



City of Marathon City Council Agenda
9805 Overseas Hwy., Marathon, FL
Tuesday, February 13, 2024 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 requests. In the event of such a request, the item is returned to the Regular Agenda.]

5. City Council Items

- *A. Approval of Minutes 1
- B. Charitable Donations Discussion (Mayor Still)
- C. MSTU Discussion..... 14
- D. KAIR Request to use Sombrero Beach on February 23rd from 5-6:30 pm and to hold the 17th Annual Sombrero Beach Run on February 24th and to waive permit and parking fees, allow parking in the ROW, from 4:00 pm Friday, February 23rd until noon on Saturday, February 24th ... 47
- E. Quay Property Discussion
- F. Workshop Discussion Item for February 27, 2024
- G.

6. City Attorney Item

- A. Authorization to initiate litigation against TOUBY PAINTING CORPORATION and their property, 1104 26th Street, Marathon, Florida 33050, to enforce the lien(s) arising from code compliance case number C2013-0222. 48
- B. Authorization to initiate litigation against TU BALU GROUP LLC and their property, 1100 Overseas Highway, Marathon, Florida 33050, to enforce the lien(s) arising from code compliance case number C2019-0087. 51

7. City Manager Report

- * A. Monroe County Sheriff Marathon Substation Report..... 53
- * B. Grants Update 56
- * C. Wastewater Utilities Report 60
- * D. Park and Recreation Report..... 65
- * E. Building Report..... 69
- * F. Marina Report..... 70
- * G. Public Works Report..... 73
- * H. Fire Rescue Report..... 76
- * I. Code Compliance Report..... 82

8. 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**

9. 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. (Councilmembers to communicate exparte communication.)

A. Resolution 2024-15, Considering The Third Amended And Restated Development Agreement Between The City Of Marathon And Marlin Bay Yacht Club, LLC, For The Redevelopment Of Property, Which Is Legally Described As Block 6 Lots 1 Thru 5 & The N 100' Of The S 430' Of Lot 6 And Adjacent Filled Bay Bottom, Marathon Beach Sub Pb2-16 And Block 2 Lots 1 Thru 6 Amended Plat Of Yacht Basin Tracts Real Estate Number 00337010-000000, Providing For Conditions And Requirements Of Development, Including But Not Limited To, Buffers, Building Heights, Setbacks, And Other Requirements, More Specifically Allowing For The Marina To Be Public Use; And Providing For An Effective Date..... 84

10. Ordinance for Second Public Hearing

A. Ordinance 2024-03, Amending Chapter 6-95, “Existing Buildings,” Concerning The Certification Of Existing Buildings Subject To The Standards Of The Chapter And Section; Providing For The Repeal Of All Code Provisions And Ordinances Inconsistent With This Ordinance; Providing For Severability; Providing For Inclusion In The Code Of Ordinances, City Of Marathon, Florida; And Providing An Effective Date..... 132

11. Resolutions For Adoption

***A. Resolution 2024-16,** Extending By An Additional Three Years The Contract For The Position Of City Manager Between The City Of Marathon, Florida And Mr. George Garrett, And Providing For An Effective Date..... 138

***B. Resolution 2024-17,** Authorizing A “Sole-Source” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of upgraded PLC hardware, software, and required installation services from Integrated Controls, Inc., In An Amount Not To Exceed \$326,444.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date.... 152

***C. Resolution 2024-18,** Accepting The Responsible Bid And Approving A Contract Between The City And The King’s Enterprises. In An Amount Not To Exceed \$42,000.00 For The Marina Building Improvement Project; Authorizing The City Manager To Execute The Contract And Appropriate Funds On Behalf Of The City; And Providing For An Effective Date..... 171

***D. Resolution 2024-19** Authorizing A “Piggy-Back” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase of one (1) 2024 Chevy Silverado 2500HD Double Cab 2WD Under The Florida Sheriff’s Bid 2024091521-NAF From Alan Jay Fleet Sales, In An Amount Not To Exceed at total of \$57,51.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date..... 195

***E. Resolution 2024-20** Authorizing A “Sole-Source” Purchase Pursuant To The City’s Purchasing Policies And Procedures And Approving The Purchase from Airvac (now the Aqseptance Group) one vacuum collection system vacuum pump replacement spares, In An Amount Not To Exceed \$64,852.90; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date..... 210

***F. Resolution 2024-21** Authorizing An Upgrade Of Twelve Electrical Disconnect Switches At Various City Facilities From Nearshore Electric, Inc., In An Amount Not To Exceed \$36,735.00; Authorizing The City Manager To Enter Into Agreements In Connection Therewith, Appropriating And Expending Budgeted Funds; And Providing For An Effective Date..... 214

***G. Resolution 2024-22,** Approving A Change Order To Increase The Total Work Authorization Amounts Of \$57,041.20 For Weiler Engineering Corporation; Authorizing The City Manager To Execute The Change Orders And Expend Budgeted Funds On Behalf Of The City; And Providing For An Effective Date. 219

H. Resolution 2024-23, Authorizing The Purchase Of A New Engine Under The Florida Sheriff’s Contract Bid #16-VEF12.0 From TEN-8 Fire & Safety LLC. The Total Cost Of Proposed Engine Is \$1,072,908.89. An Optional Pre-Pay Discount, With A 100% Performance Bond Included is \$125,090.26. Payment Would Have To Be Made In Full Within 30 Days of Purchase Order. Total Due If Utilizing The Pre-Pay Discount Would Be \$947,818.63; Authorizing The City Manager To Appropriate and Expend Funds On Behalf Of The City; And Providing 2024-24For An Effective Date..... 240

***I. Resolution 2024-24,** Approving Amendment 2 To The ENS (EssentialNet Solutions) Contract For The Provision Of Cyber Security Software In The Amount Of \$39,600 Annually As A Continuing Obligation Under The Existing Contract With Ens As Was Approved Previously Pursuant To Resolution 2022-134; Authorizing The City Manager To Expend Budgeted Funds; And Providing An Effective Date..... 262

12. Council comments

13. Adjournment