

**RESOLUTION NO. 02-01-23**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, REQUESTING THE ASSISTANCE OF THE MONROE COUNTY LAND AUTHORITY IN THE ACQUISITION OF LANDS IN THE CITY FOR AFFORDABLE HOUSING PURPOSES, CONSERVATION OF ENVIRONMENTALLY SENSITIVE LAND, OPEN SPACE AND RECREATIONAL PURPOSES; ADDITIONALLY DIRECTING STAFF TO PURSUE A LAND ACQUISITION PROGRAM UTILIZING OTHER STATE AND FEDERAL FUNDING PROGRAMS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, prior to and subsequent to the incorporation of the City of Marathon, Florida (the "City"), certain funds in Monroe County, Florida's (the County) possession were derived from taxes and assessments and other revenues originating from taxpayers and properties located within the City and remained in the County's budget and treasury; and

WHEREAS, prior to the City's incorporation, certain funds were budgeted by the County for acquisition of properties within the City for affordable housing, conservation of environmentally sensitive, open space and recreational purposes; and

WHEREAS, additional state and federal programs are available to fund land acquisition projects; and

WHEREAS, such funds were budgeted but not expended by the County; and

WHEREAS, the Monroe County Comprehensive Land Authority (the "MCLA") is the County agency responsible for the acquisition of land for various purposes, including, but not limited to, affordable housing, conservation of environmentally sensitive land, open space and recreational purposes; and

WHEREAS, it is the desire of the City to provide additional affordable housing, conservation, open space and recreational lands within the City.

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

**Section 1. Recitals.** The above recital is true, correct and incorporated herein by this reference.

**Section 2. Acquisition of Properties by the MCLA.** The City Council requests the assistance of the MCLA in identifying and acquiring lands within the City to be used for affordable housing, conservation, open space and recreational purposes.

**Section 3. Other Land Acquisition Programs.** Staff is directed to pursue a land acquisition program utilizing other available state and federal funding programs, including, but not limited to Preservation 2000, Florida Communities Trust Funds, Florida Forever Funds, the Trust for Public Lands, and other similar programs.

**Section 4. Effective Date.** This Resolution shall become effective immediately upon its adoption.

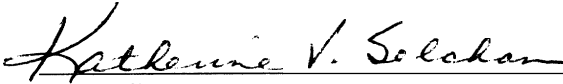
PASSED AND ADOPTED this 29<sup>th</sup> day of January, 2002.

ATTEST:



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**ROBERT MILLER, MAYOR**

Due to Mayor Miller's absence,  
document was signed by  
Vice-Mayor John Bartus



\_\_\_\_\_  
CITY CLERK

APPROVED AS TO LEGAL SUFFICIENCY



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CITY ATTORNEY

# MEMORANDUM

*City of Marathon*

**TO:** Mayor, City Council and City Manager

**FROM:** John R. Herin, Jr., City Attorney

**DATE:** January 23, 2002

**MEETING DATE:** January 29, 2002

**SUBJECT:** Proposed Resolution Requesting the Assistance of the Monroe County Land Authority in the Acquisition of Lands in the City for Affordable Housing, Conservation, Open Space and Recreational Purposes.

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**ITEM:**

A resolution of the City Council requesting the assistance of the Monroe County Land Authority (the "MCLA") in the acquisition of lands throughout the City for affordable housing, conservation, open space and recreational purposes.

**STATEMENT OF PURPOSE:**

The City's transitional comprehensive plan has numerous policies that promote the acquisition of lands for various purposes, including, but not limited to, affordable housing, conservation of environmentally sensitive parcels, open space, and recreational purposes. Before and subsequent to the City's incorporation, certain funds in County's possession were derived from taxes and assessments and other revenues originating from taxpayers and properties located within the City. The County budgeted some of the funds for the acquisition of properties within the City, but never expended them.

**ADDITIONAL INFORMATION:**

The City has been negotiating with the County for some time concerning the transfer of certain fund balances the County derived from taxes and assessments and other revenues originating from taxpayers and properties located within the City.

**BUDGET IMPACT:**

Minimal, as the funds the City is requesting the County expend, through the MCLA, have already been collected and in some cases budgeted by the County. There will be some nominal costs in the form of staff time in assisting the MCLA in identifying parcels for possible acquisition, and the review of associated closing/title documents on a case-by-case basis.

**AGENCY IMPACT:**

The involvement of the MCLA is specifically requested in the resolution recommended for approval. Because of potential grant funding for some of the proposed land acquisitions, it is anticipated that State agencies, such as the DEP and DCA, may be involved in some of the anticipated transactions.

**STAFF IMPACT:**

There will be some staff impacts in the form of staff time in assisting the MCLA in identifying parcels for possible acquisition, and the review of associated closing/title documents on a case-by-case basis.

**RECOMMENDATION:**

Approval.