




CITY OF MARCO ISLAND

To: City Council
From: Mike McNees, City Manager 
Date: April 22, 2020
Re: Finding of Sufficiency: Petition for Ordinance Banning Recreation Marijuana

Sufficiency Certification

With reference to the Petition for an Ordinance Banning Recreational Marijuana on Marco Island:

On April 15, 2020, the City Clerk received from the Collier County Supervisor of Elections Office certification that 1,275 valid registered City voters properly signed the Committee's Petition for an Ordinance to "Prohibit Selling, Cultivating Recreational Marijuana on Marco Island excluding Medical Marijuana and CBD Products". Further, the Supervisor has specified that 12,746 is the official total of Registered Voters residing in the City of Marco Island as of book closing for the November 6, 2018 General Election.

Pursuant to City Charter Section 6.03(2), the City Manager has 20 business days (May 13, 2020) after receipt of the Supervisor of Elections certification to determine sufficiency.

Based upon the foregoing, more than 10% of the qualified electors (voters) of the City have petitioned the City Council to adopt an Ordinance to "Prohibit Selling, Cultivating Recreational Marijuana on Marco Island excluding Medical Marijuana and CBD Products". (City Charter Section 6.01(1)).

Pursuant to City Charter Section 6.05:

- Once certification of valid City electors is received, Council shall take appropriate action addressing the sufficiency of the petition pursuant to Section 166.031, Florida Statutes. If the petition is sufficient, Council shall schedule the item for an election.
- Council, in its discretion, may schedule the item at either the next City election or a special election.
- If Council elects decides to hold a special election, it shall be conducted by mail ballot not less than ninety (90) days from the date of Council's determination of the need for a special election.
- Copies of the proposed ordinance shall be made available to the voters, either at the polls or by mail ballot, whichever is appropriate.
- Any petition rejected by the voters may not be submitted again for one year.

- An initiative petition may be withdrawn at any time prior to the 40th day preceding the day scheduled for a vote of the City by filing with the City Manager a request for withdrawal signed by at least four members of the petitioner's committee.

This Certificate of Sufficiency was completed timely pursuant to the City Charter (twenty business days from April 15, 2020, which is May 13, 2020). This item will be scheduled for Council discussion on the May 4, 2020 agenda.

cc: Edgar Issler, Petitioner's Committee
Alan L. Gabriel, City Attorney
Laura Litzan, City Clerk