



City of Marathon City Council Agenda  
9805 Overseas Hwy., Marathon, FL  
Tuesday, September 13, 2022 5:30 P.M.

(\*Denotes Item Is Passed By Consent Upon Approval of Agenda)

Public Comments taken on all times and at 6:30pm time certain for items not on the agenda or as soon as possible thereafter of after the last agenda item; whichever comes first.

**City Council Items**

- \*A. Approval of [Minutes](#)
- B. Florida Keys National Marine Sanctuary Restoration Blueprint [Presentation](#) (Sarah Fangman)
- C. Mike Forester “Be Like Mike” Day [Proclamation](#)
- D. Amending the Vacation Rental Fee [Schedule](#) (Councilmember Gonzalez)
- E. Noise Ordinance Discussion (Vice Mayor Zieg)

**City Manager Report**

- A. First Time Homebuyer [Update](#)
- \* B. Grants [Update](#)
- \*C. Building [Report](#)
- \*D. Park and Recreation [Report](#)
- \* E. Marathon Fire Rescue [Report](#)
- F. Marina [Report](#)
- G. Code [Report](#)
- H. Wastewater Utilities [Report](#)
- \*I. Public Works [Report](#)

**Ordinances for Second Public Hearing and Adoption**

**A. Ordinance [2022-20](#)**, Amending Chapter 102 “Development Application Review Procedures”, Article 6 “Comprehensive Plan Amendment”, Amending Figure 102.22.1 “Comprehensive Plan Amendment Review Process”, And Article 7 “Land Development Text Amendment”, Amending Figure 102.28.1 “Land Development Regulation Text Amendment Process”, And Article 11 “Rezoning”, Amending Figure 102.62.1 “Rezoning Review Process”, And Article 13 “Conditional Use”, Amending Figure 102.80.1 “Conditional Use Permit Review Process”, And Article 17 “Appeals”, Amending Figure 102.98.1 “Appeals Review Process”, And Article 18 “Beneficial Use Determinations”, Amending Figure 102.104.1 “Beneficial Use Determinations Process”, And Article 19 “Vested Rights Determinations”, Amending Figure 102.112.1 “Vested Rights Determinations”, And Article 18 “Beneficial Use Determinations”, Amending Section 102.104 “Final Determination By Council”, And Article 19 “Vested Rights Determinations”, Amending Section 102.110 “Final Determination”; And Amending Chapter 110 “Definitions”, Article 2 “Acronyms”; To Update Language Pertaining To The Obsolete Department Of Community Affairs (DCA) To Reflect The Current Department Of Economic Opportunity (DEO); Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code; Providing For The 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 Department Of Economic Opportunity In Accordance With State Law.

**B. Ordinance [2022-21](#)**, Amending The Future Land Use Map (FLUM) From Residential Medium (RM) To Recreation (R) For Property Described As Waloriss Subdivision PB3-113 (Park), Having Real Estate Number 00354681-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The 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.

**C. Ordinance [2022-22](#)**, Amending The Zoning From Residential Medium (RM) To Parks and Recreation (PR) For Property Described As Waloriss Subdivision PB3-113 (Park), Having Real Estate Number 00354681-000000; Providing For Severability; Providing For The Repeal Of Conflicting Provisions; Providing For The 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.

### **Ordinances for First Public Hearing**

**A. Ordinance [2022-23](#),** Amending Chapter 18, Article III (“Offenses Involving Public Peace, Order, And Morals”) Of The Code Of Ordinances Of The City Of Marathon By Amending Section 18-124 To Create Subsection D Which Will Provide An Enforcement Mechanism For Section 18-124; 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.

### **Resolutions For Adoption**

**A. Resolution [2022-99](#),** Approving The Ranking And Allocations Of The Market Rate And Affordable Residential Building Permit Allocation System (RBPAS) For Period 1, Year 31 (July 14, 2022 To January, 2023); And Providing For An Effective Date.

**\*B. Resolution [2022-100](#),** Authorizing Certain Employees To Act As Backup Signatories On City Bank Accounts and Providing For An Effective Date.

**\*C. Resolution [2022-101](#),** Authorizing The City To Extend The Agreement With Ballard Partners, Inc. For Professional Consulting And Lobbying Services Before The Legislature Of The State Of Florida; Authorizing The City Manager To Expend Budgeted Funds, And Execute The Extension Agreement; And Providing An Effective Date

**\*D. Resolution [2022-102](#),** Ratifying A Change To The Agreement Between The City Of Marathon, Florida And Hawkins Authorizing The City Manager To Execute The Agreement On Behalf Of The City; And Providing For An Effective Date

**\*E. Resolution [2022-103](#),** Approving A Third Amendment To The Interlocal Agreement With Florida Keys Aqueduct Authority; Requesting the City of Marathon to reimburse the Florida Keys Aqueduct Authority 2.5% on credit card fees when our customers pay via credit card Each Month; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

**\*F. Resolution [2022-104](#),** Establishing City Boat Ramp Usage Fees, Trailer Parking Fees And Parking Fees At Sombrero Beach And Establishing An Annual City Resident Registration; And Providing For An Effective Date

**\*G. Resolution [2022-105](#),** Approving the Third Amendment to the Fire Rescue – EMS Medical Director Agreement With Professional Emergency Services, Inc., In An Amount Not To Exceed \$46,305.00; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds: And Providing For An Effective Date And Providing An Effective Date

**\*H. Resolution [2022-106](#),** Approving Change Order No. 2 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 \$47,524.00; Authorizing The City Manager To Execute The Contract And Expend Funds On Behalf Of The City; And Providing For An Effective Date.

**\*I. Resolution [2022-107](#),** Approving Grant Agreement Between The City And The Florida Keys Council of the Arts; Appropriating Funds; And Providing For An Effective Date

**\*J. Resolution [2022-108](#),** Approving A Fifth Amendment To The Agreement Between The City And Bishop, Rosasco And Co., Extending The Agreement; Authorizing The City Manager To Execute The Amendment And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date

**\*K. Resolution [2022-109](#),** Approving Change Order No. 1 To Contract Between The City And CEKRA, Inc. In The Current Amount Of \$526,127.00 For The Partial Funding Of The Replacement Of The Coco Plum Bridge And Rehabilitation Of Several Other Bridges Within The City Limits; Increasing The Contract In An Amount Not To Exceed \$514,450.00 For Repairs To Three Additional Bridges, Yellowtail Ave, Flamingo Isle, And 25<sup>th</sup> Street Bridges; Authorizing The City Manager To Execute The Change Order And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date.