



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, January 11, 2022 5:30 P.M.**

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. [Martin Luther King Jr. Day of Service](#)
6. **City Manager Report**
 - A. Park and Recreation [Report](#)
 - B. Marathon Fire Rescue [Report](#)
 - C. Public Works [Report](#)
 - D. Grants [Update](#)
 - E. Marina [Report](#)
 - F. MCSO Marathon Substation [Report](#)
 - G. Wastewater [Report](#)
 - H. Code [Report](#)
 - I. Building [Report](#)
 - J. [Permission](#) to utilize Oceanfront Park for the annual Baptist Health South Foundation Fundraiser and to serve beer, wine, and alcoholic beverages under managed circumstances on February 26, 2022
 - K. Discussion of Section 7 of the Marathon City Charter
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. **Ordinances for Second Public Hearing and Adoption**
 - 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. (4/13/21)

B. [Ordinance 2021-23](#), Amending The Comprehensive Plan By Amending The Existing Property Rights Element To Include Further Protections Of Private Property Rights; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The Transmittal Of This Ordinance To The Department Of Economic Opportunity; And Providing For An Effective Date Upon The Approval Of This Ordinance By The State Department Of Economic Opportunity. (10/12/21)

C. [Ordinance 2021-29](#), Amending Chapter 6, Article III (“Unsafe Structures And Equipment”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 6-95 (c) II, Which Shall Provide For A Certification And Recertification Process For Existing And Future Multistory Structures; 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.

D. [Ordinance 2021-30](#), Amending Section 5, Paragraph 2, “Term Of Office” To Change The Typical Term Of Office For City Council Members To Four Years; Providing For Copies Of These Charter Amendments To Be Available For Public Inspection; Providing For The Clerk To Utilize The Services Of The Monroe County Supervisor Of Elections; Providing For Severability; Providing For Inclusion In The Charter/Conformity Of Amendments; And Providing For An Effective Date

9. Ordinances for First Public Hearing

A. [Ordinance 2022-01](#), Modifying Section 32-2 Of The City Code Of Ordinances, ‘Regulation Of Wrecker Operators Who Provide Towing And Storage Services At The Request Of Law Enforcement Officers;’ Providing For A Change In Who May Request Service Pursuant To Section 32-2 (d); Providing For The Removal Of Detailed Rate Provisions From The Ordinance; And Providing That Such Rates Be Established By Resolution From Time To Time Based On An Assessment Of Actual Cost Of Operations (Vehicles, Labor, Insurance, CPI, Etc.); Providing For Severability; Providing For Incorporation Into The Code Of Ordinances; And Providing For An Effective Date.

10. Resolutions For Adoption

***A.** [Resolution 2022-01](#), Accepting The Sole Submitted Proposal For Beach Cleaning Services For Cocoplum And Sombrero Beach Parks; Authorizing The City Manager To Enter Into An Agreement With Beach Raker LLC In An Amount Not To Exceed \$157,200.00; Authorizing The City Manager To Execute The Agreement And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

***B.** [Resolution 2022-02](#), Authorizing A “Sole-Source” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of Scrubber Media Refill from Syneco Systems, Inc. for Service Area 3, In An Amount Not To Exceed \$80,392; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date

***C.** [Resolution 2022-03](#), Providing Acceptance Of Amendment Two To Subrecipient Agreement Between The Department Of Economic Opportunity (DEO) and City of Marathon for Agreement I0094, CDBG-DR Voluntary Home Buyout Program; And Providing For An Effective Date

D. [Resolution 2022-04](#), Authorizing The Purchase Of Real Property From Marathon Wireless Communications Inc (Re No. 00105320-000000); Authorizing The City Manager To Execute The Contract For Sale, Negotiate Terms, And To Consummate The Purchase Through All Closing Documents In An Amount Not To Exceed Two Thousand Dollars (\$200,000); Appropriating Funds And Providing For An Effective Date.

E. [Resolution 2022-05](#), Pursuant To Section 32-2 (d) Adopting Rates For The Removal And Storage Of Wrecked Or Disabled Motor Vehicles, Abandoned Vehicles, Or Vehicles Parked In Prohibited Or Restricted Areas; And Providing For An Effective Date.

F. [Resolution 2022-06](#), Pursuant To Section 32-31 Identifying The Golf Course Side Of Sombrero Boulevard As An Area That Prohibits Parking Except In Designated Parking Areas By Passenger Vehicles Only And Further Prohibits Parking of Trailers Of Any Type, RVs, Travel Trailers, Fifth Wheels, And Other Similar Vehicles; And Providing For An Effective Date.

***G. [Resolution 2022-07](#),** Awarding contract for the Construction of Chemical systems Upgrades Project To Reynolds Construction, LLC.; Approving Contract in the Amount of \$2,715,000; Authorizing The City Manager To Execute The Contract And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date. This work may qualify for reimbursement through the ACOE Grant funding.

H. [Resolution 2022-08](#), Authorizing A Three-Year Lease Agreement Between The City Of Marathon And The Marathon Sailing Club For The Use Of The End Of 33rd Street For Various Recreational Activities; Authorizing The City Manager To Sign The Lease Agreement; And Providing For An Effective Date.

***I. [Resolution 2022-09](#),** Approving Change Order No. 1 To The Professional Service Agreement Between The City And Cardno, Inc., For Engineering and Inspection Services For The Ongoing Bridge Repair Project In An Amount Not To Exceed \$57,625.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

***J. [Resolution 2022-10](#),** Accepting A Grant Award From The Incumbent Worker Program Through CommHIT, Rural Roads to Connected Care; And Providing For An Effective Date

***K. [Resolution 2022-11](#),** Approving The Professional Service Agreement Between The City And K2M Design Inc. For Programming And Conceptual Plans For The 33rd Street Corridor Development Project In An Amount Not To Exceed \$68,600.00 ; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

***L. [Resolution 2022-12](#),** Approving The Revised And Rededicated Conservation Easement For 10001 Gulf Of Mexico Blvd. (RE No. 00358230-000101) In Partial Resolution Of Code Case C-21-83; And Providing For An Effective Date.

***M. [Resolution 2022-13](#),** Approving Change Order No. 5 To Contract Between The City And Discount Rock & Sand, Inc. In The Current Amount Of \$123,237.50 For Construction Of Sombrero Area Stormwater Improvements; Increasing The Contract In An Amount Not To Exceed \$7,500.00 to Repair Existing Pavement Damage; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.

*N. **Resolution 2022-14**, Approving Changer Order #1 for Engineering Services for Area 3 Shallow Well FDEP RAI #2 Response And Further Geotechnical Investigations” To The Weiler Engineering Corp. In The Amount Of \$89,000.00. Authorizing The City Manager To Execute The Contract; And Provide For An Effective Date.

*M. **Resolution 2022-15**, Approving A One Year, Renewable Contract Agreement With Sarah Matthis To Provide Services To The City As A Public Information Officer; 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 if you would like to receive any of the items on the agenda by email.