1 2	ORDINANCE NO. <u>080365</u> 0-10-05
3	0-10-03
4	An ordinance of the City of Gainesville, Florida, repealing
5	obsolete Section 2-357(e) prohibiting members of the
6	Gainesville Energy Advisory, while serving, from becoming
7 8	candidates for election to any public office; providing directions to the codifier; providing for severability;
9	providing a repealing clause; and providing an immediate
10	effective date.
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13	WHEREAS, at the Gainesville Energy Advisory Committee emerged from a
[4	negotiated settlement agreement between the Sierra Club and the City of Gainesville's
15	Regional Utilities Board, now Gainesville Regional Utility;
16	WHEREAS, the negotiated settlement agreement and Stipulation have no
17	requirement for the provision of Section 2-357(e), which excludes candidates for public
8	office from membership on the board;
9	WHEREAS, there is no legal requirement for the existence of such provision in 2
20	357(e);
21	WHEREAS, at least 10 days notice has been given once by publication in a
-1	WHEREAS, at least 10 days notice has been given once by publication in a
22	newspaper of general circulation notifying the public of this proposed ordinance and of a
23	Public Hearing in the City Commission Auditorium in City Hall, City of Gainesville; and
24	WHEREAS, a Public Hearing was held pursuant to the published notice described
25	at which hearing the parties in interest and all others had an opportunity to be and were, in
26	fact, heard;
27	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
28	OF THE CITY OF GAINESVILLE, FLORIDA:
-()	3.7 P 1.1 P 3.7 P 1. 3.7 P 3.1 P 3.1 P 3.1 P 3.1 P 4.1

1	Section 1. Section 2-357(e) is repealed from the Code of Ordinances, City of
2	Gainesville, Florida, and Section 2-357 is to read as follows:
3	Section 2-357. Membership.
4	(a) The energy advisory committee shall consist of nine members appointed by the
5	city commission, each of whom, following initial appointments, shall be appointed for a
6	term of three years. The terms of appointment shall be staggered such that only three
7	terms shall expire in any given year. Each term shall expire on September 30.
8	(b) When any member of the committee resigns or is removed as provided for in
9	section 2-247, such member shall then be deemed tot have been removed and a vacancy
10	created. The city commission shall fill these and all other vacancies for the unexpired
11	terms.
12	(c) The committee members shall serve without pay, but shall be reimbursed for
13	necessary expense incurred in the performance of their official duties, upon approval of the

Э city commission.

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- (d) All members of the committee shall be residents of the county, with preference being given to those persons residing in the Gainesville urban area. The city commission shall, to the extent possible, select members of the committee who are broadly representative of the community interests.
- (e) Members, while serving, shall-not-become candidates for election to any public office.
- Section 2. It is the intention that Section 1 of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Gainesville, Florida, and that the sections and

1	paragraphs of this ordinance may be renumbered or re-lettered in order to accomplish such
2	intentions.
3	Section 3. If any word, phrase, clause, paragraph, section or provision of this
4	ordinance or the application hereof to any person or circumstance is held invalid or
5	unconstitutional, such finding shall not affect the other provisions or applications of the
6	ordinance which can be given effect without the valid or unconstitutional provisions or
7	application, and to this end the provisions of this ordinance are declared severable.
8	Section 4. All ordinances or parts of ordinances, in conflict herewith are to the extent of
9	such conflict hereby repealed.
10	Section 5. This ordinance shall become effective immediately upon final adoption.
11 12 13 14 15 16 17 18 19 20 21 22 23	PASSED AND ADOPTED this 1st day of April, 2010. The Hamahan PEGEEN HANRAHAN, MAYOR ATTEST APPROVED AS TO FORM AND LEGALITY
24252627	KURT M. ZANNON MARION J. RADSON CLERK OF THE COMMISSION CITY ATTORNEY

This Ordinance passed on second reading this 1st day of April, 2010.

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