



City of Marathon City Council Special Call Agenda
9805 Overseas Hwy., Marathon, FL
Wednesday, September 16, 2026 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. **First Public Hearing To Adopt Tentative Budget And Millage Rate**
 - A. **Resolution 2026-89** Adopting The Tentative Millage Rate and Levy Of Ad Valorem Taxes For The City Of Marathon, Florida For The Fiscal Year 2026-27; and Providing For An Effective Date.1
 - B. **Resolution 2025-90**, Adopting The Tentative Budget For Fiscal Year 2026-2027; and Providing For An Effective Date.....3
6. **Other Resolutions For Adoption:**
 - *A. **Resolution 2026-91**, Relating To The Florida Department Of Environmental Protection (FDEP) State Revolving Fund (SRF), Adoption Of The Amended Wastewater Facility Plan For The Implementation Of Wastewater Deep Well, Transmission Lines And Pumping Stations Improvements, And Providing For An Effective Date.....5
7. **Council comments**
8. **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. 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.

ADA Assistance: The City of Marathon is committed to ensuring that all members of the public can participate fully in City Council meetings, programs, and services. We strive to provide an inclusive and accessible environment in accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. The City will provide reasonable accommodations to enable individuals with disabilities to attend and engage in Council meetings.

To request accommodation, please contact:

Evie Engelmeier, **ADA Coordinator** City of Marathon

Phone: (305) 289-4122

Email: engelmeiere@ci.marathon.fl.us

Address: 9805 Overseas Highway, Marathon, FL 33050

To ensure availability, requests should be made **at least 72 hours before the meeting**. However, the City will make every effort to fulfill requests received in less time. We welcome public input on how we can continue improving accessibility.

If you have comments, concerns, or suggestions regarding accessibility at City Council meetings, please reach out to the ADA Coordinator using the contact information above.

RESOLUTION 2026-89

**A RESOLUTION OF THE CITY OF MARATHON, FLORIDA,
ADOPTING THE TENTATIVE MILLAGE RATE AND LEVY OF AD
VALOREM TAXES FOR THE CITY OF MARATHON, FLORIDA FOR
FISCAL YEAR 2026-2027; AND PROVIDING FOR AN EFFECTIVE
DATE**

WHEREAS, pursuant to Section 200.065, *Florida Statutes* the City of Marathon, Florida (the “City”) has established a proposed millage rate; and

WHEREAS, pursuant to Section 200.065(2)(c), *Florida Statutes*, within eighty (80) days of certification of taxable value the City must re-compute the proposed millage rate and adopt a tentative millage rate; and

WHEREAS, on September 16, 2026, the City Council held a public hearing to consider any adjustment of its proposed millage rate, to consider its tentative operating budget for Fiscal Year 2026-2027 (“FY 2026-2027”) and adopt a tentative millage rate in accordance with Section 200.065, *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 2026-2027 tentative millage rate for the City is _____ mills, which is \$_____ for each thousand dollars of taxable assessed property value; and the tentative millage rate is greater than the rolled-back rate of 1.9552 mills by _____%.

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 16th DAY OF SEPTEMBER 2026.**

THE CITY OF MARATHON, FLORIDA

Lynny Del Gaizo, 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:**

City Attorney

Sponsored by: Williams

**CITY OF MARATHON, FLORIDA
RESOLUTION 2026-90**

**A RESOLUTION OF CITY OF MARATHON, FLORIDA, ADOPTING
THE TENTATIVE BUDGET FOR FISCAL YEAR 2026-2027; AND
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, pursuant to Section 200.065, *Florida Statutes* the City of Marathon, Florida (the “City”) has established a proposed millage rate; and

WHEREAS, on September 16, 2026, the City Council held a public hearing to consider any adjustment of its proposed millage rate, to consider its tentative budget for Fiscal Year 2026-2027 (“FY 2026-2027”), and adopt a tentative millage rate in accordance with Section 200.065(2)(c), *Florida Statutes*; and

WHEREAS, the City has set forth the appropriations and revenue estimate for the tentative operating budget for FY 2026-2027 in the amount of \$_____.

**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 2026-2027 tentative budget is hereby adopted.
- Section 3** This resolution will take effect immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
MARATHON, FLORIDA, THIS 16th DAY OF SEPTEMBER, 2026.**

THE CITY OF MARATHON, FLORIDA

Lynny Del Gaizo, 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:**

City Attorney



COUNCIL AGENDA STATEMENT

Meeting Date: September 16, 2026
To: Honorable Mayor and Councilmembers
From: Dan Saus, Grants Coordinator
Through: Steve Williams, City Manager

Agenda Item: **Resolution 2026-91**, Approving Adoption of Deep Injection Well Facilities Plan Amendment No. 1 and Authorization for FDEP SRF Submission to The State of Florida Department of Environmental Protection (FDEP); And Providing For An Effective Date

BACKGROUND & JUSTIFICATION:

The City of Marathon adopted a Deep Injection Well Facilities Plan in order to apply for funding through Florida's State Revolving Fund Loan Program. The Florida Department of Environmental Protection has requested a modification to the plan in order to stay on track for funding in the next cycle beginning in October. The Amendment is attached as Exhibit "A".

ATTACHMENTS

Grant Contract

CONSISTENCY CHECKLIST:

1. Comprehensive Plan –
2. Other:

Yes

No

FISCAL NOTE:

APPROVED BY FINANCE DIRECTOR:

RECOMMENDATION: Approval of Resolution

**CITY OF MARATHON, FLORIDA
RESOLUTION 2026-91**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA APPROVING THE ADOPTION OF DEEP INJECTION WELL FACILITIES PLAN AMENDMENT No. 1 AND AUTHORIZATION FOR FDEP SRF SUBMISSION TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION'S STATE REVOLVING FUND LOAN PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Marathon has adopted a Deep Injection Well Facilities Plan, and

WHEREAS, the City of Marathon submitted a request for inclusion to the Florida Department of Environmental Protection State Revolving Fund Loan Program; and

WHEREAS, the City was directed by FDEP to amend the facilities plan; and

WHEREAS, the City of Marathon, wishes to approve Amendment No.1 to the Deep Injection Well Facilities Plan in order to qualify for funding in October.

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. The City Council hereby approves the Deep Injection Well Facilities Plan Amendment No. 1 and Authorization for FDEP SRF Submission FDEP. The amendment is attached as Exhibit "A" together with such non-material changes as may be acceptable to the City Manager and approved as to form by the City Attorney, is hereby approved. The City Manager is authorized to execute the amendment.

Section 3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 16TH DAY OF SEPTEMBER 2026.

THE CITY OF MARATHON, FLORIDA

Lynny Del Gaizo, Mayor

YES:
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:**

City Attorney



Memorandum

Date: August 27, 2026
To: Steve Williams – Interim City Manager, City of Marathon
From: Steve Suggs, P.E. – Principal Engineer, Apex Companies LLC
Meeting Date: September 8, 2026
Regarding: Adoption of Deep Injection Well Facilities Plan Amendment No. 1 and Authorization for FDEP SRF Submission

Background and Project Need

The City owns and operates five wastewater treatment plants that treat wastewater to advanced wastewater treatment (AWT) standards and currently use shallow injection wells as the primary disposal method. Following the U.S. Supreme Court's County of Maui decision, FOLKs - Friends of the Lower Keys, LLC challenged the City's shallow-well disposal practice. The City disputed the allegations and did not admit liability, but elected to settle the litigation and implement a permanent regional disposal solution.

The federal court entered the Consent Decree on February 23, 2024. No later than December 31, 2028, the City must begin Deep Injection Well disposal of all AWT effluent and permanently cease routine shallow-well use. The shallow wells may remain available only for the limited backup conditions identified in the Consent Decree. The Decree provides for stipulated payments of \$1,000 per day for failure to meet the deadline, subject to its terms, and financial inability is not treated as force majeure.

Purpose of the Amendment

The amendment supplements, and does not replace, the November 9, 2023 Wastewater Effluent Disposal Options Planning Document prepared by Juturna Consulting, LLC. That effort evaluated twelve regional disposal alternatives and established Alternative 1A as the basis for a City-owned Deep Injection Well at Area 6, approximately 13 miles of regional effluent transmission main, and the associated pumping and storage facilities.

Crawl Key initially ranked slightly higher based on anticipated co-location and cost sharing, but the site proved constrained and no cost sharing was offered. Area 6 preserves City control and is required by the Consent Decree unless the parties agree otherwise in writing.

Subsequent modeling, permitting, design, and cost reconciliation established the site-specific facilities documented in the amendment. Phases I through III provide the regional transmission main and are under contract or construction; the amendment addresses the remaining Phases IVA, IVB, and V.

Recommended Facilities

Phase IVA - Remote plant pumping and storage.

New prestressed-concrete tanks and new effluent pump stations at Areas 3, 4, 5, and 7; integrated disinfection and storage; two replacement backup shallow wells at Area 3; 316 stainless-steel mudwells at Areas 3, 4, and 7; and associated piping, process-water, electrical, instrumentation, and SCADA systems.

Phase IVB - Area 6 regional facility.

Approximately 458,000 gallons of regional effluent storage; four initially installed Deep Injection Well pumps arranged as three duty and one standby; two new 18-inch backup shallow wells; equalization; conversion of the existing aerobic digester to a fourth SBR; disc filtration and common blowers; centralized residuals receiving, membrane biotickening, storage/digestion, and City-owned mechanical dewatering; and an elevated operations, electrical, and laboratory building with standby power and resilient site infrastructure.

Phase V - Deep Injection Well and Monitoring Well.

Construction and testing of the Deep Injection Well, planned to extend to approximately 3,600 feet below land surface, and the associated Monitoring Well. Final intervals and operating authorization will be established through drilling, testing, and FDEP review.

The life-cycle analyses support the selected configurations and identify City-owned fixed dewatering with separately procured hauling and tipping as the preferred residuals strategy, with approximately \$4.75 million in estimated 30-year present-worth savings subject to final quotations.

Project Cost and Funding

The complete regional program is currently estimated at \$76,128,366.98, including \$56,209,521.50 for the remaining Phases IVA, IVB, and V. These planning amounts will be refined as procurement, subsurface, permitting, and final SRF-eligibility information becomes available.

Program Component	Current Identified Cost
Phases I-III - regional transmission main	\$19,918,845.48
Phase IVA - remote plant pumping and storage	\$11,376,832.50
Phase IVB - Area 6 regional facility	\$24,696,749.00
Phase V - Deep Injection Well and Monitoring Well	\$20,135,940.00
Remaining phases IVA-V	\$56,209,521.50
TOTAL REGIONAL PROGRAM	\$76,128,366.98
<i>Contingency on Remaining Construction</i>	<i>\$4,979,416.50</i>

Funding Strategy

The financing strategy combines grants and state appropriations, existing and future SRF assistance, wastewater system revenues, and temporary bridge financing. Secured funding totals \$50,743,051.72, including the City's \$10 million temporary line of credit, and pending Phase IV-V SRF assistance totals \$8,509,458.00. The remaining permanent-funding need is approximately \$31.86 million after counting the pending SRF amount and excluding the bridge line, or approximately \$40.36 million based solely on secured permanent sources.

Environmental Review, Resilience, and Public Participation

The refined facilities do not change the selected regional alternative or service area and are located on existing or cleared City utility property. No direct wetland fill or surface-water work is anticipated within the permanent facility footprint, and temporary effects will be managed through standard construction controls. Because no practicable outside-floodplain location is available, critical assets will be hardened in place with elevated or pile-supported structures, corrosion-resistant materials, standby power, redundant equipment, backup disposal, and hurricane provisions.

Public participation builds on the 2023 alternatives process and the December 12, 2023 Council presentation. The City Council received a public project update on August 11, 2026, and project information remains available through the City's project webpage. The September 8, 2026 agenda item provides express Council consideration and public comment; the meeting record and executed resolution will be retained in the SRF planning record.

Fiscal Impact and Next Steps

This agenda action adopts the planning document and authorizes its submission for FDEP SRF review; it does not by itself award a construction contract or approve additional long-term debt. Construction awards and financing agreements will remain subject to separate Council action, as applicable. Following adoption, the City will submit the amendment and meeting record to FDEP and continue permitting, procurement, financing, and implementation toward the December 31, 2028 deadline.