



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon
Tuesday, April 13, 2021 5:30 P.M.**

Join Meeting via Zoom
<https://zoom.us/j/94524106809>
Meeting ID: 945 2410 6809

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. Hospital Finance [Report](#)
 - C. Florida Keys CSRM Study Update
 - D. Mask Protocol (Senmartin)
 - E. Council pay raise (Senmartin)
 - F. Fourth of July Discussion (Bartus)
 - G. Emergency Management Legislative Preemption (Bartus)
 - H. Code Board Appointment (Gonzalez)
6. **City Manager Report**
 - A. Coco Plum Adaptation Action Plan
 - B. Marathon Fire Rescue [Report](#)
 - C. Public Works [Report](#)
 - D. Wastewater [Report](#)
 - E. Marina [Report](#)
 - F. MCSO Marathon Substation [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. 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. Considering The [Second Amended And Restated Development Agreement](#) Between The City Of Marathon And Marlin Bay Yacht Club, LLC, For The Redevelopment Of Property, Which Is Legally Described As Block 6 Lots 1 Thru 5 & The N 100' Of The S 430' Of Lot 6 And Adjacent Filled Bay Bottom, Marathon Beach Sub Pb2-16 And Block 2 Lots 1 Thru 6 Amended Plat Of Yacht Basin Tracts Real Estate Number 00337010-000000, Providing For Conditions And Requirements Of Development, Including But Not Limited To, Buffers, Building Heights, Setbacks, Up To One (1) Year Tenancies At Marina Wet Slips, And Other Requirements; And Providing For An Effective Date.

9. Ordinances for Second Public Hearing and Enactment

A. **Ordinance [2021-07](#)**, Amending Chapter Fourteen Article 4 Entitled Water Conservation, Providing For Local Implementation Of The Mandatory Year-Round Landscape Irrigation Conservation Measures Rule Of The South Florida Water Management District (40e-24, F.A.C.); Providing Definitions; Providing For The Applicability Of The Ordinance; Providing The Landscape Irrigation Schedule; Providing Exceptions To The Landscape Irrigation Schedule; Providing For A Requirement To Operate Technology That Inhibits Or Interrupts An Irrigation System During Periods Of Sufficient Moisture; Providing For Variances From The Specific Day Of The Week Limitations; Providing For Enforcement Of The Ordinance; Providing For Penalties For Violation Of The Ordinance; Providing For Severability; Providing For The Repeal Of All Ordinances Or Parts Of Ordinances Found To Be In Conflict; And Providing For Inclusion In The Code; And Providing For An Effective Date.

10. Ordinances for First Public Hearing

A. **Ordinance [2021-10](#)**, Approving The City's "10-Year Water Supply Facilities Work Plan" As Required By The State Department Of Economic Opportunity Under Chapter 163, Part II, F. S.; To Include Updated Water Demand Projections, Identify Alternative And Traditional Water Supply Projects, And Describe Conservation And Reuse Activities Needed To Meet The Projected Future Demands. Planning Tools Are Available On The District's Website For Your Use And District Staff Are Available To Provide Technical Assistance To Update The Work Plan, Including Reviewing Draft Work Plans Prior To Formal Plan Amendment Submittal; Providing For Severability; Providing For Repeal Of Conflicting Provisions; Providing For 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 [2021-11](#)**, Amending Chapter 6, Article II ("Building Code") Of The Code Of Ordinances Of The City Of Marathon By Amending Section 6-52 By Removing Outdated Section 6-52(B)(4) And Adjusting Subsequent Sections In Conformity Therewith; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

C. **Ordinance [2021-12](#)**, Withdrawing Consent To Inclusion Of All Of The Incorporated Area Of The City Of Marathon, Florida Within The Middle Keys Health Care Municipal Service Taxing Unit; Amending Chapter 28, Article I Of The City Code By Amending Section 28.3; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

11. Resolutions For Adoption

A. Resolution [2021-27](#), Continuing To Support The Creation Of A Special Taxing District By The Monroe County Board Of County Commissioners To Support The Infrastructure Of Constructing And Operating A New Hospital In Marathon

***B. Resolution [2021-28](#)**, Approving An Amendment To Agreement IR019 Between The City Of Marathon And The Florida Department Of Economic Opportunity (DEO) Provided As Funding For The Community Development Block Grant-Disaster Recovery Infrastructure Repair Program (CDBG-DR IR); Modifying The Agreement To Reflect Changes To The Deo 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.