

COUNCIL AGENDA STATEMENT



Meeting Date: July 13, 2021  
To: Honorable Mayor and City Councilmembers  
From: George Garrett, City Manager

Agenda Item: **Resolution 2021-52**, Approving Amendment Six Of The Inter-Local Agreement Between The City Of Marathon And Monroe County For Funding Of Ferry Service To Pigeon Key; Authorizing The City Manager To Execute The Inter-Local Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

BACKGROUND & JUSTIFICATION:

Since 2007, the old Seven Mile Bridge has been closed to vehicular traffic due to deterioration. Because the bridge needs to be rebuilt or significantly renovated, the Florida Department of Transportation (FDOT), the owner, has taken certain steps to limit use of the structure to pedestrian and bicycles. As a result of the current accessibility limitations, a ferry service mode of transportation to Pigeon Key, an island owned by Monroe County and a popular tourist destination was established in December of 2007.

Monroe County received a request from the ferry service contractor to increase the base ferry price, the City portion of the increase would be \$5,736.15

This sixth amendment will reimburse Monroe County 7.5% of the base ferry service (no special events or overhead costs or charges) up to \$24,880.05, whichever is less, beginning July 1, 2021 for one (1) year or until the Old Seven Mile Bridge is re-opened to the public (est. March 2022).

CONSISTENCY CHECKLIST:

	Yes	No
1. Comprehensive Plan	_____	_____
2. Other _____	_____	_____
3. Not applicable _____		

FISCAL NOTE:

The proposed FY22 General Fund budget for the City Council includes appropriations of \$24,880 for this service. Funding for future years will have to be appropriated during the annual budget processes.

RECOMMENDATION: Approve Resolution

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2021-52**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING A SIXTH AMENDMENT OF THE INTER-LOCAL AGREEMENT BETWEEN THE CITY OF MARATHON AND MONROE COUNTY FOR FUNDING OF FERRY SERVICE TO PIGEON KEY; AUTHORIZING THE CITY MANAGER TO EXECUTE THE INTER-LOCAL AGREEMENT AND EXPEND BUDGETED FUNDS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the Florida Department of Transportation (FDOT) has jurisdiction over and maintains the Old Seven-Mile Bridge from the City of Marathon (City) to Pigeon Key in Monroe County (County); and

**WHEREAS**, Pigeon Key is presently occupied by the Pigeon Key Foundation, a non-profit organization devoted to marine education and historic interpretation of the Florida Keys' heritage; and

**WHEREAS**, on the 16<sup>th</sup> day of May, 2012 the parties executed an Interlocal Agreement (ILA) outlining the City's reimbursement payment for the ferry service to Pigeon Key at a rate of 7.5% for one year of the cost of the contractor invoiced base (routine) ferry service or \$18,750, whichever is less; and

**WHEREAS**, on the 15<sup>th</sup> day of May 2013, the parties executed Amendment 1 to the ILA extending the funding of the ferry service for another year until June 30, 2014; and

**WHEREAS**, on the 22<sup>nd</sup> day of April, 2014, the parties executed Amendment II to the ILA extending the funding of the ferry service for another year until June 30, 2015; and

**WHEREAS**, on the 15<sup>th</sup> day of May, 2015, the parties executed Amendment III to the ILA extending the funding of the ferry service for three years until June 30, 2018; and

**WHEREAS**, on the 12<sup>th</sup> day of June 2018, the parties executed Amendment IV to the ILA extending the funding of the ferry service for three years until June 30, 2021; and

**WHEREAS**, on the 14<sup>th</sup> Day of May, 2019, the parties executed Amendment V to the ILA increasing the funding of the ferry service to \$19,143.90 for three years until June 30, 2022; and

**WHEREAS**, the FDOT, the County and the Pigeon Key Foundation have obligated partial funds for three more one year terms of ferry service in order to maintain traffic between the City and Pigeon Key to permit Pigeon Key Foundation to continue its educational and historic functions;

**WHEREAS**, Monroe County received a request from the ferry service contractor to increase the base ferry price, the City's portion to the increase in the base ferry price is 7.5% of the base ferry service (no special events or overhead costs or charges) up to \$24,880.05, whichever is less, on an

annual term beginning July 1, 2021 for one year or until the Old Seven Mile Bridge is reopened to the public (estimated March, 2022).

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

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The Sixth Amendment to the ILA between the City, and the County, a copy of which is attached hereto as Exhibit “A”, together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney, is hereby approved. The City Manager is authorized to sign the Amendment and expend budgeted funds on behalf of the City.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13<sup>th</sup> DAY OF JULY, 2021.**

**THE CITY OF MARATHON, FLORIDA**

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**Mayor Luis Gonzalez**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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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:**

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Steve Williams, City Attorney

**AMENDMENT 6 TO THE INTERLOCAL AGREEMENT  
BETWEEN CITY OF MARATHON AND MONROE COUNTY**

**THIS AMENDMENT 6 to the INTERLOCAL AGREEMENT (ILA)** is entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2021 between Monroe County, a political subdivision of the State of Florida (hereafter, the COUNTY) and the City of Marathon, a municipal corporation organized and existing under the laws of the State of Florida (hereafter, the CITY)

**WHEREAS**, on the 16<sup>th</sup> day of May, 2012 the parties executed an ILA outlining reimbursement for the ferry service to Pigeon Key at a rate of 7.5% of the cost of the base service or \$18,750, whichever is less, for one year; and

**WHEREAS**, on the 15<sup>th</sup> day of May, 2013 the parties executed Amendment 1 to the ILA extending the funding of the ferry service for another year until June 30, 2014; and

**WHEREAS**, on the 21<sup>st</sup> day of May, 2014 the parties executed Amendment 2 to the ILA extending the funding of the ferry service for another year until June 30, 2015; and

**WHEREAS**, on the 20<sup>th</sup> day of May, 2015 the parties executed Amendment 3 to the ILA extending the funding of the ferry service for an additional 3 years until June 30, 2018; and

**WHEREAS**, on the 20<sup>th</sup> day of June, 2018 the parties executed Amendment 4 to the ILA extending the funding of the ferry service for an additional 3 years until June 30, 2021; and

**WHEREAS**, on the 19<sup>th</sup> day of June 2019 the parties executed Amendment 5 to the ILA increasing reimbursement for the ferry service to Pigeon Key at a rate of 7.5% of the base ferry service (no special events or overhead costs or charges) up to \$19,143.90, whichever is less, on an annual term beginning July 1, 2019; and

**WHEREAS**, Monroe County received a request from the ferry service contractor to increase the base ferry price, if the increase is approved by the County, the City agrees to increase their contribution towards the base ferry price; and

**WHEREAS**, the City agrees to the increase in the base ferry price:

**NOW THEREFORE**, in consideration of the mutual promises contained herein, the COUNTY and the CITY agree to amend the ILA as follows:

1. **The City of Marathon will reimburse Monroe County 7.5% of the base ferry service (no special events or overhead costs or charges) up to \$24,880.05, whichever is less, beginning July 1, 2021 for one (1) year or until the Old Seven Mile Bridge is re-opened to the public (est. March 2022).**
2. **All other terms and conditions of the ILA, as amended, are in effect and remain unchanged.**

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

BOARD OF COUNTY COMMISSIONERS OF  
MONROE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Mayor/Chairperson

(SEAL)  
Attest: KEVIN MADOK, CLERK

BY: \_\_\_\_\_  
As Deputy Clerk

DATE: \_\_\_\_\_

CITY OF MARATHON:

BY: \_\_\_\_\_  
TITLE: \_\_\_\_\_

(SEAL)

ATTEST: \_\_\_\_\_

DATE: \_\_\_\_\_