

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2005-149**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF), ADOPTION OF THE WASTEWATER FACILITY PLAN FOR THE IMPLEMENTATION OF WASTEWATER COLLECTION, TREATMENT AND DISPOSAL IMPROVEMENTS**

**WHEREAS**, Florida Statutes provide for grants to local government agencies to finance the construction of wastewater facilities; and Florida Administrative Code requires the formal authorization by City Council to formally adopt a facility plan outlining necessary wastewater treatment facility improvements to comply with State of Florida funding requirements; and

**WHEREAS**, formal adoption of the proposed Facility Plan is required for the City of Marathon to participate in the State Revolving Loan Fund Program; and

**WHEREAS**, the City Council of the City of Marathon, Florida agrees with the recitals and summary of necessary improvements as outlined in the Facility Plan for the purpose of wastewater collection, treatment, and disposal.

**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 of Marathon, Florida, is authorized to approve the proposed Facility Plan. The City Manager is hereby designated as the authorized representative to provide the assurances and commitments that will be required by the Facility Plan. The Mayor, the City Manager or a designee is hereby designated as the authorized representative to execute the Facility Plan which will become the foundation of all activities related to the wastewater facility improvements. The Mayor, the City Manager or a designee is authorized to represent the City in carrying out the City's responsibilities under the Facility Plan. The Mayor, the City Manager or a designee is authorized to delegate responsibility to appropriate City Staff to carry out technical, financial, and administrative activities associated with the Facility Plan.

**Section 3.** The legal authority for adoption of this Facility Plan is pursuant to the City Charter, City Code of Ordinances, and the Laws of the State of Florida.

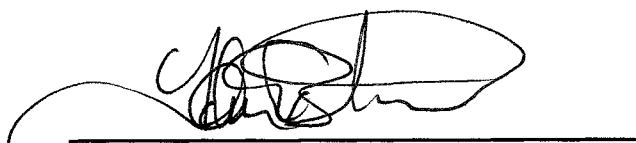
**Section 4.** All Resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**Section 5.** If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidated or impair the validity, force, or effect or any other section or part of this Resolution.

**Section 6.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the city of Marathon, Florida, this 11th day of October, 2005.

**THE CITY OF MARATHON, FLORIDA**

  
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**John Bartus, Mayor**

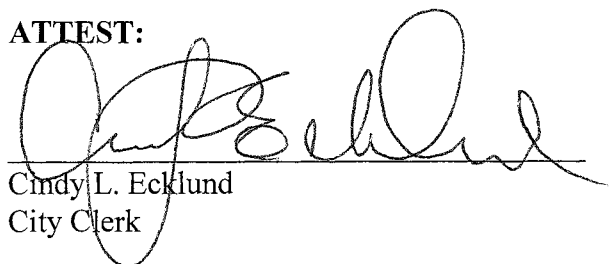
AYES: Bull, Mearns, Miller, Pinkus, Bartus

NOES: None

ABSENT: None

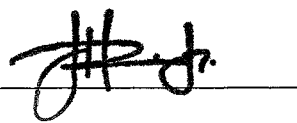
ABSTAIN: None

**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