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**CITY OF MARATHON, FLORIDA  
RESOLUTION 2004-002**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MARATHON, FLORIDA, APPOINTING AN ADVISORY PLANNING  
COMMISSION**

**WHEREAS**, pursuant to Section 9(6)(A) of the City of Marathon City Charter (the "Charter"), the Monroe County Land Development Regulations (the "LDRs") in effect upon the date of the City's incorporation are the City's LDRs until such time as they are amended or replaced; and

**WHEREAS**, pursuant to Section 9(6)(B) of the Charter, the City Council serves as the Planning Commission until such time as the City Council delegates all or portion of the powers and duties of the Planning Commission to another entity; and

**WHEREAS**, the City Council desires to establish a separate advisory Planning Commission with members appointed by the City Council; and

**WHEREAS**, the City Council has adopted Ordinance 2003-32, amending Section 9.5-22 of the LDRs to establish an advisory Planning Commission and providing for the appointment, filling of vacancies, removal, and terms of its members; and

**WHEREAS**, the City of Marathon (the "City") is located in the Florida Keys Area of Critical State Concern; accordingly Ordinance 2003-32 (the "Ordinance") will not become effective until the State Department of Community Affairs has issued a final order approving same in compliance with the applicable provisions of Chapters 163 and 380, Florida Statutes; and

**WHEREAS**, the City Council desires to appoint members to the Planning Commission in accordance with the procedure in the Ordinance, and also desires that the effective date of the appointments coincide with the effective date of the Ordinance.

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

**Section 1.** In accordance with Section 9.5-22(d) of the LDRS, as amended by the Ordinance, the Planning Commission shall be comprised of five (5) appointed members with terms indicted as listed below.

P. Morgan Hill 3 years  
Tracy A. Holder 3 years  
William Smith 3 years  
Michael Cinque 2 years

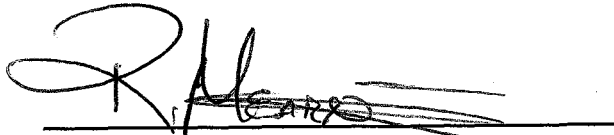
Brian C. Schmitt 2 years

**Section 2.** The powers and duties of the Planning Commission shall be consistent with the applicable provisions of Section 9.5-22 of the LDRS, as amended by the Ordinance.

**Section 3.** This resolution and the appointment of the Planning Commission members as made herein, shall take effect upon the approval of Ordinance 2003-32 by the State Department of Community Affairs in accordance with State law, and said approval becoming a non-appealable final order.

**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 13th day of January, 2004.

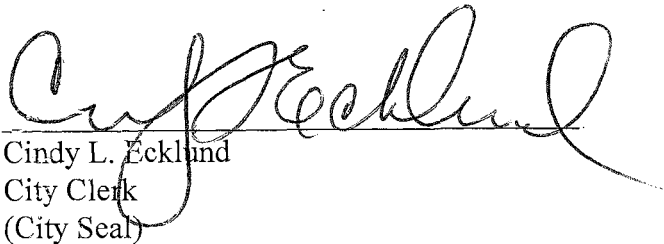
THE CITY OF MARATHON, FLORIDA



Randy Mearns, Mayor

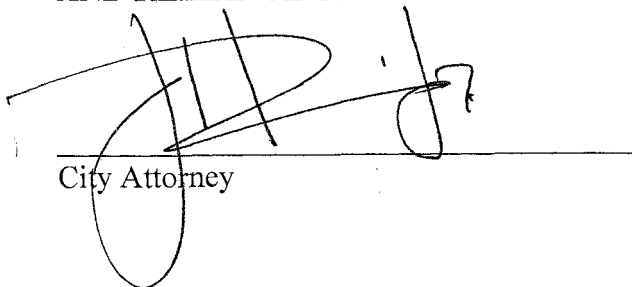
AYES: Bartus, Pinkus, Repetto, Worthington, Mearns  
NOES: None  
ABSENT: None  
ABSTAIN: None

ATTEST:



Cindy L. Ecklund  
City Clerk  
(City Seal)

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



City Attorney