

COUNCIL AGENDA STATEMENT



Meeting Date: March 23, 2020  
To: Honorable Mayor & Members of the City Council  
From: Vernis & Bowling, Acting City Legal  
Through: Chuck Lindsey, City Manager

Agenda Item: **Resolution 2020-30**, Adopting and Ratifying Council Vote and Action Taken at the March 10, 2020 City of Marathon City Council Meeting Determining to Extend Consent for Inclusion in the Middle Keys Health Care Municipal Service Taxing Unit for the Subsequent Fiscal Year Pursuant to City of Marathon, Florida Ordinance 2018-08

BACKGROUND & JUSTIFICATION:

City Legal recommends adoption and ratification of the Council’s March 10, 2020 decision to extend consent for inclusion in the Middle Keys Health Care Municipal Service Taxing Unit for the subsequent fiscal year.

CONSISTENCY CHECKLIST:

- 1. Comprehensive Plan \_\_\_\_\_
- 2. Other \_\_\_\_\_
- 3. Not applicable  X

Yes	No
_____	_____
_____	_____
_____	_____

RECOMMENDATION:

Approval of the Resolution

**Sponsored by: Council**

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2020-30**

**A RESOLUTION OF THE CITY OF MARATHON, FLORIDA  
ADOPTING AND RATIFYING COUNCIL VOTE AND ACTION TAKEN  
AT THE MARCH 10, 2020 CITY OF MARATHON CITY COUNCIL  
MEETING DETERMINING TO EXTEND CONSENT FOR INCLUSION  
IN THE MIDDLE KEYS HEALTH CARE MUNICIPAL SERVICE  
TAXING UNIT FOR THE SUBSEQUENT FISCAL YEAR PURSUANT TO  
CITY OF MARATHON, FLORIDA ORDINANCE 2018-08.**

**WHEREAS**, the City passed Ordinance 2018-08 on September 11, 2018 which requested and consented to the inclusion of all of the incorporated area of the City of Marathon, Florida within the Middle Keys Health Care Municipal Service Taxing Unit (“MSTU”) created by Monroe County, Florida pursuant to Monroe County Ordinance No. 012-2018, created to provide indigent health care services; and

**WHEREAS**, City Ordinance 2018-08 created City of Marathon Code of Ordinances Section 28-3(2) which provided that the City Council shall annually review the MSTU at its first meeting in March of each calendar year and make a determination whether to extend its consent for inclusion in the MSTU. Further, the section provides that the City may withdrawn such consent for a subsequent fiscal year by adopting an ordinance abandoning its consent and providing a certified copy of such ordinance to Monroe County prior to May 1 preceding the fiscal year for which the consent is being withdrawn; and

**WHEREAS**, the City Council voted 4-1 at the first regular City Council Meeting in March on March 10, 2020 to extend the City’s consent for inclusion in the MSTU; and

**WHEREAS**, City of Marathon Code Section 28.3(2) requires active measures in the form of an ordinance in order to withdraw its consent to the MSTU; and

**WHEREAS**, the result of any alleged inaction would operate, a matter of law and procedure, in continuation of the City’s inclusion in the MSTU; and

**WHEREAS**, the City wishes to adopt and ratify its March 10, 2020 action in regard to the MSTU.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF  
MARATHON, FLORIDA, AS FOLLOWS:**

**SECTION 1.** The above recitals are true, correct, and incorporated herein by this reference.

**SECTION 2.** The City adopts and ratifies its action taken on March 10, 2020 which approved continued inclusion in the MSTU for the subsequent fiscal year.

**SECTION 3.** This Resolution shall become effective immediately upon approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12th DAY OF MAY, 2020.**

**THE CITY OF MARATHON, FLORIDA**

---

**Steve Cook, Mayor**

AYES:

NOES:

ABSENT:

ABSTAIN:

**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