

Sponsored by: Worthington
Introduction Date: October 11, 2011
Public Hearing Dates: October 11, 2011
October 25, 2011
Enactment date: October 25, 2011

**CITY OF MARATHON, FLORIDA
ORDINANCE 2011-12**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, PROVIDING FOR NON-BINDING STRAW BALLOT MEASURES TO BE PRESENTED TO THE ELECTORS OF THE CITY ON JANUARY 31, 2012, ASKING WHETHER OR NOT THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS SHOULD ACTIVELY PURSUE DAILY COMMERCIAL AIRLINE SERVICES AT THE MARATHON FLORIDA KEYS AIRPORT AND ASKING WHETHER OR NOT THE ELECTORS OF THE CITY SUPPORT THE CREATION OF A TAXING DISTRICT OR OTHER FUNDING MECHANISM TO PAY FOR OR SUBSIDIZE DAILY COMMERCIAL AIRLINE SERVICES AT THE MARATHON FLORIDA KEYS AIRPORT; PROVIDING REQUISITE BALLOT LANGUAGE FOR SUBMISSION TO THE ELECTORS; PROVIDING FOR NOTICE OF ELECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council is authorized to provide for the submission of non-binding measures to the electors of the City pursuant to a straw ballot; and

WHEREAS the City Council desires to submit to the electors of the City A proposed straw ballot measure concerning the Monroe County Board of County Commissioners actively pursuing daily commercial air service at the Florida Keys Marathon Airport.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. That a non-binding referendum election is hereby called, to be held in conjunction with the Presidential Preference Primary, for the 31st day of January, 2012 to present to the electors of the City of Marathon, the straw ballot measures provided in Section 3 of this Ordinance.

Section 3. The form of straw ballot provided for herein be substantially as follows:

Question One: Commercial Airline Service

Should the Monroe County Board of County Commissioners actively pursue commercial airline service at a minimum of two inbound and two outbound flights daily between Marathon and either Miami or Fort Lauderdale or another major airport?

Yes []

No []

Question Two: Establishment of Taxing District to Financially Support Commercial Airline Service

If necessary, do you support the creation of a taxing district or other local government funding mechanism to pay for or subsidize commercial airline service at a minimum of two inbound and two outbound flights daily between Marathon and either Miami or Fort Lauderdale or another major airport?

Yes []

No []

Section 4. The balloting shall be conducted between the hours of 7:00 am until 7:00 pm at the regular polling places for City 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. 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 presidential preference primary, and the second publication to be in the third week prior to the presidential preference primary and shall be in substantially the following form:

"NOTICE OF STRAW BALLOT ELECTION"

PUBLIC NOTICE IS HEREBY GIVEN THAT PURSUANT TO ORDINANCE NO. 2011-____, ADOPTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA (THE "CITY") A NON-BINDING STAW BALLOT ELECTION HAS BEEN CALLED AND ORDERED TO BE HELD WITHIN THE CITY, IN CONJUNCTION WITH THE PRESIDENTIAL PREFERENCE PRIMARY, ON JANUARY 31, 2012, BETWEEN THE HOURS OF 7:00 AM AND 7:00 PM, AT WHICH TIME THE FOLLOWING STRAW BALLOT MEASURE SHALL BE SUBMITTED TO THE QUALIFIED ELECTORS OF THE CITY.

Question One: Commercial Airline Service

Should the Monroe County Board of County Commissioners actively pursue commercial airline service at a minimum of two inbound and two outbound flights daily between Marathon and either Miami or Fort Lauderdale or another major airport?

Yes []
No []

Question Two: Establishment of Taxing District to Financially Support Commercial Airline Service

If necessary, do you support the creation of a taxing district or other local government funding mechanism to pay for or subsidize commercial airline service at a minimum of two inbound and two outbound flights daily between Marathon and either Miami or Fort Lauderdale or another major airport?

Yes []
No []

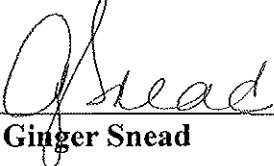
Section 6. Copies of this Ordinance proposing the straw ballot measures are on file in the office of the City located at City of Marathon, 9805 Overseas Highway, Marathon, Florida 33050, and are available for public inspection during regular business hours.

Section 7. The straw ballot questions are solely advisory and non-binding measures, but for the purpose of determining which of the conflicting straw ballot questions are preferred by the electors, the proposal receiving the greatest number of votes of approval by a majority of the qualified electors voting on each question, shall be considered to be the proposal preferred by the electors.

Section 8. This Ordinance shall be effective immediately upon enactment.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA,
THIS 25th DAY OF OCTOBER, 2011.**

THE CITY OF MARATHON, FLORIDA



Mayor Ginger Snead

AYES: Cinque, Worthington, Ramsay, Keating, Snead
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

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



City Attorney