

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2023-100**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AUTHORIZING THE POTENTIAL SETTLEMENT OF TBRs APPEALED BY THE FLORIDA DEPARTMENT OF COMMERCE, FORMERLY KNOWN AS FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AUTHORIZING THE CITY MANAGER TO SIGN SETTLEMENT DOCUMENTS ON BEHALF OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Marathon approved the following TBRs: TBR-22-27, TBR-22-28, TBR-22-7, TBR-22-15, TBR-22-19, TBR-22-20, TBR-22-23, TBR-22-26, TBR-22-29, TBR-22-9, TBR-22-21, TBR-22-22, TBR-22-40, TBR-22-16; and

**WHEREAS**, the Department of Economic Opportunity appealed the TBRs to the Florida Land and Water Adjudicatory Commission (FLWAC); and

**WHEREAS**, FLWAC referred the cases to the Division of Administrative Hearings; and

**WHEREAS**, the Department's consolidated challenge to TBRs issued by the City of Marathon authorizing the transfers of building rights (Case No. 22-2572DRI through 22-2574DRI and Case No. 22-2578DRI through Case No. 22-2588DRI) were consolidated into one case; and

**WHEREAS**, the parties have reached a conceptual framework to settle this consolidated case which would negate the need for a final hearing. The conceptual framework requires action by the City of Marathon City Council; and

**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 authorizes the City Manager to enter into a settlement agreement and sign any necessary documents under the advisement of the City Attorney.

**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 10<sup>th</sup> DAY OF OCTOBER 2023.**

**THE CITY OF MARATHON, FLORIDA**



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**Mayor Luis Gonzalez**

AYES: Smith, Still, Matlock, Landry, 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