

**LEGISLATIVE #**

**120739A**

**RESOLUTION NO. 120739**

**PASSED \_\_\_\_\_**

**A resolution of the City Commission of the City of Gainesville, Florida, calling a special election to be held on April 9, 2013; submitting a referendum on annexation to a vote of the registered electors of two unincorporated areas of Alachua County known as “Area 2” and “Area 3,” as described in detail by Ordinance Nos. 120307 and 120308, respectively; providing ballot language; providing directions to the Clerk of the Commission; and providing an immediate effective date.**

**WHEREAS**, Chapter 90-496, Special Acts, Laws of Florida, as amended by Chapter 91-382 and Chapter 93-347, Special Acts, Laws of Florida, created the “Alachua County Boundary Adjustment Act” (“Act”), which sets forth procedures for the annexation of contiguous, compact, unincorporated territory within a municipality’s reserve area; and

**WHEREAS**, on October 9, 2011, the Board of County Commissioners of Alachua County designated an updated Reserve Area boundary for the City of Gainesville pursuant to the Act; and

**WHEREAS**, on July 19, 2012, the City Commission of the City of Gainesville adopted Ordinance No. 120042, which adopted the Urban Services Report setting forth the plans to provide urban services to that portion of the Reserve Area proposed to be annexed in accordance with the procedures provided in the Act; and

**WHEREAS**, on December 6, 2012, the City Commission of the City of Gainesville adopted Ordinance No. 120307, an annexation ordinance that proposes to annex the contiguous, compact, unincorporated portion of the Reserve Area known as “Area 2” that is described in detail in the ordinance; and

**WHEREAS**, on December 6, 2012, the City Commission of the City of Gainesville adopted Ordinance No. 120308, an annexation ordinance that proposes to annex the contiguous,

1 compact, unincorporated portion of the Reserve Area known as “Area 3” that is described in  
2 detail in the ordinance; and

3 **WHEREAS**, pursuant to Section 8 of the Act, Ordinance Nos. 120307 and 120308 shall  
4 be submitted as a referendum on annexation to a vote of the registered electors of “Area 2” and  
5 “Area 3,” respectively; and

6 **WHEREAS**, Ordinance Nos. 120307 and 120308 provide that the referendum on  
7 annexation shall be held during a special election to be conducted by the Alachua County  
8 Supervisor of Elections on Tuesday, April 9, 2013; and

9 **WHEREAS**, Sections 9-4 and 9-5 of the Code of Ordinances of the City of Gainesville  
10 provide that special elections shall be ordered by a resolution of the City Commission instructing  
11 the Mayor to issue a proclamation calling the special election, with such proclamation published  
12 in a newspaper of general circulation at least 30 days prior to the special election.

13 **NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE**  
14 **CITY OF GAINESVILLE, FLORIDA:**

15 **Section 1.** The Mayor of the City of Gainesville, Florida, shall issue a proclamation  
16 calling a special election on Tuesday, April 9, 2013 to allow the registered electors of the two  
17 unincorporated areas of Alachua County known as “Area 2” and “Area 3,” as described in detail  
18 by Ordinance Nos. 120307 and 120308, respectively, to vote for or against annexation.

19 **Section 2.** Pursuant to Section 8 of the Act, the language to appear on the ballot of the  
20 referendum election so called for Ordinance No. 120307 shall be:

21 “For annexation of property described in Ordinance Number  
22 120307 of the City of Gainesville”

23  
24 “Against annexation of property described in Ordinance Number  
25 120307 of the City of Gainesville”  
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