

Sponsored by: Rosasco
Planning Commission Public Hearing Date: October 19, 2009
City Council Public Hearing Date: October 27, 2009 and January 12, 2010
Enactment Date: January 12, 2010

**CITY OF MARATHON, FLORIDA
ORDINANCE 2009-27**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA
AMENDING THE CITY'S COMPREHENSIVE PLAN TABLE 6-1
"CAPITAL IMPROVEMENT PROGRAM" AS REQUIRED
ANNUALLY; PROVIDING FOR SEVERABILITY; PROVIDING
FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING
FOR TRANSMITTAL OF THIS ORDINANCE TO THE STATE
DEPARTMENT OF COMMUNITY AFFAIRS; AND PROVIDING
FOR AN EFFECTIVE DATE UPON THE APPROVAL OF THIS
ORDINANCE BY THE STATE DEPARTMENT OF COMMUNITY
AFFAIRS**

WHEREAS, the City of Marathon (the "City") has adopted a Comprehensive Plan which has been found to be in compliance by the State Department of Community Affairs ("DCA"), pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the City is located within the Florida Keys Area of Critical State Concern (the "FKACSC"), as established pursuant to Chapter 380, Florida Statutes; and

WHEREAS, Section 380.552, Florida Statutes, establishes Principal for Guiding Development in the FKACSC; and

WHEREAS, the City finds it appropriate to amend Table 6-1 ("Comprehensive Plan Amendments") in order to further protect the health, safety, and welfare of the City of Marathon; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Section 9.5-22 of the Code, the City's Planning Commission sitting as the Local Planning Agency has publicly considered the amendments to the Code set forth in this Ordinance (the "Amendments") at a properly noticed public hearing and recommended to the City Council the adoption of the Amendments; and

WHEREAS, in accordance with Sections 163.3184 and 166.041, Florida Statutes, public notice has been given of the public hearings for the adoption of this Ordinance amending the Code; and

WHEREAS, the City Council finds the adoption of this Ordinance is in the best interest of the City and complies with applicable State laws and rules: and

WHEREAS, the City Council finds that enactment of this Ordinance furthers the objectives, goals, and policies of the City's Comprehensive Plan and the Principles for Guiding Development of the FKACSC.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA THAT:

Section 1. Table 6-1 of the Comprehensive Plan of the City of Marathon, Florida is hereby amended to read as attached as Exhibit A hereto.

Section 2. All conflicting Ordinances and Regulations after the adoption of this Ordinance are hereby repealed; and

Section 3. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall for any reason be declared to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. The provisions of this Ordinance constitute a "Land Development Regulation" as defined by State law. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the DCA for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

Section 5. This Ordinance shall be effective immediately upon approval by the State Department of Community Affairs pursuant to Chapter 380, Florida Statutes.

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ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,
FLORIDA, this 12th day of January, 2010.

THE CITY OF MARATHON, FLORIDA



A handwritten signature in blue ink, appearing to read "Ginger Snead", written over a horizontal line.

Mayor Ginger Snead

AYES: Cinque, Worthington, Ramsay, Keating, Snead
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



A handwritten signature in blue ink, appearing to read "Diane Clavier", written over a horizontal line.

Diane Clavier
City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND
RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:



A handwritten signature in blue ink, consisting of stylized initials and a surname, written over a horizontal line.

City Attorney

**City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2010-2014**

CATEGORY/PROJECT TITLE	SOURCE OF FUNDING	Un-Appropriated Subsequent Years						5 Year Total	CIP Total
		Expenditures and Encumbrances To Date	FY 2010 Proposed	FY 2011	FY 2012	FY 2013	FY 2014		
<u>Buildings & Other Improvements</u>									
City Hall	Capital Infrastructure/Rev Bonds	-	-	450,000	1,500,000	1,500,000	-	3,450,000	3,450,000
Grassy Key Fire Station	Capital Infrastructure/Grants/Loan	-	1,500,000	-	-	-	-	1,500,000	1,500,000
ADA Compliance	Capital Infrastructure	50,000	50,000	35,000	35,000	10,000	10,000	140,000	190,000
Fire Safety Program	Capital Infrastructure	87,115	100,000	100,000	100,000	100,000	100,000	500,000	587,115
Total Buildings & Other Improvements		137,115	1,650,000	585,000	1,635,000	1,610,000	110,000	5,590,000	5,727,115
<u>Economic Development</u>									
Land Acquisition	Grants/Other	-	525,000	500,000	500,000	500,000	500,000	2,525,000	2,525,000
Total Economic Development		-	525,000	500,000	500,000	500,000	500,000	2,525,000	2,525,000
<u>Vehicles</u>									
Vehicle Replacement Program	General Fund	<i>annual</i>	15,000	46,000	59,000	122,000	44,000	286,000	286,000
Fire Department	Vehicle Replacement Fund	<i>annual</i>	-	135,000	726,950	176,950	-	1,038,900	1,038,900
Public Works	Vehicle Replacement Fund	<i>annual</i>	-	-	-	33,712	60,007	93,719	93,719
Street Maintenance	Vehicle Replacement Fund	<i>annual</i>	-	-	15,000	-	-	15,000	15,000
Marina	Vehicle Replacement Fund	<i>annual</i>	-	-	-	-	-	-	-
Stormwater	Vehicle Replacement Fund	<i>annual</i>	-	-	11,000	-	-	11,000	11,000
Wastewater	Vehicle Replacement Fund	<i>annual</i>	-	-	11,000	-	-	11,000	11,000
Total Vehicles		-	15,000	181,000	822,950	332,662	104,007	1,455,619	1,455,619
<u>Parks/Beaches</u>									
Community Park Improvements	Capital Infrastructure/Grants	3,612,051	-	200,000	-	200,000	-	400,000	4,012,051
Coco Plum Recreation Trail	Capital Infrastructure/Grant	806	415,000	225,000	-	-	-	640,000	640,806
Beautification Master Plan	Capital Infrastructure/Grant	5,424	-	25,000	-	-	-	25,000	30,424
Coco Plum Beach Improvements	Capital Infrastructure/Grant	195,901	-	-	-	-	-	-	195,901
Events Field Amenities, Kayak Dock	Capital Infrastructure/FURDAP Grant/Impact Fees	-	58,000	58,000	-	-	-	116,000	116,000
Sombrero Beach Improvements	Capital Infrastructure	6,300	50,000	20,000	-	20,000	-	90,000	96,300
Morton Street Park Improvement	Capital Infrastructure	-	25,000	-	-	-	-	25,000	25,000
Sombrero Beach & Coco Plum Beach Sand	Capital Infrastructure/Grants	-	544,787	-	500,000	-	-	1,044,787	1,044,787
Sombrero Beach Playground Equipment	Capital Infrastructure/Grants/Impact Fees	-	75,000	-	-	-	-	75,000	75,000
Water Park or equal	Capital Infrastructure	-	266,400	-	-	-	-	266,400	266,400
Total Parks/Beaches		3,820,481	1,434,187	528,000	500,000	220,000	-	2,682,187	6,502,668
<u>Marina, Near Shore Waters and Boat Ramp Improvements</u>									
33rd Street Boat Ramp Improvements	Capital Infrastructure/Grants	1,098,164	-	-	25,000	-	-	25,000	1,123,164
City Boat Ramps	Capital Infrastructure	408,139	-	-	25,000	-	-	25,000	433,139
Marina Boardwalk	Capital Infrastructure/Grants	101,204	-	-	10,000	-	-	10,000	111,204
Marina Service Building	Capital Infrastructure/Grants	678,423	-	15,000	-	15,000	-	30,000	708,423
Mooring Field Boundary Markers Replacement Parts & Installation	Capital Infrastructure	81,286	-	50,000	-	-	50,000	100,000	181,286
Mooring Service Docks	Capital Infrastructure/Grants	-	350,000	-	5,000	-	5,000	360,000	360,000
Washers & Dryers, Furniture & Fixtures	Capital Infrastructure	19,987	-	5,000	-	5,000	-	10,000	29,987
Marina Parking Improvements	Capital Infrastructure/Grants	-	-	5,000	-	-	5,000	10,000	10,000
20 Boat Slip Expansion Project	-	-	-	675,000	-	-	-	675,000	675,000
Office AC	Capital Infrastructure	-	2,700	-	-	-	-	2,700	2,700
ADA Compliance Ramp	Capital Infrastructure	-	3,000	-	-	-	-	3,000	3,000
Total Marina and Boat Ramp Improvements		2,387,202	355,700	750,000	65,000	20,000	60,000	1,250,700	3,637,902
<u>Stormwater Projects</u>									
City Wide Stormwater CIP	State Revolving Fund/Grants/Stormwater Fees	8,334,238	14,881,247	-	-	-	-	14,881,247	23,215,485
Total Stormwater Projects		8,334,238	14,881,247	-	-	-	-	14,881,247	23,215,485
<u>Street/Transportation Improvements</u>									
Avenue K Road Installation	Street Maint / Impact Fees / Assessments	1,685	55,000	-	-	-	-	55,000	56,685
Sombrero Beach Road Extension	Street Maintenance (Gas Tax)/ Grants	43,830	1,500,000	-	-	-	-	1,500,000	1,543,830
Lynn Mead Road Improvement	Street Maintenance (Gas Tax)	252,877	15,000	-	-	-	-	15,000	267,877

**City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2010-2014**

Un-Appropriated Subsequent Years

CATEGORY/PROJECT TITLE	SOURCE OF FUNDING	Expenditures and Encumbrances					5 Year Total	CIP Total	
		To Date	FY 2010 Proposed	FY 2011	FY 2012	FY 2013			FY 2014
Asphalt Leveling	Street Maintenance (Gas Tax)	25,296	750,000	200,000	-	-	-	950,000	975,296
Sombrero Blvd. Bike Path Project	Street Maintenance (Gas Tax)	-	107,800	-	-	-	-	107,800	107,800
122nd St. Oceanside Road Bed Replacement	Street Maintenance (Gas Tax)	-	25,000	-	-	-	-	25,000	25,000
42nd St. Bayside Road Bed Replacement	Street Maintenance (Gas Tax)	-	25,000	-	-	-	-	25,000	25,000
104th St. Project	Street Maint / Impact Fees	7,746	200,000	-	-	-	-	200,000	207,746
Guard Rail Replacement	Street Maintenance (Gas Tax)	-	100,000	100,000	100,000	100,000	100,000	500,000	500,000
Traffic Signal Battery Backups	Street Maintenance (Gas Tax)	-	97,000	-	-	-	-	97,000	97,000
Little Venice Project Phase I	Street Maint (Gas Taxes) / Grants	-	783,813	-	-	-	-	783,813	783,813
US1 Median Beautification Project Phase I	Capital Infrastructure	-	50,000	-	-	-	-	50,000	50,000
US1 Median Beautification Project Phase II	Capital Infrastructure	-	25,000	25,000	25,000	25,000	25,000	125,000	125,000
Sombrero Beach Road Landscaping	Capital Infrastructure/Grants	1,560	102,000	-	-	-	-	102,000	103,560
Little Venice Project Phase II	Street Maint (Gas Taxes) / Grants	446,060	-	-	-	-	-	-	446,060
Boot Key Bridge: Interim Repairs/Removal	Street Maint (Gas Taxes) / Grants	417,100	-	-	-	-	-	-	417,100
Total Street/Transportation Improvements		1,196,154	3,835,613	325,000	125,000	125,000	125,000	4,535,613	5,731,767
Wastewater Projects									
City-Wide Wastewater Treatment Project	MSTU/SRF/Grants/Capital Infrastructure	46,005,988	43,277,934	-	-	-	-	43,277,934	89,283,922
Total Wastewater Projects		46,005,988	43,277,934	-	-	-	-	43,277,934	89,283,922
Grand Total		61,881,179	65,974,681	2,869,000	3,647,950	2,807,662	899,007	76,198,300	138,079,479