



**City of Marathon City Council Agenda**  
**9805 Overseas Hwy., Marathon (Virtual Meeting)**  
**Tuesday, September 8, 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](http://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](mailto:cityofmarathon@ci.marathon.fl.us) with your name, address, and phone number where you can be reached during the meeting on September 8th by 4:00PM; or
- (2) Calling (301) 715-8592, and upon receiving voice prompt, dialing Meeting ID: 781 088 0141 and Password: 33035. *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. Patriot Day [Proclamation](#)
- C. Constitution Week [Proclamation](#)

6. **City Manager Report**

- A. Making Strides Against Breast Cancer Parade [Request](#), October 24, 2020
- B. Park and Recreation [Report](#)
- C. Marina [Report](#)
- D. [Donation](#) of floating docks and parts to a non- profit organization (Replaced after Irma)

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 September 8<sup>th</sup> at 3:00PM by joining a Zoom call at this link: <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 [2020-54](#)** Approving Request Of By Grassy Key Resort Group, LLC For A Modification To Their Conditional Use Permit (Resolution 2019-46) Pursuant To Chapter 102, Articles 13 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 Lts 1-2-3-4, Pt Lts 5-6 (Parcel A) And W'ly 15ft Unnamed St Adj Lot 1 Res B-C-C 8/11/61 And Adj Portion Of Flagler Street And Grassy Key Bay Bottom Adj Lts 1-2-3, Lot 12 And Pt Lot 13 In The Crain's Subdivision, Grassy Key, Marathon, Florida; Having Real Estate Numbers 00370940-000000 And 00371060. Nearest Mile Marker 58.5.

**B. Resolution [2020-55](#)**, Approving A Request Of By Grassy Key Resort Group, LLC For A Modification To Their Development Agreement (Resolution 2019-47) Pursuant To Chapter 102, Articles 8 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 Lts 1-2-3-4, Pt Lts 5-6 (Parcel A) And W'ly 15ft Unnamed St Adj Lot 1 Res B-C-C 8/11/61 And Adj Portion Of Flagler Street And Grassy Key Bay Bottom Adj Lts 1-2-3, Lot 12 And Pt Lot 13 In The Crain's Subdivision, Grassy Key, Marathon, Florida; Having Real Estate Numbers 00370940-000000 And 00371060. Nearest Mile Marker 58.5.

**C. Resolution [2020-56](#)**, Approving The 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.

**D. Resolution [2020-57](#)** Approving The 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.

**E. Resolution [2020-58](#)** Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 1, Year 29 (July 14, 2020 To January 13, 2021); And Providing For An Effective Date.

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

**A. Ordinance [2020-04](#),** A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend The Future Land Use Map From Residential Low (RL) To Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; And Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, And Part Of 00366031-000100 (Formerly 00366010-000000 And 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

**B. Ordinance [2020-05](#),** A Request By Julie Walker (Accepted By Marathon Vacation Properties LLC) To Amend Land Development Regulations Zoning Map From Residential Low (RL) To Residential Medium (RM) For Lot 8, Block 18; Lot 1, Block 19; Lot 4, Block 19; And Lot 5, Block 19, Coco Plum Beach Subdivision; Having Real Estate Numbers 00365970-000000, 00365980-000000, And Part Of 00366031-000100 (Formerly 00366010-000000 And 00366020-000000), Marathon, Florida, Monroe County, Florida; Nearest Mile Marker 54.

## **11. Resolutions For Adoption**

**A. Resolution [2020-59](#),** Approving An Employment Agreement Between Steve Williams And The City Of Marathon, Florida For City Attorney Services; Authorizing The Mayor To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date

**\*B. Resolution [2020-60](#),** Authorizing The City To Extend The Agreement With Ballard Partners Inc. For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Expend Budgeted Funds, And Execute The Extension Agreement; And Providing An Effective Date.

**\*C. Resolution [2020-61](#),** Approving An Interlocal Agreement Between The City Of Marathon, Florida (Hereinafter, The “City”) And Monroe County, Florida (Hereinafter, The “County”) Providing The Mechanism For The City To Seek And Be Reimbursed For Expenditures Related To The City’s Expenditures Associated With The COVID-19 Pandemic; Acknowledging That Such Funding Is Made Available To The County Through The Coronavirus Aid, Relief, and Economic Security Act (CARES Act; PL 116-136); Providing For Signature; and Providing For An Effective Date

**\*D. Resolution [2020-62](#)**, Approving Amendment One To The Interlocal Agreement With Monroe County For Receipt Of Local Option Gas Tax Revenues

**\*E. Resolution [2020-63](#)**, Approving A Second Amendment To The Contract Between The City And EssentialNet Solutions. For Information Technology Services In An Amount Not To Exceed \$9,253 Per Month; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds On Behalf Of The City; And Providing An Effective Date.

**\*F. Resolution [2020-64](#)** Declaring That The City Has No Interest, As A Matter Of Ownership Or Current And Future Use, In A Parcel Severed At Sale From “Tract A” (RE No. 00343500-000000) As Part Of Paraiso Estates Subdivision, A Part Of The S.W. ¼ Of Section 1 And A Part Of Govt. Lot 1, Section 12, All In Township 66 South, Range 32 East, Providing For Signature By The Mayor, Providing For An Effective Date

**\*G. Resolution [2020-65](#)**, Approving An Amendment To The Agreement Between The City Of Marathon And The City Of Key Colony Beach For The Provision Of Emergency Medical And Fire Rescue Services; Authorizing The City Manager To Execute The Amendment; And Providing For An Effective Date.

**\*H. Resolution [2020-66](#)**, Authorizing A “Sole-Source” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of various Airvac (now the Aqseptance Group) vacuum collection system replacement components and equipment for use in connecting new homes and properties throughout the City, In An Amount Not To Exceed \$48,337.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; 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**

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