

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE NO. 191051

An ordinance of the City of Gainesville, Florida; proposing an amendment to 3.04 titled "Clerk of the commission" of the Charter Laws of the City of Gainesville to change the name of the position to "city clerk"; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

WHEREAS, pursuant to 5.01(2) of the City Charter, the City Charter Review Commission can deliver proposed charter amendments to the City Commission; and

WHEREAS, the City Charter Review Commission held at least 3 public hearings, each at least 7 calendar days apart, on this amendment, and after which a majority of the full City Charter Review Commission voted favorably on the proposed amendment; and

WHEREAS, the City Commission duly considered the charter amendment, had the opportunity to veto the proposed amendment by a two-thirds vote of the City Commission, and having not vetoed the proposed amendment, by passage of this ordinance, requests the Supervisor of Elections place the proposed amendment on the next November election ballot, subject to approval of the electorate at a municipal election; and

WHEREAS, at least 10 days' notice has been given by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the Auditorium of City Hall in the City of Gainesville; and

WHEREAS, the public hearings before the City Commission were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY
2 OF GAINESVILLE, FLORIDA:

3 The following proposed amendment to Chapter 90-394, Laws of Florida, 1990, as
4 amended, otherwise known as the Charter Laws of the City of Gainesville, Florida, is approved for
5 submission to the electors of the City of Gainesville, Florida, for approval or disapproval at the
6 election set for Tuesday, November 3, 2020:

7 PROPOSED AMENDMENT

8 **Section 1.** 3.04 titled “Clerk of the commission” of Article III of the Charter of the City of
9 Gainesville is amended to read as set forth below.

10 **3.04 – City clerk ~~Clerk of the commission~~.**

11 The commission may employ a city clerk ~~clerk of the commission~~ who shall keep records
12 and perform such other duties as are prescribed by this act or the commission. The city clerk ~~clerk~~
13 ~~of the commission~~ shall serve at the will of the commission.

14 **Section 2.** The following ballot title and question is approved for submission to the
15 electors of the City of Gainesville, Florida, for approval or rejection at the election set for Tuesday,
16 November 3, 2020:

17 CITY OF GAINESVILLE CHARTER AMENDMENT

18 CHANGING THE NAME OF THE CHARTER OFFICER “CLERK OF THE
19 COMMISSION” TO “CITY CLERK”

20 “SHALL THE CITY CHARTER BE AMENDED TO CHANGE THE NAME OF
21 THE CHARTER OFFICER “CLERK OF THE COMMISSION” TO “CITY
22 CLERK”, AS PROPOSED BY ORDINANCE NO. 191051?”

CODE: Words ~~stricken~~ are deletions; words underlined are additions.

1 **Section 3.** The Supervisor of Elections is requested to place this ballot title and question
2 on the November 3, 2020 general election ballot.

3 **Section 4.** In the event that the charter amendment proposed by Section 1 of this
4 Ordinance is approved by affirmative vote of a majority of votes cast by the electors of the City of
5 Gainesville, Florida at the November 3, 2020 election, then: 1) the codifier is directed to
6 incorporate the amendments stated in Section 1 of this Ordinance in the Charter Laws of the City
7 of Gainesville; and 2) the Clerk of the Commission is directed to file a true copy of this ordinance
8 with the Florida Department of State.

9 **Section 5.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
10 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
11 the validity of the remaining portions of this ordinance.

12 **Section 6.** All ordinances or parts of ordinances in conflict herewith are to the extent of
13 such conflict hereby repealed.

14 **Section 7.** This ordinance shall become effective immediately upon final adoption.

15 **PASSED AND ADOPTED this 18th day of June, 2020.**

16
17 

18 _____
19 LAUREN POE
20 MAYOR

21
22 ATTEST:

23 
24 _____
25 OMICHELE D. GAINNEY
26 CLERK OF COMMISSION

27 Approved as to form and legality

28 
29 _____
30 NICOLLE M. SHALLEY
CITY ATTORNEY

28 This ordinance passed on first reading this 4th day of June, 2020.

29 This ordinance passed on second reading this 18th day of June, 2020.

CODE: Words ~~stricken~~ are deletions; words underlined are additions.