

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2018-01**

**CONSIDERATION OF A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA TO APPROVE A TIME EXTENSION OF UP TO EIGHTEEN (18) MONTHS TO FLORIDA KEYS RESORT HOLDINGS, LLC (OWNER), PREDICATED UPON THE CITY'S AGREEMENT WITH SAME FOR THE USE OF ITS PROPERTY AS A DISASTER DEBRIS MANAGEMENT SITE POST HURRICANE IRMA AND AS OTHERWISE PROVIDED FOR IN THE DEVELOPMENT AGREEMENT DOCUMENTED AND RECORDED IN CITY OF MARATHON RESOLUTION 2014-73; SECTION IV, B. "DURATION OF AGREEMENT AND SUBMISSION OF PRELIMINARY AND PERMIT APPLICATION," FOR PROPERTY REAL ESTATE NUMBERS ARE 00355330-000000, 00355340-000000, AND 00355350-000000. NEAREST MILE MARKER 50.**

**WHEREAS**, a Conditional Use Permit and Development Agreement for the project known as Sombrero Country Club, Inc. was approved on July 22, 2014 through the adoption of Resolutions 2014-72 and 2014-73; and

**WHEREAS**, the ownership of said project was subsequently assigned to Florida Keys Resort Holdings, LLC on December 18, 2015; and

**WHEREAS**, the Development Agreement for the Florida Keys Resort Holdings LLC project is in good standing in accordance with timeline provisions established in IV B. of the Agreement; and

**WHEREAS**, the impact of Hurricane Irma, has however impacted the recent efforts to move the project forward; and

**WHEREAS**, moreover, the City of Marathon contracted the use of substantial portions of the "front nine" of the golf course as a Disaster Debris Management Site (DDMS) for the duration of the City's need for the site; and

**WHEREAS**, the City substantially agreed that it would extend the timelines of the Development Agreement for a period of up to eighteen (18) months predicated for the City's need, clean-up, and vacation of the site; and

**WHEREAS**, Section IV N. provides for "Amendment, Renewal, and Termination" of the agreements; and

**WHEREAS**, based on its contractual agreement with the Owner, City staff is hereby recommending a time extension of up to eighteen (18) months from the date that the signed contract with the Owner predicated upon the actual time of use of the site, including clean-up and vacation.

**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 Council of the City of Marathon, Florida hereby approves the extension of the Development Agreement Florida Keys Resort Holdings, LLC for up to eighteen (18) months from the date that the signed its contract with the same predicated upon the actual time of use of the site, including clean-up and vacation,

**Section 3. Effective Date.** This Resolution shall become effective immediately upon its adoption after two public hearings.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 9TH DAY OF JANUARY, 2018.**

**THE CITY OF MARATHON, FLORIDA**

  
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**Michelle Coldiron, Mayor**

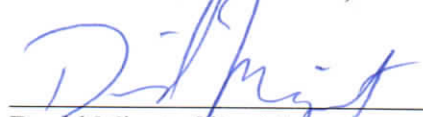
AYES: Cook, Bartus, Senmartin, Zieg, Coldiron  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
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Diane Clavier, City Clerk

(City Seal)

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

  
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David Migut, City Attorney