

Sponsored by: Burnett
Planning Commission Public Hearing Date: November 17, 2008
City Council Public Hearing Date: December 9, 2008 and March 10, 2009
Enactment Date: March 10, 2009

**CITY OF MARATHON, FLORIDA
ORDINANCE 2008-31**

**AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA
REPEALING ORDINANCE 2007-034; AMENDING TABLE 6-1 OF
THE CITY'S COMPREHENSIVE PLAN; 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 repeal Ordinance 2007-034, which revised Table 6-1 ("Capital Improvements Program") of the City's Comprehensive Plan, and, in lieu thereof, adopt this proposed Ordinance in order to further protect the health, safety, and welfare of the City of Marathon; and

WHEREAS, this Ordinance serves the purposes of providing the most up to date adopted capital improvements budget and meets the state requirements for an adopted Comprehensive Plan Capital Improvements Program; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, and Section 102, Article 6 of the Code, 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.

Section 2. 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.

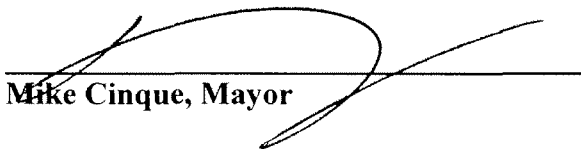
Section 3. The provisions of this Ordinance constitute a “Land Development Regulation” as defined by State law. Accordingly, the City Clerk is authorized to forward a copy of this Ordinance to the DCA for approval pursuant to Sections 380.05(6) and (11), Florida Statutes.

Section 4. 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 10th day of March, 2009.**


THE CITY OF MARATHON, FLORIDA



Mike Cinque, Mayor

AYES: Vasil, Snead, Ramsay, Worthington, Cinque
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

City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2009-2013

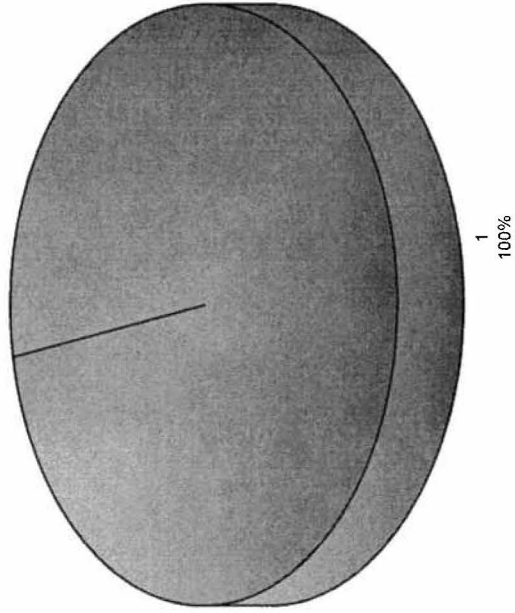
Un-Appropriated Subsequent Years

CATEGORY/PROJECT TITLE	SOURCE OF FUNDING	Appropriated To Date	FY 2009 Adopted	FY 2010	FY 2011	FY 2012	FY 2013	5 Year Total	CIP Total
<u>Buildings & Other Improvements</u>									
City Hall	Capital Infrastructure/Rev Bonds	-	-	200,000	200,000	200,000	200,000	800,000	800,000
ADA Compliance	Capital Infrastructure		50,000					50,000	50,000
Fire Safety Program	Capital Infrastructure	100,000	100,000	100,000	100,000	100,000	100,000	500,000	600,000
Total Buildings & Other Imprvmts		100,000	150,000	300,000	300,000	300,000	300,000	1,350,000	1,450,000
<u>Economic Development</u>									
Land Acquisition	Grants/Other	10,709,960	750,000	750,000	750,000	750,000	750,000	3,750,000	14,459,960
Total Economic Development		10,709,960	750,000	750,000	750,000	750,000	750,000	3,750,000	14,459,960
<u>Vehicles</u>									
Vehicle Replacement Program	General Fund	<i>annual</i>	-	30,000	15,000	30,000	15,000	90,000	90,000
Tanker	Vehicle Replacement Fund	300,000	-	-	-	-	-	-	300,000
Utility Trucks (2)	Capital Infrastructure	-	44,000	-	-	-	-	44,000	44,000
Ambulance	Vehicle Replacement Fund	-	-	200,000	200,000	200,000	-	600,000	600,000
Telesquirt Pumper	Vehicle Replacement Fund	-	-	-	-	-	450,000	450,000	450,000
Total Vehicles		300,000	44,000	230,000	215,000	230,000	465,000	1,184,000	1,484,000
<u>Parks/Beaches</u>									
Community Park Improvements	Capital Infrastructure/Grants	-	-	200,000	-	200,000	-	400,000	400,000
Cocoplum Recreation Trail	Capital Infrastructure/Grant	-	415,000	-	-	-	-	415,000	415,000
Beautification Master Plan	Capital Infrastructure/Grant	-	36,450	-	-	-	-	36,450	36,450
Amphitheater Lighting and Sound System	Capital Infrastructure/Grant	-	28,000	-	-	-	-	28,000	28,000
Cocoplum Beach Improvements	Capital Infrastructure/Grant	150,000	-	-	-	-	-	-	150,000
Events Field Amenities	Capital Infrastructure/Grants	-	70,000	-	-	-	-	70,000	70,000
Kayak Dock	Impact Fees	-	20,000	-	-	-	-	20,000	20,000
Sombrero Beach Improvements	Capital Infrastructure	-	-	20,000	-	20,000	-	40,000	40,000
Total Parks/Beaches		150,000	569,450	220,000	-	220,000	-	1,009,450	1,159,450
<u>Marina, Near Shore Waters and Boat Ramp Improvements</u>									
33rd Street Boat Ramp Improvements	Capital Infrastructure/Grants	-	997,501	-	-	-	-	997,501	997,501
City Boat Ramps	Capital Infrastructure	285,000	-	-	-	-	-	-	285,000
Marina Boardwalk	Capital Infrastructure/Grants	130,000	-	-	-	-	-	-	130,000
Marina Service Building	Capital Infrastructure/Grants	222,000	600,000	200,000	200,000	200,000	200,000	1,400,000	1,622,000
Mooring Field Boundary Markers	Capital Infrastructure	10,000	10,000	-	-	-	-	10,000	20,000
Mooring Service Docks	Capital Infrastructure/Grants	-	350,000	-	-	-	-	350,000	350,000
Washers & Dryers, Furniture & Fixtures	Capital Infrastructure	-	26,727	-	-	-	-	-	-
Marina Parking Improvements	Capital Infrastructure/Grants	-	-	-	-	-	-	-	-
Total Marina and Boat Ramp Improvements		647,000	1,984,228	200,000	200,000	200,000	200,000	2,767,501	3,404,501
<u>Stormwater Projects</u>									
Little Venice Project Phase I	SRF/Grants/Stormwater Fees	-	1,000,000	-	-	-	-	1,000,000	1,000,000
Little Venice Project Phase II	State Revolving Fund/Grants/Stormwater Fees	520,000	1,007,756	-	-	-	-	1,007,756	1,527,756
City Wide Stormwater CIP	State Revolving Fund/Grants/Stormwater Fees	8,142,258	10,841,654	3,784,077	1,568,838	-	-	16,194,569	24,336,827
Total Stormwater Projects		8,662,258	12,849,410	3,784,077	1,568,838	-	-	18,202,326	26,864,583

**City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2009-2013**

CATEGORY/PROJECT TITLE	SOURCE OF FUNDING	Un-Appropriated Subsequent Years						5 Year Total	CIP Total
		Appropriated To Date	FY 2009 Adopted	FY 2010	FY 2011	FY 2012	FY 2013		
<u>Street/Transportation Improvements</u>									
Avenue K Road Installation	Street Maint / Impact Fees / Assessments	-	300,000	-	-	-	-	300,000	300,000
Sombrero Beach Road Improvement	Street Maintenance (Gas Tax)	-	42,310	-	-	-	-	42,310	42,310
Lynn Mead Road Improvement	Street Maintenance (Gas Tax)	-	142,377	-	-	-	-	142,377	142,377
Asphalt Leveling	Street Maintenance (Gas Tax)	-	37,125	-	-	-	-	37,125	37,125
Sombrero Blvd. Bike Path Project	Street Maintenance (Gas Tax)	-	107,800	-	-	-	-	107,800	107,800
122nd St. Oceanside Road Bed Replacem	Street Maintenance (Gas Tax)	-	250,000	-	-	-	-	250,000	250,000
42nd St. Bayside Road Bed Replacement	Street Maintenance (Gas Tax)	-	25,000	-	-	-	-	25,000	25,000
104th St. Project	Street Maint / Impact Fees	-	250,000	-	-	-	-	250,000	250,000
New LED Traffic Signals	Street Maintenance (Gas Tax)	-	36,000	-	-	-	-	36,000	36,000
Little Venice Project Phase I	Street Maint (Gas Taxes) / Grants	-	1,000,000	-	-	-	-	1,000,000	1,000,000
US1 Median Beautification Project Phase	Street Maintenance (Gas Tax)	-	50,000	-	-	-	-	50,000	50,000
Little Venice Project Phase II	Street Maint (Gas Taxes) / Grants	101,844	678,156	-	-	-	-	678,156	780,000
Boot Key Bridge: Interim Repairs	Street Maint (Gas Taxes) / Grants	-	-	-	-	-	-	-	-
Boot Key Bridge Replacement	Street Maint (Gas Taxes) / Assessments	-	<i>tbd</i>	-	-	-	-	-	<i>tbd</i>
Total Street/Transportation Improvements		101,844	2,918,768	-	-	-	-	2,918,768	3,020,612
<u>Wastewater Projects</u>									
City-Wide Wastewater Treatment Project	MSTU/SRF/Grants/Capital Infrastructure	34,126,986	34,477,404	11,286,930	5,894,330	-	-	51,658,664	85,785,650
Marina Wastewater Improvements	Capital Infrastructure/Grants	-	490,820	-	-	-	-	490,820	490,820
Total Wastewater Projects		34,126,986	34,968,224	11,286,930	5,894,330	-	-	52,149,484	86,276,470
Grand Total		54,798,048	54,234,080	16,771,007	8,928,168	1,700,000	1,715,000	83,321,528	138,119,576

**City of Marathon
Five Year Capital Improvement Program
Fiscal Year 2009-2013**



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