



**City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, December 13, 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. Discussion Concerning The Acquisition Of An Attorney General's Opinion Concerning The City's Ability To Modify Its Vacation Rental Ordinance (Councilmember Smith)
 - C. Discussion of House Boats as Vacation Rentals (Councilmember Still)
 - D. BPASS Fee Discussion (Councilmember Smith)
 - E. Use of Fourth Tuesday Council Meetings (Councilmember Smith)
- 6. City Manager Report**
 - * A. MCSO Marathon Substation [Report](#)
 - * 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](#)
 - J. Establishment of [Legislative Priorities](#) for the 2023 Legislative Session
- 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 [2022-131](#), Consideration Of A Request By Coco Vista Community, LTD and VC Seaview, LTD. 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 Sixty-Four (64) Affordable Housing Units Located At 96 Coco Plum Dr. Which Is Legally Described As Block 7 Lot 9 Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363700-000000, Block 7 Lot 11 and Adjacent Canal Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363720-000000 And Block 7 Lot 10 And Adjacent Canal Coco Plum Beach PB4-166 Fat Deer Key, Monroe County, Florida, Having Real Estate Number 00363710-000000. Nearest Mile Marker 54.

B. Resolution [2022-132](#), Consideration Of A Request Coco Vista Community, LTD. 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 Sixty (60) Affordable Housing Units Located At 120 And 130 Pescayo Ave, Which Is Legally Described As Lot 7 Seaview Commons II-Ave A PB7-96 A Subdivision Being Re-Plat of Lots 5 And 6 Block 6 Coco Plum Beach PB4-166, Monroe County, Florida, Having Real Estate Number 00363551-000700. Nearest Mile Marker 54.

9. Resolutions For Adoption

***A. Resolution [2022-133](#)**, Encouraging Governor Ron DeSantis To Appoint Dr. Daniel Zieg To The Florida Housing Finance Corporation Board.

***B. Resolution [2022-134](#)**, Approving Cyber Security Software In The Amount Of \$39,600 Annually; Authorizing The Waiver Of Bidding Procedures; Authorizing The City Manager To Expend Budgeted Funds; And Providing An Effective Date

***C. Resolution [2022-135](#)**, Amending Resolution 2022-25, To Adjust The Rounding Error For The New Wastewater Rates As Described In Exhibit "B", Authorizing The City Manager To Administer the Updated Assessment Charges; And Providing An Effective Date

***D. Resolution [2022-136](#)**, Approving a Contract Between The City of Marathon And Errol Williams and Miriam Reyes for the Purchase of the Property at 398 116th Street Ocean, Marathon, FL with Parcel ID 00346050-000000; Appropriating Funds; And Providing For An Effective Date

***E. Resolution [2022-137](#)**, Approving A Project Specific Agreement With The Firm Of Florida Technical Consultants (FTC), A Continuing Services Contractor; Authorizing The City Manager To Sign The Agreement; And Providing For An Effective Date

F. Resolution [2022-138](#), Amending The Building Department Fee Schedule; Providing For The City's Reduction In Building Permit Fees In The Coming Year and Potentially The Following Year Based On The Large Fees Being Levied From Two Large Projects, Including The Valhalla Project, Providing For Additional Modification Of Those Fees As The City's Rate Consultants Are Able To Analyze Our Current Rates More Thoroughly, And Providing For An Effective Date

10. Council comments

11. Adjournment

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marathon City Attorney at (305) 289-4130 at least five days prior thereto. Please contact the City Clerk at clavierd@ci.marathon.fl.us if you would like to receive any of the items on the agenda by email.