

CITY OF MARATHON, FLORIDA  
RESOLUTION 2016-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA; PROVIDING FOR A NON-BINDING REFERENDUM BALLOT MEASURE TO BE PRESENTED TO THE ELECTORS OF THE CITY CONCERNING THE CONSTRUCTION AND MAINTENANCE OF A COMMUNITY POOL, TO BE SUBMITTED TO THE ELECTORS IN CONJUNCTION WITH THE PRIMARY ELECTION ON TUESDAY, AUGUST 30, 2016; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City Council is authorized to call for a non-binding referendum vote by the electors of the City; and

**WHEREAS**, the City Council desires to submit to the electors of the City a non-binding referendum concerning the construction and maintenance of a community pool, as described herein.

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

**Section 1.** The above recitals are hereby confirmed and adopted.

**Section 2.** That a non-binding referendum election is hereby called, to be held in conjunction with the primary election, for Tuesday, the 30th Day of August, 2016, to present to the electors of the City of Marathon the proposed question provided in Section 3 of this Resolution.

**Section 3.** That the form of non-binding referendum ballot for the question provided for herein shall be substantially as follows:

**Question:**

**CONSTRUCTION AND MAINTENANCE OF A COMMUNITY POOL**

**Should the City of Marathon construct and maintain a community pool, funded by taxes, assessments, user fees, or any other permissible source of public funds?**

Yes [ ]

No [ ]

**Section 4.** That balloting shall be conducted between the hours of 7:00 a.m. until 7:00 p.m. at the regular polling places for general elections. All qualified City electors who are timely registered in accordance with law shall be entitled to vote. The City's officials are authorized to obtain any necessary election administration services from the Monroe County Supervisor of Elections.

**Section 5.** That notice of said election shall be published in accordance with Section 100.342, Florida Statutes, in a newspaper of general circulation within the City at least 30 days prior to said election, the first publication to be in the fifth week prior to the election (to-wit: during the week commencing July 25, 2016), and the second publication to be in the third week prior to the election (to-wit: during the week commencing August 8), and shall be in substantially the following form:

**“NOTICE OF NON-BINDING REFERENDUM ELECTION**

**PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO RESOLUTION NO. 2016-14 ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA (THE "CITY") A NON-BINDING REFERENDUM ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY, IN CONJUNCTION WITH THE PRIMARY ELECTION, ON TUESDAY, AUGUST 30, 2016, BETWEEN THE HOURS OF 7:00 A.M. AND 7:00 P.M., AT WHICH TIME THE FOLLOWING NON-BINDING REFERENDUM BALLOT MEASURE SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY.**

**Question:**

**CONSTRUCTION AND MAINTENANCE OF A COMMUNITY POOL**

**Should the City of Marathon construct and maintain a community pool, funded by taxes, assessments, user fees, or any other permissible source of public funds?**

Yes [ ]

No [ ]

**Section 6.** Copies of this Resolution proposing the non-binding referendum ballot measures are on file in the office of the City located at City of Marathon, 9805 Overseas Highway, Marathon, Florida 33050, and are available for public inspection during regular business hours.

**Section 7.** That the referendum ballot question shall not be a binding measure.

**Section 8.** That this Resolution shall become effective immediately upon its adoption.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 12<sup>th</sup> DAY OF APRIL, 2016.**

**THE CITY OF MARATHON, FLORIDA**



**Mark Senmartin, Mayor**

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

**ATTEST:**



Diane Clavier, City Clerk  
(City Seal)

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



David Migut, City Attorney