



**City of Marathon City Council  
Special Call Budget Agenda  
9805 Overseas Hwy., Marathon  
Tuesday, September 20, 2022 5:05 P.M.**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of agenda**
  
- 5. Final Public Hearing to Adopt the Final Budget and Millage Rate**
  - A. Resolution 2022-110**, Adopting The Final Millage Rate and Levy Of Ad Valorem Taxes For The City Of Marathon of Monroe County, Florida For The Fiscal Year 2022-2023; and Providing For An Effective Date. ....1
  
  - B. Resolution 2022-111**, Adopting The Final Budget For Fiscal Year 2022-2023; Authorizing The Expenditure Of Funds Established By The Budget; And Providing For An Effective Date.....3
  
- 6. 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; By Amending Section A To Prohibit Smoking At Public Beaches And Parks; 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.....5
  
- 7. Resolutions for Adoption**
  - A. (For Clarification) 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.....9
  
  - \* B. 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.....18
  
- 8. Council comments**
- 9. Adjournment**

The public hearings will commence at 5:05 p.m., or as soon thereafter as business permits. All interested persons are invited to participate in the discussion; or, written comments may be sent to the City of Marathon, c/o City Clerk, 9805 Overseas Hwy, Marathon, FL 33050. 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 Attorney at (305) 289-4130 at least three days prior thereto.

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-110**

**A RESOLUTION OF THE CITY OF MARATHON, FLORIDA, ADOPTING THE FINAL MILLAGE RATE AND LEVY OF AD VALOREM TAXES FOR THE CITY OF MARATHON OF MONROE COUNTY, FLORIDA FOR THE FISCAL YEAR 2022-2023; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on September 13, 2022, the City Council held a public hearing to consider any adjustment of its proposed millage rate, to adopt a tentative millage rate, and to adopt a tentative operating budget for Fiscal Year 2022-2023 (the “FY 2022-2023”), in accordance with Section 200.065(2)(c), *Florida Statutes* and

**WHEREAS**, on September 20, 2022, the City Council held a public hearing to consider any adjustment of its tentative millage rate, to adopt a final millage rate and to adopt a final operating budget for FY 2022-2023, in accordance with Section 200.065(2)(d), *Florida Statutes*.

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

**Section 1.** The foregoing recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The FY 2022-2023 final millage rate for the City of Marathon is 2.72 mills, which is \$2.72 for each thousand dollars of taxable assessed property value; and the final millage rate is greater than the rolled-back rate of 2.3644 mills by 15.04%.

**Section 3.** This resolution shall be effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 20<sup>th</sup> DAY OF SEPTEMBER 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

\_\_\_\_\_  
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:**

\_\_\_\_\_  
Steve Williams, City Attorney

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-111**

**A RESOLUTION OF CITY OF MARATHON, FLORIDA, ADOPTING  
THE FINAL BUDGET FOR FISCAL YEAR 2022-2023; AUTHORIZING  
THE EXPENDITURE OF FUNDS ESTABLISHED BY THE BUDGET;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on September 13, 2022, the City Council held a public hearing to consider any adjustment of its proposed millage rate, to adopt a tentative millage, and to adopt a tentative operating budget for Fiscal Year 2022-2023 (the “FY 2022-2023”), in accordance with Section 200.065(2)(c), *Florida Statutes*; and

**WHEREAS**, on September 20, 2022, the City Council held a public hearing to consider any adjustment of its tentative millage rate, to adopt a final millage rate, and to adopt a final operating budget for FY 2022-2023, in accordance with Section 200.065(2)(d), *Florida Statutes*; and

**WHEREAS**, the City has set forth the appropriations and revenue estimate for the final operating budget for FY 2022-2023 in the amount of \$116,909,494.

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

**Section 1.** The FY 2022-2023 final operating budget is adopted.

**Section 2.** Funds appropriated in the FY 2022-2023 budget may be expended by and with the approval of the City Manager in accordance with the City Charter, State law, and the ordinances, resolutions and policies and procedures of the City. Supplemental appropriations or the reduction of appropriations, if any, shall be made in accordance with the City Charter.

**Section 3.** This resolution shall be effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
MARATHON, FLORIDA, THIS 20<sup>th</sup> DAY OF SEPTEMBER 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

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

**Sponsored By:** Gonzalez

**City Council Public Hearing Date:** September 20, 2022

October 11, 2022

**Enactment Date:** October 11, 2022

**CITY OF MARATHON, FLORIDA  
ORDINANCE 2022-23**

**AN ORDINANCE BY THE CITY OF MARATHON, FLORIDA, 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; BY AMENDING SECTION A TO PROHIBIT SMOKING AT PUBLIC BEACHES AND PARKS; 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.**

**WHEREAS**, the City of Marathon (“City”) is a municipal corporation of the State of Florida with such power and authority as has been conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes, and

**WHEREAS**, Chapter 166, *Florida Statutes*, grants the City broad municipal home rule powers to provide for the health, safety and welfare of its residents, business owners and visitors by enacting regulations for the protection of the public; and

**WHEREAS**, the Marathon City Council has identified significant problems with the number of persons consuming an excessive amount of alcohol on or around the City’s public beaches and parks.; and

**WHEREAS**, as a result of the excessive alcohol consumption, there has been a significant increase in the number of persons unable to operate a vehicle or otherwise relocate themselves from the public beaches and parks after sundown; and

**WHEREAS**, in order to combat this public nuisance, the City wishes to include a clear and specific enforcement procedure to prevent the above situation from occurring; and

**WHEREAS**, the Florida legislature has granted municipalities the power to prohibit smoking at City beaches and parks; and

WHEREAS, it is the desire of the City Council to allow for-profit entities to be able to seek alcohol-prohibition waivers; and

WHEREAS, the City Council has determined that the implementation of such procedures is in the best interests of the public health and safety of the citizens of Marathon.

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

~~Strikethrough~~ = deletion

**Bold underline** = addition

SECTION 1. The above recitals are true, correct, and incorporated herein by this reference.

SECTION 2. Chapter 18, Article III, Section 18-124 “Consumption of alcoholic beverages on public beaches and parks” is hereby amended to read as follows:

Section 18-124. – Consumption of alcoholic beverages **and smoking** on public beaches and parks.

- (a) It shall be prohibited for a person in, on or about any public facility, vehicle or public beach to consume alcohol beverages. **It shall be further prohibited for a person to smoke any item other than an unfiltered cigar within the boundaries of any public beach or public park pursuant to Florida Statute § 386.209.** The prohibitions of consuming alcoholic beverages on public beaches and parks can be waived by the City Council as provided in this section.
- (b) The City Council may waive the **alcoholic beverage** provisions of this section by resolution. However, any such waiver ~~may only be granted to a nonprofit organization,~~ shall require the presence of security guards in the number the City Council determines necessary to preserve public order, and shall require liability insurance naming the City as an additional named insured in a form and amount satisfactory to the City Manager or designee to adequately indemnify the City against liability.
- (c) For the purposes of this section, the term “alcoholic beverage” means any beverage containing more than one (1) percent ethyl alcohol by volume.
- (d) **Enforcement- All rules and regulations contained in this section are enforceable by all law enforcement officers. Those properly designated park employees and city employees may warn participants of ordinance violations and report the same to the proper law enforcement officers for compliance.**
  - a. **A first-time violation of this section will result in the violator being asked to leave the premises.**

- b. A second-time violation of this section will result in the violator being issued a trespass warning by a law enforcement officer for not more than 364 days, which is inclusive of all city parks.
- c. A third-time violation of this section will result in the violator being arrested as a trespasser pursuant to F.S. Ch. 810, or any amended or successor statute. In the event of an arrest of a minor, authorized law enforcement shall notify the parent or legal guardian and shall maintain a record of all such violations.

**SECTION 3.** Any provisions of the Code of Ordinances of the City of Marathon, Florida or Ordinances or parts of Ordinances that are in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this Ordinance, but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 5.** It is the intention of the City Council and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Marathon Code, that sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions, and that the “Ordinance” shall be changed to “Section” or other appropriate word.

**SECTION 6.** This Ordinance shall become effective immediately upon approval.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,  
FLORIDA, THIS XX DAY OF XXXX, 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:



**ATTEST:**

\_\_\_\_\_  
Diane Clavier, City Clerk  
(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE  
CITY OF MARATHON, FLORIDA ONLY:**

\_\_\_\_\_  
Steven Williams, City Attorney

## CITY COUNCIL AGENDA STATEMENT



**Meeting Date:** September 13th, 2022

**To:** Honorable Mayor and Members of City Council

**From:** Brian Shea, Planning Director

**Through:** George Garrett, City Manager

**Item:** **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.

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### RECOMMENDATION

Based on the result of all BPAS applications, Planning Staff recommends that the City Council **APPROVE** the award of one (1) Market Rate General and seven (7) Market Rate Owner Occupied BPAS allocations as shown in “Attachment A” and one (1) Affordable BPAS allocations “Attachment B”.

### I. BACKGROUND AND JUSTIFICATION

This evaluation report has been prepared pursuant to Chapter 107 Article 1 of the City of Marathon Land Development Regulations (the “Code”). The residential dwelling unit allocation rankings attached to this report correspond to Period 1, Year 31, as defined by the Residential Building Permit Allocation System (RBPAS). This period includes July 14, 2022 to January 13, 2023.

Monroe County adopted the Rate of Growth Ordinance (#016-1992), commonly referred to as ROGO, on July 13, 1992, to implement portions of its Comprehensive Plan. The ROGO established a building permit allocation system for residential construction, for the purpose of directing and limiting growth and enabling the safe and timely evacuation of the Keys in the event of a hurricane.

The City adopted new Land Development Regulations by Ordinance 2007-03 which replaced the Rate of Growth Ordinance with the Residential Building Permit Allocation System (RBPAS).

In this, its thirtieth year, the BPAS allocation system may issue up to 30 awards for residential construction within the boundaries of the City, pursuant to the agreement between the City, the Department of Economic Opportunity (DEO) and Monroe County. Of the 30 allocation awards, 80% (24) are assigned to market-rate residential units and 20% (6) are assigned to affordable housing. Applications for permits are evaluated, scored, and ranked according to criteria outlined in Chapter 107 Article 1 of the City of Marathon Land Development Regulations twice a year.

To provide some remedy for the decline in building permits being issued, the City adopted Ordinance 2009-09 that called for a temporary procedure to be implemented to RBPAS. This allowed the Planning Department to create a new list from the applicants that are able and willing to move forward with an awarded allocation and pick up building permits. Temporary Procedures has sunset, however, to maintain the efficiency of permitting, a similar process is followed. Rather than bringing a new list back to Council each time an owner responds to defer, the owners are asked before the list is created.

In June of 2009 City Council adopted Ordinance 2009-18, creating a “TBR Affordable Pool”. Additionally, in November of 2010, the City Council adopted Ordinance 2010-12, which would allow up to 50% of the annual allocations to be distributed to the “Administrative Relief Pool” at the City Council’s discretion and by the criteria set forth in the Ordinance.

Resolution 2022-22 amends the available allocation awards as set by Council. This resolution amends the previous Resolution 2010-18 that revised the annual allocations available.

**II. ALLOCATION AWARDS AVAILABLE**

The following allocation awards are available this period:

<u>Category</u>	<u>BPAS / Period</u>
(Market Rate)	
(a) Owner-occupied Pool	2 / period
(b) General Pool	1 / period
(Affordable)	
(c) General Affordable Pool	1 / period
(d) Community Workforce Pool	
(e) TBR Affordable Pool	
(To be granted to highest scoring allocation within the 3 pools)	
(Administrative Relief)	
(e) Administrative Relief Pool	0 / period

On January 1, 2011, the Florida Cabinet (sitting as the Administration Commission) passed Rule 28-18.400 F.A.C., which changes the roll-over procedure for building permit allocations for the City of Marathon. Per the rule:

**“The number of allocations issued annually for residential development under the Residential Building Permit Allocation System (BPAS) shall not exceed a total annual unit cap of 30, plus any available unused BPAS allocations from a previous year. Unused BPAS allocations may be retained and made available only for affordable housing and Administrative Relief from BPAS year to BPAS year. Unused market rate allocations shall be available for Administrative Relief. Any unused affordable allocations will roll over to affordable housing. This BPAS allocation represents the total number of allocations for development that may be issued during a year. A BPAS year means the twelve-month period beginning on July 13. Policy 1-3.5.18 supersedes Policy 1-3.5.2 of the City of Marathon Comprehensive Plan.”**

The above language has also been made part of the City of Marathon Comprehensive Plan, Policy 1-3.5.1.

### III. EVALUATION AND RANKING

Staff's evaluation of the BPAS applications was performed according to the provisions of the Building Permit Allocation System; positive points were granted in compliance with the evaluation criteria contained in Section 107.09 of the City Land Development Regulations. Each allocation application was ranked based on the total number of points scored. RBPAS applications with identical scores were further ranked based on the date and time they applied for RBPAS.

The final Rankings and proposed allocations are presented in the RBPAS Allocation Resolution.

Administrative relief may be provided through the above-mentioned code section. In making a determination in review of an application for administrative relief, the City Council may:

- (a) Offer to purchase the property at its fair market value as its preferred action if the property is considered environmentally sensitive; or
- (b) Grant the applicant an allocation award for all or a number of dwelling units requested in the next succeeding allocation period or extended pro rata over several succeeding quarterly allocation periods as the preferred action for buildable properties not meeting any of the criteria in subsection (f)(1) of this section; or
- (c) Suggest or provide such other relief as may be necessary and appropriate.

### IV. ANALYSIS AND RECOMMENDATION

The market rate applications for consideration for an allocation this Period are shown on Attachment "A". The ranking of the applications is shown on both attachments. Three owner occupied allocations were returned to the pool this period and will be reallocated. An additional two allocations previously awarded to parcels 00376160-000000 & 00363330-000000 have been revoked and are recommended for allocation within this period to the Owner-Occupied list.

See Attachment A of the Resolution: Ranking of Market Rate RBPAS

The affordable applications for consideration for an allocation this Period are shown on Attachment "B". The ranking of the applications is shown on both attachments.

See Attachment B of the Resolution: Ranking of Affordable RBPAS

Based on the result of the BPAS System, Planning Staff recommends that the City Council **APPROVE** the award of one (1) Market Rate General and seven (7) Market Rate Owner Occupied BPAS allocations as shown in "Attachment A" and one (1) Affordable BPAS allocations as shown in "Attachment B".

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-99**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, 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**

**WHEREAS**, the City of Marathon City Council (the “City”) reviewed the market rate and affordable residential dwelling unit application rankings for Period 1, Year 31 in compliance with the RBPAS Procedures promulgated in Section 107.07 of the Land Development Regulations (the “LDRs”);

**WHEREAS**, the City conducted a properly advertised public hearing (the “Public Hearing”) regarding the proposed residential BPAS rankings, Period 1, Year 31 pursuant to Chapter 107 Article 1 of the LDRs.

**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.** Based upon the evidence and testimony presented by City Staff and members of the public, the City Council hereby finds:

**Residential Building Permit Allocation (RBPAS)**

(1) The Public Hearing was properly advertised and held, as required by law, and the Applicants and all interested parties concerned in the matter were given an opportunity to be heard; and

(2) Based upon the RBPAS Rankings shown in the staff recommendation, attached as “Attachment A” for the Market Rate RBPAS pools and “Attachment B” for the Affordable pools, the City Council awards eight (8) Market Rate Residential, one (1) Affordable Residential allocation; and

(3) The remaining RBPAS Applicants will retain their relative positions in the RBPAS ranking list and will be marked as deferred in accordance with Section 107.07 of the LDRs.

**Section 3.** Based upon the above Findings of Fact, the City Council does hereby make the following Conclusions of Law:

1. The RBPAS applications for Period 1, Year 31 of RBPAS have been processed in accordance with Chapter 107 Article 1 of the LDRs.
2. In rendering its decision, as reflected in this Resolution, the City Council has:
  - (a) Accorded procedural due process;
  - (b) Observed the essential requirements of the law; and
  - (c) Supported its decision by substantial competent evidence of record.
3. The attached RBPAS allocations are awarded. Applicants requesting transfer of building rights as part of the provision of affordable allocations shall be required to meet the criteria established in Chapter 107,17 C, prior to the receipt of affordable allocations from the City completion of transfer of market rate residential units to other locations.

**Section 4.** This Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13<sup>th</sup> DAY OF SEPTEMBER, 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES: Zieg, Bartus, Cook, Still, Gonzalez  
 NOES: None  
 ABSENT: None  
 ABSTAIN: None

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

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Steven T. Williams, City Attorney

**Attachment A:  
Ranking of BPAS Applications for Period 1 Year 31  
July 14, 2022 to January 13, 2023**

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	RE NUMBER
		<b>MARKET RATES</b>	<b>YEAR 31</b>	<b>PERIOD 1</b>		
<b>Market Rate General Pool</b>						
1	BPAS-21-66	Coco Plum Estates LLC	84	7/12/2021	3:41 PM	00363500-000000
2	BPAS-05-50	Marathoners II LLC	83	11/4/2005	3:10 PM	00346480-000000
3	BPAS-21-65	Coco Plum Estates of Marathon LLC	83	7/14/2021	3:50 PM	00363450-000000
4	BPAS-07-2	Marathoners II LLC	81	10/10/2007	2:20 PM	00346470-000000
5	BPAS-21-107	Seasons 16	81	1/3/2022	12:31 PM	00327151-000200
6	BPAS-05-54	ARM SA/Roberto Reyes	80	11/8/2005	11:45 AM	00354420-000000
7	BPAS-07-22	Notgrass, Austin	79	3/9/2007	4:42 PM	00319760-000000
8	BPAS-21-103	Notgrass, Austin	79	3/9/2007	4:42 PM	00319760-000000
9	BPAS-17-19	MAM Holdings	79	7/5/2017	11:05AM	00363850-000000
10	BPAS-21-97	MAM Holdings	79	7/5/2017	11:06 AM	00363850-000000
11	BPAS-06-30	PATIBANDLA, SRIKIRAN	78	11/2/2006	4:20 PM	00366031-000300
12	BPAS-21-7	LARSEN RAYMOND	75	1/12/2021	9:00 AM	00331061-002600
13	BPAS-21-11	KEYS LUXE LIFE LLC	75	1/15/2021	10:17AM	00368450-000000
14	BPAS-21-50	508 Avenida LLC	75	5/2/2021	8:05 PM	00354510-000100
15	BPAS-21-67	All Construction & Plumb	75	7/9/2021	3:34 PM	00355010-000100
16	BPAS-21-53	Morshedi, Christine	74	5/17/2021	9:19 AM	00352890-000000
17	BPAS-21-42	Liron Gozlan	73	2/17/2021	9:00 AM	00325080-000000
18	BPAS-21-34	QUINCOSES FELICIA	72	2/11/2021	9:00 AM	00364370-000000
19	BPAS-05-37	Cranford, Dean	71	7/13/2005	3:20 PM	00358230-000104
20	BPAS-07-14	Blue Castle Holdings, LLC	71	2/5/2007	2:10 PM	00353690-000000
21	BPAS-20-32	Rivera, Samuel	71	7/8/2020	12:18 PM	00356040-000000
22	BPAS-21-64	Bueno Concrete	71	7/8/2021	2:59 PM	00328950-000000
23	BPAS-21-3	Hole, Cheri	69	4/23/2018	8:35 AM	00331061-000500
24	BPAS-04-49	Hallman, John & Carol	68	8/19/2004	10:48 AM	00365410-000000
25	BPAS-04-93	Borowski, Gregory	68	11/18/2004	8:00 AM	00373010-000000
26	BPAS-18-39	Epifano, Robert	68	8/3/2018	12:00 PM	00105240-001000
27	BPAS-04-81	Rodriguez, Jose	67	9/7/2004	10:30 AM	00331061-002000
28	BPAS-21-96	Perona, Bernard P.	66	11/28/2005	11:17AM	00320990-000100
29	BPAS-18-44	Firstco Marine LLC	66	12/28/2018	9:55 AM	00347480-000200
30	BPAS-21-30	GEM Homes LLC	66	12/2/2020	10:00 AM	00101340-000000
31	BPAS-21-85	GEM Homes LLC	66	12/2/2020	10:00 AM	00101340-000000
32	BPAS-21-86	GEM Homes LLC	66	12/2/2020	10:00 AM	00101340-000000
33	BPAS-21-87	GEM Homes LLC	66	12/2/2020	10:00 AM	00101340-000000
34	BPAS-21-88	GEM Homes LLC	66	12/2/2020	10:00 AM	00101340-000000
35	RM-04/10/12-01	Laviolette Rentals, LLC	65	10/12/2004	2:35 PM	00357041-002900
36	BPAS-18-27	4 Avenue D LLC	65	1/16/2018	8:30 AM	00363840-000000
37	BPAS-21-99	4 Avenue D LLC	65	1/16/2018	8:31 AM	00363840-000000
38	BPAS-19-21	JC Construction	65	1/10/2019	2:02 PM	00349970-000000
39	RM-06/01/26-01	Leird, Christine & William	65	1/26/2006	10:13 AM	00332310-000000
40	BPAS-06-16	Held, Michael & Robin	65	2/14/2006	12:00 PM	00105240-001900
41	BPAS-19-31	The Royal Company	65	7/12/2019	4:57 PM	00104441-000200
42	BPAS-20-27	Corrie, Brent	65	7/6/2020	1:26 PM	00100650-000100
43	BPAS-01-23	Lefkowitz, Eric	64	12/14/2001	2:00 PM	00333641-005000
44	BPAS-18-42	Fisher, Aaron	64	12/12/2018	1:30 PM	00354260-000000
45	BPAS-19-30	Guerra, Roger	64	7/15/2019	2:23 PM	00332750-000000
46	BPAS-21-36	Andrew George	64	2/12/2021	2:22 PM	00376410-000000
47	BPAS-21-52	Morshedi, Abdol	64	5/17/2021	11:12 AM	00105240-001800
48	BPAS-21-70	Cruz in the Keys	64	7/1/2021	2:28 PM	00341930-000000
49	BPAS-21-71	FLORIDA KEYS HOMES	64	7/13/2021	11:29 AM	00376220-000000
50	BPAS-22-5	Reichert, Timothy	63	1/12/2022	9:10 AM	00333641-009800
51	BPAS-22-17	KANTHETY SANTOSH	63	6/7/2022	10:06 AM	00360440-000000
52	BPAS-22-21	McSweeney, Joseph	63	6/7/2022	1:45 PM	00326080-000100
53	BPAS-20-25	Florida Keys Homes LLC	63	6/17/2020	12:00 PM	00354180-000000
54	BPAS-22-16	Miseki, Igor	63	3/23/2022	6:46 PM	00355820-000000
55	BPAS-21-38	Adkins, Michael	62	7/16/2020	12:46 PM	00373830-000100
56	BPAS-18-35	Epifano, Pamela	62	7/13/2018	4:56 PM	00105240-000500
57	BPAS-20-28	93 Stirrup Key LLC	62	7/6/2020	4:22 PM	00333641-009300
58	BPAS-21-100	4 Avenue D LLC	60	1/16/2018	8:32 AM	00363840-000000
59	BPAS-04-63	Tohton, Frank	59	8/16/2004	8:00 AM	00355418-001800
60	BPAS-21-26	DESIGN CENTER INC	59	1/15/2021	12:54 PM	00376420-000000
61	BPAS-06-11	Moreau, Guy	59	1/19/2006	3:00 PM	00329300-000000
62	BPAS-21-24	EVANS GARY C	59	1/15/2021	5:10 PM	00364140-003040
63	BPAS-04-96	Prieto, Rogel	58	12/21/2004	2:21 PM	00328900-000000
64	BPAS-05-47	Forthman, Todd & Leslie	56	10/5/2005	12:30 PM	00339910-000000
65	BPAS-04-52	Mann, James	55	8/9/2004	11:25 AM	00355980-000000
66	BPAS-05-19	Yellowtail Trust Inv	55	4/13/2005	8:30 AM	00338780-000100
67	BPAS-07-20	Osborne, Robert F	54	3/9/2007	4:40 PM	00319870-000000
68	BPAS-21-101	Osborne, Robert F	54	3/9/2007	4:40 PM	00319870-000000
69	BPAS-07-21	Hetuin, Jean Michael	54	3/9/2007	4:41 PM	00319880-000000
70	BPAS-21-102	Hetuin, Jean Michael	54	3/9/2007	4:41 PM	00319880-000000

**Attachment A:  
Ranking of BPAS Applications for Period 1 Year 31  
July 14, 2022 to January 13, 2023**

70	BPAS-08-3	Torres, Luis & Maria Elena	53	6/3/2008	1:55 PM	00100750-001200
72	BPAS-05-38	33 Southpoint, LLC	50	7/13/2005	3:22 PM	00358230-000106
73	BPAS-08-9	Jutstrom, Bryan	48	3/7/2008	3:50 PM	00345780-000000
74	BPAS-05-25	Valentin, Barbara	45	5/19/2005	4:00 PM	00345570-000000
75	BPAS-13-1	Keys Dragon Marathon	44	1/14/2013	2:00 PM	00102440-000000
76	BPAS-18-28	Vitale, John	43	1/16/2018	8:34 AM	00356720-000000
77	BPAS-21-112	Hernandez, Jacqueline	41	11/30/2021	11:05AM	00354430-000000
78	BPAS-19-25	JRC LLC	41	3/22/2019	3:31 PM	00355370-000101
79	BPAS-16-11	Tatro Michigan, LTD	39	1/11/2016	10:00AM	00355417-003100
80	BPAS-22-6	JRC/Davalos	36	1/12/2022	3:39 PM	00341280-000000
81	BPAS-21-104	Waite, Peggy	26	10/20/2021	10:19AM	00375000-000000
82	BPAS-21-105	Waite, Peggy	21	10/20/2021	3:17 PM	00375000-000000

**Market Rate Owner Occupied Pool**

<b>RANK</b>	<b>ROGO/BPAS NUMBER</b>	<b>NAME</b>	<b>BPAS SCORE</b>	<b>DATE ENTERED</b>	<b>TIME ENTERED</b>	<b>RE NUMBER</b>
1	BPAS-22-3	Hurley Lucia	88	1/11/2022	1:41 PM	00337391-001700
2	BPAS-22-2	Dascanio, Antonio	88	1/11/2022	1:46 PM	00337391-001600
3	BPAS-21-68	Daughtry, Ben	84	7/12/2021	1:12 PM	00356860-000000
4	BPAS-20-37	O'Neill, Cara	79	6/17/2020	12:05 PM	00354150-000000
5	BPAS-21-72	Bacallao, Jaasiel	78	12/15/2021	3:35 PM	00340280-000000
6	BPAS-21-113	Gagliardini/Young	77	4/13/2022	2:07 PM	00354390-000000
7	BPAS-20-21	Lopez, Brenda	76	1/7/2020	3:50 PM	00353940-000100
8	BPAS-22-4	Taute, Robert Jr	72	1/11/2022	1:38 PM	00354050-000000
9	BPAS-21-41	Leatherwood, Tyrone	71	2/16/2021	1:20 PM	00353980-000000
10	BPAS-07-23	Jorge Montiel	68	3/13/2007	2:50 PM	00356060-000000
11	BPAS-22-20	VanHoose, Christopher	65	6/3/2022	3:46 PM	00360370-000000
12	BPAS-20-14	Adkins, Michael	62	10/13/2020	1:02 PM	00373830-000000
13	BPAS-22-18	Yeider, Tim	50	5/20/2022	11:19 AM	00101120-000000



		AFFORDABLE	YEAR 31	PERIOD 1		
<b>Affordable General Pool</b>						
RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	RE NUMBER
1	BPAS-21-98	MAM Holdings	66	7/5/2017	11:04 AM	00363850-000000
2	BPAS-21-79	GEM Homes	60	12/2/2020	5:03 AM	00101340-000000
3	BPAS-21-80	GEM Homes	60	12/2/2020	5:04 AM	00101340-000000
4	BPAS-21-81	GEM Homes	60	12/2/2020	5:05 AM	00101340-000000
5	BPAS-21-82	GEM Homes	60	12/2/2020	5:06 AM	00101340-000000
6	BPAS-21-83	GEM Homes	60	12/2/2020	5:07 AM	00101340-000000
7	BPAS-21-84	GEM Homes	60	12/2/2020	5:08 AM	00101340-000000
8	BPAS-21-89	QOF, Inc	42	7/21/2020	9:05 AM	00350630-000000
9	BPAS-21-90	QOF, Inc	42	7/21/2020	9:05 AM	00350630-000000
10	BPAS-21-91	QOF, Inc	42	7/21/2020	9:05 AM	00350630-000000
<b>Community Workforce Housing</b>						
RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	RE NUMBER
1	BPAS-21-111	Sexton, Matt	26	11/25/2021	3:35 PM	00371010-000000
2	BPAS-22-9	Sexton, Matt	26	2/22/2022	10:28 AM	00371010-000000
3	BPAS-22-10	Sexton, Matt	26	2/22/2022	10:31 AM	00371010-000000
4	BPAS-22-11	Sexton, Matt	26	2/22/2022	10:36 AM	00371010-000000
5	BPAS-22-12	Sexton, Matt	26	2/22/2022	10:38 AM	00371010-000000
6	BPAS-22-13	Sexton, Matt	26	2/22/2022	10:41 AM	00371010-000000
7	BPAS-22-14	Sexton, Matt	26	2/22/2022	10:43 AM	00371010-000000
8	BPAS-22-15	Sexton, Matt	26	2/22/2022	10:46 AM	00371010-000000
<b>TBR Affordable Pool</b>						
RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	RE NUMBER
1	BPAS-21-44	Andrew George	41	3/18/2021	10:20 AM	00341720-000000
2	BPAS-21-46	Blanco	41	3/18/2021	11:10 AM	00102830-000401
3	BPAS-21-61	Rice, David and Mary	41	6/28/2021	1:11 PM	00341860-000000
4	BPAS-21-74	Rice, David and Mary	41	6/28/2021	1:11 PM	00341860-000000
5	BPAS-21-110	Ahearn, Justin	31	11/10/2021	10:05AM	00344270-000000
6	BPAS-21-40	212 Lindahl LLC-	27	9/21/2020	3:40 PM	00333370-000000
7	BPAS-21-92	212 Lindahl LLC	27	9/21/2020	3:40 PM	00333370-000000
8	BPAS-21-93	212 Lindahl LLC	27	9/21/2020	3:40 PM	00333370-000000
9	BPAS-21-94	212 Lindahl LLC	27	9/21/2020	3:40 PM	00333370-000000
10	BPAS-21-47	Cameron	26	3/30/2021	1:11 PM	00350490-000000
11	BPAS-21-48	Cameron	26	3/30/2021	1:11 PM	00350490-000000
12	BPAS-21-49	Cameron	26	3/20/2021	1:11 PM	00350490-000000
13	BPAS-21-54	Matlock	26	4/20/2021	9:00 AM	00338880-000000
14	BPAS-21-55	Matlock	26	4/20/2021	9:00 AM	00333880-000000
15	BPAS-21-56	Griffith	26	6/1/2021	7:56 AM	00320460-000000
16	BPAS-21-57	Griffith	26	6/1/2021	7:56 AM	00320460-000000
17	BPAS-21-58	Griffith	26	6/1/2021	7:56 AM	00320460-000000
18	BPAS-21-59	Griffith	26	6/1/2021	7:56 AM	00320460-000000
19	BPAS-21-115	Dovelle, Frank	26	12/10/2021	12:37PM	00333520-000000
20	BPAS-21-116	Dovelle, Frank	26	12/10/2021	12:38PM	00333530-000000
		<i>Awards</i>	<i>Available</i>	<i>Recommended</i>	<i>Remaining</i>	
		<b>General</b>	<b>1</b>	<b>1</b>	<b>0</b>	
		<b>Workforce</b>	<b>1</b>	<b>1</b>	<b>0</b>	

RANK	ROGO/BPAS NUMBER	NAME	BPAS SCORE	DATE ENTERED	TIME ENTERED	RE NUMBER
		<b>TBR</b>	1	1	0	

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2022-104**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ESTABLISHING CITY BOAT RAMP USAGE FEES, TRAILER PARKING FEES AND PARKING FEES AT SOMBRERO BEACH ESTABLISHING AN ANNUAL CITY RESIDENT REGISTRATION AND ESTABLISHING THE PROCESS AND FINES FOR VIOLATIONS**

**WHEREAS**, the public boat ramps owned by the City of Marathon are currently providing boat launch services and parking at the boat ramps and Sombrero Beach free of charge; and

**WHEREAS**, the costs of operating and maintaining the ramps and Sombrero Beach are currently supported by the City's general revenue fund; and

**WHEREAS**, a fee of \$25.00 to launch in and retrieve, as well as a \$20 per day trailer parking would help defray the costs incurred by the City; and

**WHEREAS**, a fee of \$5 for each of the first two hours and \$2 per hour thereafter for parking at Sombrero Beach would help defray the costs incurred by the City for cleaning and maintenance; and

**WHEREAS**, a resident of the City of Marathon and Key Colony Beach would be permitted to utilize the existing ramps and parking with a vehicle registered in Marathon or Key Colony by registering annually at no cost; and

**WHEREAS**, the City, or it's agent of the parking management service contracted by the City, shall find that an owner or operator of a vehicle or trailer that has not paid the required fee or violates any other provision of a City Ordinance with regards to use of the facility shall be subject to a fine to be issued by the City or it's parking management service provider; and

**WHEREAS**, the fines for such violations shall be \$90.00 per violation at Sombrero Beach, and \$200.00 at all boat ramp facilities, with said fines reduced by 50% if paid within 15 days from the notice of violation; and

**WHEREAS**, if any fines are unpaid and are referred to a third party for collections, the City or it's parking management service provider shall be entitled to recover any and all reasonable collection, administration fees, and attorney fees in addition to the unpaid finest; and

**WHEREAS**, if an owner or operator of a vehicle or trailer has been assessed four (4) or more violations that remain unpaid, and after notification of the fines to the registered owners of the vehicles, in addition to any other penalties or fines permitted, the vehicle and or trailers may be

towed each time thereafter that it is in a metered lot, at the sole expense of the vehicle owner.

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

**Section 1.** The Council hereby establishes a user fee for all City boat ramps of: \$25 per launch and retrieval; (\$25 per one way launch and \$25 per retrieval) and a trailer parking fee of \$20 per day (no overnight parking).

**Section 2.** The Council hereby establishes a parking fee at Sombrero Beach of \$5 for each of the first two hours and \$2 per hour thereafter.

**Section 3.** The Council hereby establishes fines for parking and use violations of \$90.00 at Sombrero Beach and \$200.00 at all boat ramp facilities, with a 50% reduction if paid within 15 days of the notice of violation.

**Section 4.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 13TH DAY OF SEPTEMBER, 2022.**

**THE CITY OF MARATHON, FLORIDA**

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**John Bartus, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Diane Clavier, City Clerk

(City Seal)

APPROVED AS TO FORM AND LEGALITY FOR THE USE  
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:

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Steve Williams, City Attorney