbKTaftQ/live

Members of the public who wish to comment on matters before the City Council may do so by either:

- (1) Calling (305) 289-4130, or emailing cityofmarathon@ci.marathon.fl.us with your name, address, and phone number where you can be reached during the meeting on August 11th by 4:00PM; or**
- (2) Calling (301) 715-8592, and upon receiving voice prompt, dialing Meeting ID: 996 8627 9888 and Password: 363569. *Members of the public who participate in the meeting through this option must mute themselves until called upon to speak.***

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. Creation of Intergovernmental Task Force to Address Lobster Mini-Season Issues (Councilmember Bartus)

C. Marathon’s Part in COVID Epidemic (Councilmember Senmartin)

D. City Attorney Discussion/Selection (Councilmember Zieg)

6. City Manager 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.] **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 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. **As the August 11 City Council Meeting will be conducted via videoconference, any person who gives testimony for any Quasi-Judicial Hearing must identify themselves. All persons who wish to give testimony are encouraged to be sworn in advance of the City Council meeting on August 11th at 3:00PM by joining a Zoom call at the link below:**

<https://zoom.us/j/94198135746>

If you refuse either to be cross-examined or to be sworn, your testimony will not be considered **as record evidence, but you may provide comment during the public comment section of the meeting.** 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 [2020-36](#), Consideration Of A Request By Seaview Commons II For A Conditional Use Permit Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Conditional Use Permits," Proposing The Mixed Development Of Six (6) Market Rate And Sixty (60) Affordable Housing Residential Units With Amenities; For Property Located At The Southeast Corner Of Pescayo Ave., Coco Plum, Marathon, Florida, Which Is Legally Described As Lying Within Township 66S, Section 5, Range 33E; Key Vaca, Marathon, Florida; Having Real Estate Numbers 00363550-000000 And 00363560-000000. Nearest Mile Marker 54.

B. Resolution [2020-44](#), Consideration Of A Request For A Conditional Use Permit For Guillermo Torres, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (Code) Entitled "Conditional Use Permits" For The Development Of A Property Into Multifamily Housing, Office And Retail; Located At 10155 Overseas Hwy; Which Is Legally Described As Part Of Government Lot 2 And Bay Bottom South Of And Adjacent Part Government Lot 2, Key Vaca, Having Real Estate Number 00104460-000000, Nearest Mile Marker 52.5.

C. First Hearing Of A [Request](#) By Seasons, Inc. (With Approval Of The Owner, Crystal Cove Market Site, LLC) By The City Council Of The City Of Marathon, Florida For A **Conditional Use Permit And Development Agreement** Pursuant To Chapter 102, Articles 8 And 13 Of The City Of Marathon Land Development Regulations (LDRS) Entitled "Development Agreement" And "Conditional Use Permits" Respectively, Proposing The Development Of Twenty-Six (26) Transient Residences (Two & Three Bedroom) And Eighteen (18) One-Bedroom Hotel Style Transient Units With Amenities; Seeking To Sever The Connection With The Conditional Use Permit And Development Agreement Identified In Resolutions 2019-55 And 2016-72 (Crystal Cove Housing Partners, LP) In Favor Of The Project And Agreements Proposed Herein; For Property Located At 881 50th Street, Gulf, Marathon, Florida, Which Is Legally Described As Lying Within Township 66s, Section 6, Range 32e; Key Vaca, Marathon, Florida; Having Real Estate Number 00327150-000100. Nearest Mile Marker 50 (49.75).

D. First Hearing of A [Request](#) By Grassy Key Resort Group, LLC For A Modification To Their Conditional Use Permit (Resolution 2019-46) And Development Agreement (Resolution 2019-47) Pursuant To Chapter 102, Articles 13 Respectively Of The City Of Marathon Land Development Regulations (LDRs); Seeking A Modification To Their Site Plan 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, Part Lots 5-6 (Parcel A) And Westerly 15ft Unnamed St Adj Lot 1 Res B-C-C 8/11/61 And Adj Portion Of Flagler Street And Grassy Key Bay Bottom Adjacent Lots 1-2-3, Lot 12 And Part Lot 13 In The Crain's Subdivision, Grassy Key, Marathon, Florida: Having Real Estate Numbers As Stated In The Resolution. Nearest Mile Marker 58.5.

E. First Hearing Of A [Request](#) By Knight's Key Investors, LLC And Knight's Key Road, LLC For The Expansion Of An Existing Conditional Use Permit (Resolution 2015-94) And Development Agreement (Resolution 2015-96), Pursuant To Chapter 102, Articles 13 8 Respectively Of The City Of Marathon Land Development Regulations (LDRs), Seeking The Addition Of Ninety-six (96) Transient Residential Units (Hotel Rooms), Restaurant Space, And A Water Feature On An Existing 199 Room Resort Facility With Restaurants, Spas, Retail Space, And Pools; With Existing Densities Of Approximately 9.91 Transient Residential Units Per Acre; Located At 1 Knight's Key Blvd; Which Is Legally Described As Lot 1 And Part Of Lot 2 And Bay Bottom East Of And Adjacent To Government Lot 2, Section 8 And 17, Township 66 South, Range 32 East, Knights Key, Monroe County, Florida; Having Real Estate Number 00101800-000000, Nearest Mile Marker 47.; And Providing For An Effective Date.

9. Resolutions for Public Hearing and Adoption

A. **Resolution [2020-46](#)**, Impose And Provide For Collection Of Wastewater Special Assessments For Service Areas 1, 3, 4, 5, 6 And 7 (Including Little Venice And The Supplemental Assessment Program) For Fiscal Year Commencing October 1, 2020; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date

B. **Resolution [2020-47](#)**, Imposing The Annual Stormwater Utility Special Assessments For Fiscal Year Commencing October 1, 2020; Approving The Assessment Roll; Providing For Collection Of The Assessments; And Providing For An Effective Date

10. Ordinances for Final Public Hearing and Enactment

A. **Ordinance [2020-02](#)**, Amending The City Of Marathon's Land Development Regulations, Chapter 103, Article 3, Table 103.15.2, To Allow Uses Designated As "Permanent RVs" To Be Utilized As "Transient Residential Units" (RV Lots), Meeting All Requirements Of Such Uses, And That Hold No Monetary Value As Transient Units, And Cannot Be Transferred As Transient Units, To Be Allowed On Properties Zoned Residential Mobile Home (R-MH) or Mixed Use (MU) That Also Allow Permanent Florida Building Code Compliant Residences; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity For Adoption; And Providing For An Effective Date.

B. Ordinance [2020-03](#), Amending Chapter 36, Article 4, “Water And Mooring Fields,” Modifying Sections 36-81 And 36-83 To Allow Mooring Within The City Marina By Mooring Agreement; To Otherwise Prohibit Mooring On Any City Dock, Appurtenance To A City Boat Ramp, Or Any City Facility Located Adjacent The Water; And To Prohibit The Launching Of Vessels Twenty-Six (26) Feet Or Longer From The Boat Ramp Located At Aviation Boulevard And Harbor Drive; Providing For Severability; Providing For The Repeal All Ordinances Or Parts Of Ordinances Found To Be In Conflict, And Providing For Inclusion In The Code; And Providing For An Effective Date.

11. Resolutions For Adoption

***A. Resolution [2020-48](#)**, Approving A Second Amendment To The Contract Between The City And The Monroe County Sheriff’s Office For Local Police Services In An Amount Not To Exceed \$1,891,057.00 For FY 2020-2021; Authorizing The City Manager And City Attorney To Finalize The Terms And Conditions Of The Contract; Authorizing The Mayor To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

***B. Resolution [2020-49](#)**, Approving The Professional Service Agreement Between The City And Cardno, Inc. For Preparing Plans And Specifications For The Repair Of Three Bridges, Coco Plum Bridge, 116th Street Bridge, And 112th Street In An Amount Not To Exceed \$92,803.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

***C. Resolution [2020-50](#)**, Approving Change Order No. 3 To Contract Between The City And H&R Paving, Inc. In The Current Amount Of \$1,779,474.29 For Construction Of The Aviation Blvd. Multi-Use Trail Project; Increasing The Contract In An Amount Not To Exceed \$67,710.00 For Quantities Balancing At The End Of The Project; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

***D Resolution [2020-51](#)**, Approving An Amendment To The Memorandum Of Understanding (MOU) Between The Monroe County School District Division Of Career And Technical Education (MCSD) And The City Of Marathon, Florida, For MCSD’s Fire Academy At Marathon High School To Continue To Provide Fire Fighting Training To High School And Adult Students At An Amended Amount of \$50,000 per Year; and Providing For An Effective Date.

***E. Resolution [2020-52](#)**, Approval Of A Correction Resulting From A Scriveners Error For An Interlocal Agreement (ILA) Between The City Of Marathon, Florida And Monroe County, Florida Approved Previously As Resolution 2020-039, Agreeing To Allow The Transfer Of Twenty (20) Affordable Housing Allocations From Property Owned By The Monroe County School Board (MCSB) (RE Nos. 00104600-000 & 00104620-000000) In Marathon To Property Owned By The MCSB Located On Upper Sugarloaf Key (RE No. 00118050-000000) For The Purposes Of Developing Workforce Housing At That Location; Providing For The Provision Of This Resolution And ILA To The MCSB And Monroe County, Florida; And Providing For An Effective Date.

***F. Resolution [2020-53](#)**, Approving A Grant Agreement Between The City And The Florida Department Of Environmental Protection To Complete A Project To Enhance The City’s Coastal Resiliency to Sea Level Rise And Specific Flood Events; Authorizing The Mayor To Sign Said Agreement; 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

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 clavierd@ci.marathon.fl.us if you would like to receive any of the items on the agenda by email.