

Sponsored by: Hernstadt
Planning Commission Public Hearing Date: November 15, 2010
City Council Public Hearing Date: December 14, 2010 and January 11, 2011
Enactment Date: January 11, 2011

**CITY OF MARATHON, FLORIDA
ORDINANCE 2010-16**

**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 in accordance with Chapter 102, Article 6 of the City of Marathon, Land Development Regulations (LDRs), 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.

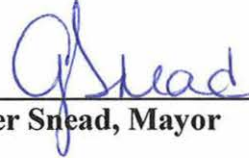
Section 4. The provisions of this Ordinance constitute a "Land Development Regulation" as defined by State law. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the DCA for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

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 11th day of January, 2011.

THE CITY OF MARATHON, FLORIDA



Ginger Snead, Mayor

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

ATTEST;



Diane Clavier
City Clerk

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


City Attorney

Exhibit A

**City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2011-2015**

CATEGORY/PROJECT TITLE	SOURCE OF FUNDING	Expenditures and Encumbrances To Date	Un-Appropriated Subsequent Years					5 Year Total	CIP Total
			FY 2011 Proposed	FY 2012	FY 2013	FY 2014	FY 2015		
Buildings & Other Improvements									
City Hall	Capital Infrastructure/Rev Bonds	-	-	1,500,000	1,500,000	-	-	3,000,000	3,000,000
Grassy Key Fire Station	Capital Infrastructure/Grants/Loan	335,419	30,000	-	-	-	-	30,000	365,419
ADA Compliance	Capital Infrastructure	57,433	40,000	35,000	10,000	10,000	19,000	105,000	162,433
Fire Safety Program	Capital Infrastructure	252,965	125,000	100,000	100,000	100,000	100,000	525,000	767,965
Total Buildings & Other Improvements		655,817	195,000	1,635,000	1,610,000	110,000	110,000	3,660,000	4,315,817
Economic Development									
Land Acquisition	Grants/Other	26,460	500,000	500,000	500,000	500,000	500,000	2,500,000	2,526,460
Total Economic Development		26,460	500,000	500,000	500,000	500,000	500,000	2,500,000	2,526,460
Vehicles									
Vehicle Replacement Program	General Fund	annual	-	59,000	122,000	44,000	44,000	269,000	269,000
Fire Department	Vehicle Replacement Fund	annual	-	726,950	176,850	-	-	903,800	903,800
Public Works	Vehicle Replacement Fund	annual	-	-	33,712	60,007	40,000	133,719	133,719
Street Maintenance	Vehicle Replacement Fund	annual	-	15,000	-	-	-	15,000	15,000
Marina	Vehicle Replacement Fund	annual	-	-	-	-	-	-	-
Stormwater	Vehicle Replacement Fund	annual	-	11,000	-	-	-	11,000	11,000
Wastewater	Vehicle Replacement Fund	annual	-	11,000	-	-	-	11,000	11,000
Total Vehicles		-	-	822,950	332,662	104,007	84,000	1,343,619	1,343,619
Parks/Beaches									
Community Park Improvements	Capital Infrastructure/Grants	3,612,051	137,000	-	200,000	-	25,000	392,000	3,974,051
Coco Plum Recreation Trail	Capital Infrastructure/Grant	22,533	415,000	-	-	-	-	415,000	437,533
Beautification Master Plan	Capital Infrastructure/Grant	5,424	-	-	-	-	-	-	5,424
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	58,000
Sombrero Beach Improvements	Capital Infrastructure	25,499	50,000	-	20,000	-	25,000	95,000	120,499
Morton Street Park Improvement	Capital Infrastructure	-	7,500	-	-	-	-	7,500	7,500
Sombrero Beach & Coco Plum Beach Sand	Capital Infrastructure/Grants	23,273	627,752	500,000	-	-	-	1,127,752	1,151,025
Sombrero Beach Playground Equipment	Capital Infrastructure/Grants/Impact Fees	74,801	10,000	-	-	-	-	10,000	84,801
Water Park or equal	Capital Infrastructure	-	400,000	-	-	-	-	400,000	400,000
Total Parks/Beaches		3,959,572	1,705,252	500,000	220,000	-	50,000	2,475,252	6,434,824
Marina, Near Shore Waters and Boat Ramp Improvements									
33rd Street Boat Ramp Improvements	Capital Infrastructure/Grants	1,096,164	-	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	-	-	25,000	35,000	136,204
Marina Service Building	Capital Infrastructure/Grants	678,423	-	-	15,000	-	-	15,000	693,423
Mooring Field Boundary Markers Replacement Parts & Installation	Capital Infrastructure	81,286	-	-	-	50,000	-	50,000	131,286
Mooring Service Docks & Wetstos	Capital Infrastructure/Grants	16,619	-	5,000	-	5,000	5,000	15,000	31,619
Washers & Dryers, Furniture & Fixtures	Capital Infrastructure	19,987	-	-	5,000	-	-	5,000	24,987
Marina Parking Improvements	Capital Infrastructure/Grants	-	-	-	-	5,000	-	5,000	5,000
Office AC	Capital Infrastructure	3,133	-	-	-	-	-	-	3,133
ADA Compliance Ramp	Capital Infrastructure	-	-	-	-	-	-	-	-
Total Marina and Boat Ramp Improvements		2,406,954	-	65,000	20,000	60,000	30,000	175,000	2,581,954
Stormwater Projects									
City Wide Stormwater CIP	SRP/Grants/Stormwater Fees/ Capital Infrastructure	13,748,424	5,733,616	-	-	-	-	5,733,616	19,482,040
Total Stormwater Projects		13,748,424	5,733,616	-	-	-	-	5,733,616	19,482,040
Street/Transportation Improvements									
Avenue K Road Installation	Street Maint / Impact Fees / Assessments	55,630	-	-	-	-	-	-	55,630
Sombrero Beach Road Extension	Street Maintenance (Gas Tax) Grants	842,250	-	-	-	-	-	-	842,250
Lynn Mead Road Improvement	Street Maintenance (Gas Tax)	252,877	-	-	-	-	-	-	252,877
Asphalt Leveling	Street Maintenance (Gas Tax)	50,625	100,000	-	-	-	-	100,000	150,625

City of Marathon
 Five Year Capital Improvement Program
 Fiscal Year 2011-2015

Un-Appropriated Subsequent Years

CATEGORY/PROJECT TITLE	Expenditures and Encumbrances To Date	FY 2011 Proposed	Un-Appropriated Subsequent Years					5 Year Total	CIP Total
			FY 2012	FY 2013	FY 2014	FY 2015			
Sombrero Blvd. Bike Path Project	86,710	-	-	-	-	-	-	86,710	
Sombrero Blvd. Improvement	843,254	-	-	-	-	-	-	843,254	
Aviation Bike Path Improvement	-	35,000	-	-	-	-	35,000	35,000	
10th St. Project	178,846	-	-	-	-	-	-	178,846	
11th St. Bridge Repair Project	-	150,000	-	-	-	-	150,000	150,000	
Gravel Rail Replacement	-	50,000	-	-	-	-	50,000	50,000	
Trails Signal Battery Backups	-	97,000	-	-	-	-	97,000	97,000	
Lido Venice Project Phase I	12,279	783,813	-	-	-	-	783,813	796,092	
US1 Marine Separation Project Phase II	-	50,000	-	-	-	-	50,000	50,000	
Sombrero Beach Road Landscaping	-	25,000	-	-	-	-	25,000	25,000	
Lido Venice Project Phase II	1,973	102,000	-	-	-	-	103,973	103,973	
Boat Key Bridge Interim Repairs/Removal	446,060	-	-	-	-	-	446,060	446,060	
Total Street/Transportation Improvements	3,189,654	1,382,813	125,000	125,000	125,000	125,000	1,882,813	4,082,317	
Wastewater Projects									
Citywide Wastewater Treatment Project	75,626,735	21,914,140	-	-	-	-	21,914,140	97,540,875	
Total Wastewater Projects	75,626,735	21,914,140	-	-	-	-	21,914,140	97,540,875	
Grand Total	99,612,615	31,440,971	3,647,950	2,807,682	898,007	898,000	39,694,440	132,283,696	