

## **RESOLUTION 20-13**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARCO ISLAND, FLORIDA, CALLING A SPECIAL REFERENDUM ELECTION FOR AUGUST 18, 2020; AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT TO THE COLLIER COUNTY SUPERVISOR OF ELECTIONS AN INITIATIVE REFERENDUM MEASURE AMENDING THE CITY CODE RELATING TO THE PROHIBITION OF RECREATIONAL MARIJUANA TO BE PLACED ON THE BALLOT FOR THE AUGUST 18, 2020 PRIMARY ELECTION; AUTHORIZING THE CITY CLERK AND COLLIER COUNTY SUPERVISOR OF ELECTIONS TO TAKE ALL STEPS NECESSARY TO CONDUCT THE ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, on July 12, 2019 and August 22, 2019, Ban Recreational Marijuana (BRM PAC), filed, and amended, respectively, with the City Clerk a "Statement of Organization of a Political Committee," registering as a political action committee; and

**WHEREAS**, the Collier County Supervisor of Elections has certified that sufficient registered voters have been obtained as of April 15, 2020, to place the referendum question relative to amending the Marco Island City Code to prohibit recreational marijuana, on the August 18, 2020 Primary Election Ballot; and

**WHEREAS**, the Collier County Supervisor of Elections has provided the deadline of June 12, 2020, to receive the referendum language from the City to be placed on the ballot for the August 18, 2020 Primary Election.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marco Island, Florida that:

**SECTION 1:** The above recitals are true and correct and incorporated herein.

**SECTION 2:** The City Council hereby calls a special referendum election to be held on August 18, 2020 upon an initiative measure pertaining to the prohibition of recreational marijuana.

**SECTION 3:** The City Clerk is directed to submit to the Collier County Supervisor of Elections the referendum question with the Ballot Title and Ballot Summary as set forth in Exhibit "A," attached hereto and incorporated herein, followed by "Yes" for approval and "No" for rejection, for inclusion on the ballot for said election. The Collier County Supervisor of Elections is hereby requested to place the referendum question in Exhibit "A," on the ballot at the August 18, 2020 Primary Election.

**SECTION 4:** The City Clerk and Collier County Supervisor of Elections are authorized to take all steps necessary or advisable to conduct the referendum election in accordance with state law and the City Charter.

**SECTION 5:** This Resolution shall take effect immediately upon its adoption.

Passed in open and regular session of the City Council of the City of Marco Island, Florida this 18<sup>th</sup> day of May 2020.

**ATTEST:**

**CITY OF MARCO ISLAND, FLORIDA**

\_\_\_\_\_  
Laura M. Litzan, City Clerk

By: \_\_\_\_\_  
Erik Brechnitz, Chairman

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Alan L. Gabriel, City Attorney

**EXHIBIT “A”**

**BAN RECREATIONAL MARIJUANA**

**BALLOT TITLE**

**AND**

**BALLOT SUMMARY**

Ballot Title: “Prohibit Selling, Cultivating, Distributing Recreational Marijuana on Marco Island, excluding Medical Marijuana and CBD Products”

Ballot Summary:

“Shall the City of Marco Island enact an Ordinance of the City, adding to the Marco Island Land Development Code of the Code of Ordinances, Article II, Zoning, Chapter 30-60, prohibiting the sale, manufacturing, cultivation, distribution, warehousing of Recreational Marijuana in all zoning districts in the City. Amending Article I, General, Chapter 30-10, Sub-Section (c) providing definition for “Recreational Marijuana”, and excluding Medical Marijuana and CBD products from the Prohibition”

YES            (   )

NO             (   )