

RESOLUTION NO. 02-07- 85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH MICHAEL E. WATKINS, TO SERVE AS AN APPELLATE HEARING OFFICER; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council desires to enter into an Agreement with Michael E. Watkins for services as an appellate hearing officer as set forth in Article XIV of Chapter 9.5 of the City Code.

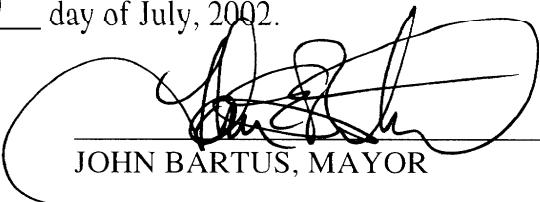
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Agreement. The Agreement between the City and Michael E. Watkins in substantially the form and substance that is attached as Exhibit "A" is approved. The Mayor is authorized to execute the Agreement on behalf of the City.

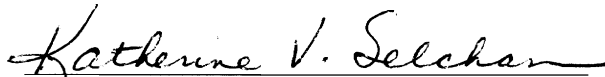
Section 3. Effective Date. This resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this 9th day of July, 2002.



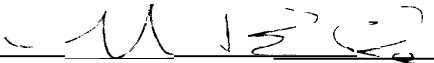
JOHN BARTUS, MAYOR

ATTEST:



CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY:



CITY ATTORNEY

Motion to adopt by Greenman seconded by Repetto

FINAL VOTE AT ADOPTION:

Mayor John Bartus	<u>yes</u>
Vice Mayor Randy Mearns	<u>yes</u>
Councilman Frank Greenman	<u>yes</u>
Councilman John Repetto	<u>No</u>
Councilman Peter Worthington	<u>No</u>

MEMORANDUM

city of Marathon

TO: Mayor, City Council and City Manager
FROM: Alexander L. Palenzuela
DATE: June 25, 2002
MEETING DATE: July 9, 2002
SUBJECT: Resolution Approving Hearing Officer Retainer Agreement (the "Agreement")

ITEM:

Resolution approving an agreement with Michael Watkins, Esq. to serve as the City's Alternate Hearing Officer.

STATEMENT OF PURPOSE:

The Agreement sets forth the scope of services and rate of compensation for the Hearing Officer.

ADDITIONAL INFORMATION:

None.

BUDGET IMPACT:

The agreement provides for compensation at the rate of \$150 dollars per hour with three and one half-hours minimum travel time.

AGENCY IMPACT:

None.

STAFF IMPACT:

None

RECOMMENDATION:

Approval.

HEARING OFFICER RETAINER AGREEMENT

This Hearing Officer Retainer Agreement (the "Agreement"), is made and entered into this 9th day of July, 2002, between the City of Marathon, Florida, a Florida municipal corporation. (the "City") and Michael E. Watkins ("Hearing Officer").

Section 1. Duties.

The Hearing Officer shall provide the City on a month to month basis, services as an administrative hearing officer as set forth in Article XIV of Chapter 9.5 of the City Code.

Section 2. Representations.

The Hearing Officer represents that he or she is a member in good standing of Florida Bar and will adhere to the rules regulation the Florida Bar. including, but not limited to, the Rules of Professional Conduct.

Section 3. Compensation.

As payment for such services, the Hearing Officer will receive one hundred fifty dollars (\$150.00)per hour. including travel time from portal to portal. In no event however shall the travel time exceed three and one-half (3 ½) hours.

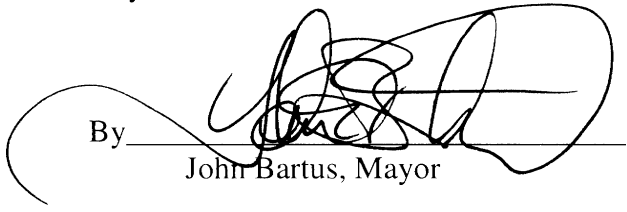
Section 4. Termination.

The City Manager has the right to terminate this Agreement at his sole discretion.

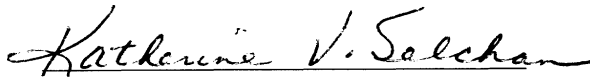
IN WITNESS WHEREOF, the City, by signature of the Mayor, and duly attested by the City Clerk, and Hearing Officer have signed and executed this Agreement.

City of Marathon


By _____


John Bartus, Mayor


Attest:


City Clerk

Approved as to form and
legal sufficiency:


City Attorney

Hearing Officer


Michael E. Watkins. Esq.