

CALL TO ORDER - A Meeting of the City Council of Marathon, Florida was held on April 11, 2023 in the Marathon Council Chambers, 9805 Overseas Hwy., Marathon, Florida, Mayor Gonzalez called the meeting to order at 5:30 pm.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL - There were present:

Councilmember Landry

Councilmember Matlock

Councilmember Smith

Vice Mayor Robyn Still

Mayor Gonzalez, comprising a quorum.

Also, in attendance were:

City Manager, George Garrett

City Clerk, Diane Clavier

Attorney, Steve Williams

Planning Director, Brian Shea

Finance Director, Jennifer Johnson

Parks & Rec Director, Paul Davis

Utilities Director, Dan Saus

Public Works Director, Carlos Solis

Building Official, Gerard Roussin

Code Director, Ted Lozier

Marina Director, Sean Cannon

Grants Coordinator, Maria Covelli

Monroe County Sherriff's Office, Captain Hiller

Mayor Gonzalez recognized former Councilmembers Randy Mearns and John Bartus

Approval of Agenda & Consent Agenda

Still asked for a quick discussion on workshop topics as item E. Smith removed Parks and Recreation and the Public Works report from the consent agenda. Landry removed the Code report and Resolution 2023-42 from the consent agenda. Garrett added a church discussion (resolution 2023-30) as item M.

MOTION: Smith moved to approve the agenda as amended.

SECOND: Landry

With no objection from the members of Council, Mayor Gonzalez declared the motion approved by unanimous consent.

Gonzalez recognized former Councilmembers Mearns and Bartus

Garrett informed the Council there were new microphones and a projector in the chambers.

***Approval of Minutes**

Marathon 7 Mile Offshore Grand Prix April 28-30, 2023 – Randy Mearns, local director for the race explained the changes to the race schedule and informed everyone of the closure of 33rd Street, Seven Mile Marina, and 7 Mile Bridge parking area. Mearns informed everyone the dry pits at the airport would be closed to the public, but the public could go to the dry pits at San Pablo field. Mearns informed everyone of the announcements about the closures and the race would start tomorrow. The Council gave head nods for the closures.

Leadership Monroe County 30th Anniversary Proclamation – members from the public that are current and were previous participants in Leadership Monroe accepted the proclamation. The Mayor and Garrett thanked those who attended.

Non-Profit Donations Scoring – The clerk read the amounts allocated as follows:

| Name | Awarded |
|---|---------|
| Habitat for Humanity of the Middle Keys, Inc. | 3000 |
| Florida Keys Children's Shelter | 2500 |
| Heart of the Keys Recreation Assoc, Inc. aka Marathon Recreation Center | 10000 |
| Independence Cay | 3000 |
| The Hammock House | 8800 |
| KAIR | 4400 |
| Community Cooperative Preschool | 1500 |
| Dolphin Research Center | 3300 |
| Crane Point Museum & Nature Center | 4500 |
| Grace Jones Community Center | 8400 |
| Marathon Wild Bird Center, Inc. | 2900 |
| Presents In Paradise | 4200 |
| Keys AHEC Health Centers | 6300 |
| Guidance Care Center Inc | 3300 |
| Florida Keys SPCA-Marathon Campus | 5700 |

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| | |
|---|------|
| Autism Society of the Keys (ASK) | 4500 |
| Kreative Kids Christian Academy | 6900 |
| The Educational Coalition for Monroe County | 5000 |
| Domestic Abuse Shelter, Inc. | 4400 |
| Leadership Monroe County | 1800 |
| R3EACH, Inc. | 4300 |
| The Salvation Army | 600 |
| Florida Keys Concert Association | 600 |

Brandi Jordan thanked the Council on behalf of the Community Cooperative Preschool.

Mike Millard – explained he spoke against this previously because it was not budgeted and asked where the funding was coming from. Jennifer Johnson explained the City received a refund from the Sherriff's office of \$145,000 and a budget amendment was on the agenda for approval.

Charlotte Quinn thanked the Council on behalf of Crane Point Museum and Nature Center.

Diane Culver thanked the Council on behalf of the Marathon Recreation Center.

Councilmember Smith informed everyone Chris Todd Young could not be present but wanted to pass along her gratitude from Habitat for Humanity. Smith also informed everyone he would be abstaining from voting on Habitat for Humanity and Crane Point Hammock allocations as he is a board member.

Mayor Gonzalez informed everyone he would be abstaining from voting on the Marathon Recreation Center allocation since he sits on the board.

Vice Mayor Still informed everyone she would be abstaining from voting on the Presents in Paradise allocation since she sits on the board.

MOTION: Landry moved to approve all the grants with no conflict
SECOND: Still

Vote of the Motion:

Yes: Landry, Still, Matlock, Smith, Gonzalez
 No: None
 Absent: None
 Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

MOTION: Landry moved to approve Habitat for Humanity grant allocation
SECOND: Still

Vote of the Motion:

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Yes: Landry, Still, Matlock, Gonzalez
No: None
Absent: None
Abstain: Smith

Vote on the Motion: 4 Yes, 0 No, 0 Absent, 1 Abstain

MOTION: Still moved to approve the Marathon Recreation Center grant allocation
SECOND: Smith

Vote of the Motion:

Yes: Still, Smith, Matlock, Landry
No: None
Absent: None
Abstain: Gonzalez

Vote on the Motion: 4 Yes, 0 No, 0 Absent, 1 Abstain

MOTION: Still moved to approve the Crain Point Museum and Hammock grant allocation.
SECOND: Gonzalez

Vote of the Motion:

Yes: Still, Gonzalez, Landry, Matlock
No: None
Absent: None
Abstain: Smith

Vote on the Motion: 4 Yes, 0 No, 0 Absent, 1 Abstain

MOTION: Smith moved to approve the Presents in Paradise grant allocation
SECOND: Landry

Vote of the Motion:

Yes: Smith, Landry, Matlock, Gonzalez
No: None
Absent: None
Abstain: Still

Vote on the Motion: 4 Yes, 0 No, 0 Absent, 1 Abstain

Workshop Topics (Vice Mayor Still) Still asked to have a discussion at the workshop of items we would like to see, such as what we have done for vacation rentals in April and Boat and Beach parking on a following workshop agenda. Smith agreed but suggested doing two of the items, but not the vacation

rentals. Garrett commented that he would like to come back with a list and have the Council prioritize the list so we can schedule in priority order. Smith asked that this be added to the first meeting of the month as an agenda item.

City Manager Report

* A. MCSO Marathon Substation Report

* B. Grants Update

* C. Building Report

D. Park and Recreation Report – Smith asked why the playground cover was not installed yet. Davis explained that the cover came in, but because of the weather was not installed due to wind and rain, but hopefully could be on Thursday. Smith asked about the summer camp and Davis informed everyone it would be a different format with times that would allow parents to drop off the children before work. Smith asked about fencing in the park, Davis responded that repairs were being made. Everyone was informed of the CDBG Grant meeting at Jesse Hobbs Park on April 17th at 5:30 pm.

* E. Marathon Fire Rescue Report

* F. Marina Report

G. Code Report – Landry asked if there were any new hires. Lozier explained two people were hired, one came from another department, and one will start in early May. Landry asked if nights and weekends were being covered. Lozier responded yes and the department was working with agents on trash cans and searching for those doing construction without permits on the weekends.

* H. Wastewater Utilities Report

I. Public Works Report – Smith asked for a parking update. Solis explained that staff has had to reboot a machine, and in the first ten days, we have had a decent collection and Solis reported that there would be a grace period with enforcement. Smith asked for a monthly report. Landry asked if cameras were installed. Solis commented that they were at the boat ramps and in the next couple of weeks the rest would be installed. Landry informed everyone that there was a typo in the \$200 violation, and it may not be enough. Solis commented it could be per occurrence. Garrett commented that the number should come from the Council. Solis informed everyone the split was 60/40 between the contractor and City for the enforcement fees. Landry commented he would like to see \$250 per occurrence for violators. Smith commented he would like to see the data but likes that this would incentivize use of private ramps. Landry asked that this be discussed at the next meeting as an agenda item.

J. Sunset Celebration on the Old 7 Mile Bridge May 19th 6-9 pm – Garrett advised of the County event with beer and wine and asked for a head nod. The council gave their approval.

K. New Amount Not To Exceed For MT Causley – Jennifer Johnson explained she was asking for an additional \$475,000 not to exceed amount for a new cap. Garrett informed everyone it was an open-ended contract, and we put a cap at some frequency as we do this with utilities contracts as well. Gonzalez commented since it is \$35,000 to operate, he would like a lower figure such as \$250,000 for a few months to operate so we can revisit this once we hire our own plans reviewers and inspectors. Garrett commented it could be a \$200,000 not to exceed amount, as we do want to bring this in house.

MOTION: Gonzalez moved to allocate \$200,000 for MT Causley

SECOND: Landry

Vote of the Motion:

Yes: Gonzalez, Landry, Matlock, Smith, Still
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

L. Watershed Master Planning Grant – Shea explained the grant and asked for head nods. The council gave their approval.

M. New Mt. Zion Church Discussion (Resolution 2023-30) Williams explained nothing has changed, it is the same statute.

The Mayor called for speakers.

Diane Scott – commented that she would file a lawsuit against the City and the Judge was impaired and the church was not the City’s business.

Doris Hawkins commented that she used to attend the church, she has lived here 55 years and on the same street as the church, it is an eyesore.

Williams asked the size of the membership and the financial strength of the church.

Hawkins replied two people plus a pastor from West Palm Beach sometimes and since no one attends service, there are no finances.

Diane Culver explained the primary role of a church and that there were only two people in the congregation. Culver commented that the people next door cannot live peacefully in their home.

Williams asked how many people were in the congregation, Culver responded two. Williams asked her opinion of the financial strength of the church, Culver responded it cannot be strong, they have a limited income. Williams asked who in the audience was in support of the Resolution. Culver responded Doris Hawkins, Erica Stewart, Bernette Stewart Jones, and Charlotte Robbins.

The Mayor asked for a brief recess due to a disturbance. The Mayor called the meeting back to order.

Still commented that the courts have deemed the church extinct.

Williams read the motion to dismiss regarding case 20SC-7-M which was granted on September 11, 2020. Williams explained the process would start with reaching out to identical churches to inquire about their interest in accepting the church. Matlock questioned what would happen if they chose to accept. Williams explained that would be step A, then we would take it in logical order. Williams put it on the record that Diane Scott showed him a check to an association.

Council had a discussion regarding Section 2 of the Resolution and agreed to strike Section 2.

MOTION: Still moved to approve Resolution 2023-30, striking Section 2.
SECOND: Gonzalez

Vote of the Motion:

Yes: Still, Gonzalez, Matlock, Smith, Landry
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Citizens' comments

Mike Millard – informed everyone that the Marathon Team from Florida Keys Soccer League won a trophy, and they were willing to showcase the trophy at City hall. Millard asked if we could leave the Community Park lights on to 11 pm. Millard asked if the City would reconsider locals using the Aviation Blvd. ramp parking. Solis informed him the ramp is useable, but there is no parking. Millard questioned if someone has their vehicle in a trust if they would have to pay. Solis informed him if the vehicle is registered in Marathon, they would not have to pay.

Diane Scott – commented that she wanted to put on the workshop agenda the topic of having our own police department.

Quasi-Judicial Public Hearings:

A. Resolution 2023-35, Approving A Final Plat As Submitted By QOF, Inc. For A Plat Pursuant To Chapter 102, Article 10 Of The City Of Marathon Land Development Regulation (LDRS) Entitled “Subdivision Of Land/Plats And Re-Plats,” Particularly, 4800 Overseas Hwy Unit 14 Which Is Described As Thompson And Adams Subdivision PB2-24, Part Lot 4 And Adjacent Filled Bay Bottom And Adjacent Bay Bottom (A/K/A Parcel D & Bay Bottom Parcel A), Section 10, Township 66 South, Range 32 East, Key Vaca, Marathon, Monroe County, Florida, Having Real Estate Number 00327140-000200. Nearest Mile Marker 50.

The Clerk swore in speakers. The Council stated they had no ex parte communications.

Shea explained the Resolution. The Mayor called for speakers, hearing none, closed public comments.

MOTION: Still moved to approve Resolution 2023-35
SECOND: Landry

Vote of the Motion:

Yes: Still, Landry, Matlock, Smith, Gonzalez
No: None
Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Resolution 2023-36, Approving The Allocation Of Commercial Building Permit Allocation System (CBPAS) To Joanne Marie G/K LLC For Period 2, Year 31 (January 14, 2023 To July 13, 2023); And Providing For An Effective Date.

Shea explained the Resolution, the Mayor called for speakers, hearing none, closed public comments.

MOTION: Smith moved to approve Resolution 2023-36

SECOND: Landry

Vote of the Motion:

Yes: Smith, Landry, Matlock, Still, Gonzalez

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Ordinances for First Public Hearing

A. Ordinance 2023-05, Adding To The City Code Of Ordinances Article IV Of Chapter 32 To Be Titled “Electric Bicycles And Electric Personal Assistive Mobility Devices”; Creating Sections 4-1 Through 4-8 Of Article IV Of Chapter 32 Of The City Code Of Ordinances; Creating 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.

Williams explained in Section 7 of the Ordinance that the fine of \$15 is set by the State.

The Mayor called for Speakers.

Jan O’Malley spoke for the Ordinance and suggested that in Section 6 that a warning for traditional bikes be included.

Mary Stella echoed Jan O’Malley’s comments and thanked the Council for bringing forward the Ordinance, her concern was enforcement, and suggested public outreach for use of lights and a horn or bell.

Matlock commented on his concerns of enforcement. Garrett replied he would discuss it with Captain Hiller. Still commented we must start somewhere, and something is better than nothing.

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Smith suggested a change in Section 6 to add non-motorized bikes, the third line to include any pedestrian or bicycle.

MOTION: Still moved to approve Ordinance 2023-05 with the amendment to Section 6.
SECOND: Matlock

Vote of the Motion:

Yes: Still, Matlock, Smith, Landry, Gonzalez
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

Resolutions for Adoption:

A. Resolution 2023-31 Approving Amendments To The Rates And Rental Fee Schedule For The Use Of Boot Key Harbor City Marina Facilities; and Providing An Effective Date.

Cannon explained the reasons for the rate increase and informed everyone the City marina offered the most of any marina and still had the lowest rates around. Smith commented that it would be payment shock and asked for alternatives. Cannon informed everyone the seawall was undermined, and he needed the income to fix the seawall. Matlock questioned if we could give a discount for those who rent annually. Garrett informed everyone that if someone is in the mooring field, they could stay for up to a year before moving. Smith asked for thirty percent of the field be for those long-term customers with a discount, would like it raised five percent for the annual rate.

MOTION: Smith moved approval subject to change to an annual rate by five percent and cap the number at thirty percent of the inventory.
SECOND: Still

Vote of the Motion:

Yes: Smith, Still, Landry, Matlock, Gonzalez
No: None
Absent: None
Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

***B. Resolution 2023-37,** Awarding Project Specific Agreement PSA-23-6 for the Construction Engineering Inspections for the Area 7 Disc Filter CIE to Weiler Engineering Corporation.; Approving PSA-23-6 in contract amount of \$95,775.00; 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 qualifies and will be submitted for reimbursement through the existing CDBG-DR grant.

***C. Resolution 2023-38**, Approving Amendment No. 1 of Grant Agreements Nos. 2853 Between The City And The Monroe County Tourist Development Council For a Restroom Facility At The Quay Property; And Providing For An Effective Date

***D. Resolution 2023-39**, Amending A Grant Agreement With The Florida Department Of Environmental Protection For Canal And Culvert Projects; Authorizing The City Manager To Execute The Grant Amendment On Behalf Of The City; And Providing For An Effective Date

***E. Resolution 2023-40**, Approving A Fourth 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

***F. Resolution 2023-41**, Approving An Interlocal Agreement (ILA) Between The City Of Marathon And The Florida Keys Aqueduct Authority To Add An Additional Fire Hydrant, Including Piping, To An FKAA Request For Proposals, As Part Of Upgrading Existing Fire Protection In Association With The Crawl Key Distribution Upgrades.

G. Resolution 2023-42, Approving A Partial Refund Of Building Permit Fees Pursuant To 553.80 F.S.; Establishing A Procedure For Issuance Of The Partial Refunds; And Providing An Effective Date.

Landry explained he spoke with Garrett and Williams and suggested that the City send out emails to those eligible for refunds. Gonzalez suggested we advertise and send a courtesy email. Smith questioned what we could do with the unspent funds. Williams explained if someone could not afford to pull a permit, the funds could be used there, the funds cannot leave the building fund, and we need to keep our level where it needs to be. Still questioned how long it would take to get emails out. Shea commented that the emails could be exported tomorrow.

MOTION: Landry moved to approve Resolution 2023-42

SECOND: Smith

Vote of the Motion:

Yes: Landry, Smith, Matlock, Still, Gonzalez

No: None

Absent: None

Abstain: None

Vote on the Motion: 5 Yes, 0 No, 0 Absent, 0 Abstain

***H. Resolution 2023-43**, Amending The City's Fiscal Year 2022-2023 Budget; And Providing For An Effective Date.

Council Comments

Landry thanked the staff and asked the community to let them know of any ideas for the second meeting and gave his condolences to the Steinmetz family.

Matlock commented that George Steinmetz would be missed and offered his condolences. Matlock thanked everyone for showing up.

Smith commented that George Steinmetz would be missed and offered his condolences to his family. Smith congratulated the Florida Keys soccer champs and commented he was looking forward to the boat races and thanked staff and Parks staff and asked everyone to support the Non-Profits.

Still reminded everyone of the Leadership graduation on the 29th at Oceanfront Park, the community was welcome to attend and thanked the Park staff for the wonderful easter egg hunt.

Gonzalez gave his condolences to the Steinmetz family and thanked staff for the wonderful easter egg hunt.

ADJOURNMENT

With no further business to come before the Council, Mayor Gonzalez adjourned the meeting at 7:46 pm by unanimous consent.

I certify the above represents an accurate summary of the regular Council meeting of April 11, 2023

Diane Clavier, City Clerk

Date

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|--|---|
| LAST NAME—FIRST NAME—MIDDLE NAME Gonzalez Luis A. | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Marathon City Council |
| MAILING ADDRESS P.O. Box 501740 | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY Marathon | COUNTY Monroe |
| DATE ON WHICH VOTE OCCURRED April 11, 2023 | NAME OF POLITICAL SUBDIVISION: City of Marathon |
| | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Luis Gonzalez, hereby disclose that on April 11, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Distribution of grant funds - I sit on the Marathon Recreation Center board. Marathon Recreation Center had requested and received grant funding from the City.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

April 12, 2023
Date Filed

Luis Gonzalez
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|---|---|
| LAST NAME—FIRST NAME—MIDDLE NAME Still Robyn | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Marathon City Council |
| MAILING ADDRESS 7725 Wahoo Drive | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY Marathon | COUNTY Monroe |
| DATE ON WHICH VOTE OCCURRED April 11, 2023 | NAME OF POLITICAL SUBDIVISION: City of Marathon |
| | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Robyn Still, hereby disclose that on April 11, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Distribution of grant funds - I sit on the Presents in Paradise board. Presents in Paradise had requested and received grant funding from the City.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

April 25, 2023
Date Filed

Robyn Still
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

| | |
|--|---|
| LAST NAME—FIRST NAME—MIDDLE NAME Smith Jeff | NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Marathon City Council |
| MAILING ADDRESS 479 96th Street Ocean | THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY |
| CITY Marathon | COUNTY Monroe |
| DATE ON WHICH VOTE OCCURRED April 11, 2023 | NAME OF POLITICAL SUBDIVISION: City of Marathon |
| | MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE |

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Jeff Smith, hereby disclose that on April 11, 20 23 :

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Distribution of grant funds - two of the boards I sit on, Habitat for Humanity and Crane Point Hammock had requested and received grant funding.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

4-14-23
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.