



**City of Marathon City Council Agenda  
9805 Overseas Hwy., Marathon, FL  
Tuesday, March 8, 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. City Attorney and City Manager Reviews
  - C. [Recognition](#) of Rylan Chapa's Championship Accomplishment
  - D. Fishermen's Community Hospital/Baptist Health South [MSTU Review](#) and Discussion (Vice Mayor Zieg)
6. **City Manager Report**
  - A. Grants [Update](#)
  - B. Marathon Fire Rescue [Report](#)
    1. Acceptance of Fire Boat from MCSO
  - C. Public Works [Report](#)
  - D. Park and Recreation [Report](#)
  - E. Marina [Report](#)
  - F. MCSO Marathon Substation [Report](#)
  - G. Wastewater [Report](#)
  - H. Code [Report](#)
  - I. Building [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. Resolution [2022-19](#)**, Consideration Of A Request By LR Latitude, LLC For A Conditional Use Permit, Pursuant To Chapter 102, Article 13 Of The City Of Marathon Land Development Regulations (“The Code”) Entitled “Conditional Use Permits”, Authorizing The Development Of Fourteen (14) Residential Units On Properties Located At 990 41<sup>st</sup> Street Gulf, Which Are Legally Described As Part Of Marathon Beach Subdivision, Key Vaca Lots 9 & 10, Block 1, And Bay Bottom North Of & Adjacent To Lots 9 & 10 Block 1, Monroe County, Florida, Having Real Estate Numbers 00336670-000000 And 00336680-000000.

**B. Resolution [2022-20](#)**, A Request For A Final Plat Approval Pursuant To Chapter 102 Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled "Subdivision Of Land/Plats And Re-Plats," For A Plat And Site Plan Approval As Submitted By Seaglass LLC For 770 107th Street Ocean, Which Is Described As Part Of Government Lot 1, Section 6, Township 66, Range 33 East, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00104250-000000.

**C. Resolution [2022-21](#)**, A Request For A Final Plat Approval Pursuant To Chapter 102 Article 10 Of The City Of Marathon Land Development Regulations (LDRs) Entitled “Subdivision Of Land/Plats And Re-Plats,” For A Plat And Site Plan Approval As Submitted By Seaview Commons LLC For Vacant Land On Pescayo Ave, Which Is Described As Lot 1, Block 6 of Coco Plum Beach, Fat Deer Key Marathon, Monroe County, Florida, Having Real Estate Number 00363510-000000.

**D. Resolution [2022-22](#)**, Repealing And Superseding Resolution 2010-18 Establishing A Revised Annual Allocation Quantity For Each Category Of Dwelling Unit Allocations For The Residential Building Permit Allocations System (BPAS); Providing For Rollover To Future BPAS Periods Of Unused BPAS Allocations, Providing For Numerical Adjustments Of The Allocations By Resolution Of The City Council; And Providing For An Effective Date

**E. Resolution [2022-23](#)**, Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Dwelling Unit Allocation System (RBPAS) For Period 2, Year 30; And Providing For An Effective Date. (January 14, 2022 To July 13, 2022)

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

**A. Ordinance [2022-02](#)**, Amending Chapter 107, Article 7 (“Signs”) By Completely Repealing The Current Code As Written And Reforming It To Comport With Modern Constitutional Constraints; Providing For The Repeal Of All Ordinances Or Parts Thereof Found To Be In Conflict; Providing For Severability; Providing For The Transmittal Of This Ordinance To The State Department Of Economic Opportunity After Final Adoption By The City Council; Providing For Inclusion In The Code Of Ordinances And Providing For An Effective Date.

## **10. Resolutions For Adoption**

**\*A. Resolution [2022-17](#)**, Approving Replacement Playground Equipment At Rotary Park; Authorizing The City Manager To Execute A Contract With Play By Design Via Sourcewell And Expend Budgeted Funds And Appropriate Funds In The Amount Of \$501,705.60; And Providing For An Effective Date.

**\*B. Resolution [2022-24](#)**, Approving The Professional Service Agreement Between The City And K2M Design Inc. The Design Of The Building And Site Renovation For The Seven Mile Marina Property In An Amount Not To Exceed \$ 133,763.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

**C. Resolution [2022-25](#)**, Amending Resolution 2008-96, Table 6, “Initial Prepayment Amounts” For New Sewer Connections; Authorizing The City Manager To Administer the Updated Assessment Charges; And Providing An Effective Date.

**\*D. Resolution [2022-26](#)**, Approving A Third Amendment To The Lease Agreement No. 4547 With The Board Of Trustees Of The Internal Improvement Trust Fund Of The State Of Florida For The Management Of Properties With The City Of Marathon Purchased For The Purpose Of Conservation; Authorizing The Mayor To Execute The Amendment To The Agreement; And Providing An Effective Date.

**\*E. Resolution [2022-27](#)**, Approving A Sole Source Agreement Between The City And BIRDAIR Inc. For The Removal And Replacement Of The Amphitheater Fabric And Associated Components For Repair And Maintenance In An Amount Not To Exceed \$139,200.00 ; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

**\*F. Resolution [2022-28](#)**, Accepting The Responsible Bid And Approving A Contract Between The City And Essential Net Solutions For Technology Consulting And Support Services; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

**G. Resolution [2029-29](#)**, Approving Of A Memorandum Of Understanding Between The City Of Marathon And The Professional Firefighters Of Marathon Local 4396 To Allow Firefighters To Repurchase Time From Their Retirement Plan And Trust And Allow Contributions While On Workers Compensation; And Providing An Effective Date.

**H. Resolution [2022-30](#)**, Approving A Memorandum Of Understanding Between The City Of Marathon, Florida And The Florida Department Of Economic Opportunity In Consideration Of Statutory Requirements Pursuant To Section 380.07 (2) Florida Statutes And Rule 73C-44.002 Requiring That The City Render Development Orders To The Department; This Resolution Is Hereby Adopted As A Replacement For Resolutions 2004-097 And A Subsequent Amendment Letter From Then Secretary Thaddeus L. Cohen Dated January 11, 2005 Which Are Hereby Repealed; And Providing For An Effective Date.

**I. Resolution [2022-31](#)**, Pursuant To Section 32-31 Identifying The Golf Course Side Of Sombbrero 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.

**J. Resolution [2022-32](#)**, Approving A Resolution Modifying The City’s Fee Schedule For Building Permits To Provide A More Detailed List Of Fees For Sitework To Include Demolition Of Structures; And Providing For An Effective Date.

**\*K. Resolution [2022-33](#)**, Approving And Accepting A Warranty Deed For The Conveyance Of Land From Seasons 16, LLC, Recipient Of A Residential Dwelling Unit Allocation Award; Authorizing Its Recording In The Public Records Of Monroe County, Florida; And Providing 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 [clavird@ci.marathon.fl.us](mailto:clavird@ci.marathon.fl.us) if you would like to receive any of the items on the agenda by email.