

DRAFT

10/23/2008

1 RESOLUTION NO. _____
2 PASSED _____
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4

5 **A Resolution of the City Commission of the City of Gainesville,**
6 **Florida, calling a referendum election to be held at the regular**
7 **City election on Tuesday, March 24, 2009; placing the proposed**
8 **city charter amendment contained in the initiative petition of**
9 **“Citizens for Good Public Policy” on the ballot; specifying the**
10 **ballot title and summary for the referendum; and providing an**
11 **immediate effective date.**
12

13 **WHEREAS,** Section 5.01 of the Charter of the City of Gainesville and Section 9-18 of the
14 Code of Ordinances provide that a charter amendment may be proposed by a petition signed by at
15 least ten percent of the registered voters of the City; and

16 **WHEREAS,** on August 18, 2008, the Supervisor of Elections certified that the charter
17 amendment sponsored by “Citizens for Good Public Policy” entitled Petition 5.08, Civil Rights had
18 been signed by more than ten percent of the registered voters of the City; and

19 **WHEREAS,** Section 5.01 of the Charter of the City of Gainesville and Section 9-18 of the
20 Code of Ordinances provide that upon certification of the requisite number of signatures, the City
21 Commission shall place the petition on the ballot of the next City regular election;

22 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE**
23 **CITY OF GAINESVILLE, FLORIDA:**

24 **Section 1.** The City Commission elects to hold a referendum election on the same day as the
25 next City of Gainesville regular election in 2009 to be held on Tuesday, March 24, 2009, in order to
26 allow the electors of the City to vote on the proposed Charter amendment proposed in the initiative
27 petition of “Citizens for Good Public Policy” entitled “Petition 5.08, Civil Rights”

28 The proposed Charter amendment is set forth as follows:

5.08 Civil Rights

The City shall not enact, adopt, enforce or administer any ordinance, regulation, rule or policy which provides or entitles any person to claim protected status, quota preferences or have a claim of discrimination based upon a classification, characteristic or orientation not recognized by the Florida Civil Rights Act (Fla. Stat. ss. 760.01-760.11 and 509.092). Any ordinance or regulation enacted before this amendment or after shall be construed in conformance with the Florida Civil Rights Act. Any ordinance that violates this provision shall be void.

Section 2. The ballot title and summary for the referendum shall read:

CITY OF GAINESVILLE CHARTER AMENDMENT

Amendment to City Charter Prohibiting the City from Providing Certain Civil Rights Protections and Preferences.

SHALL THE CITY CHARTER BE AMENDED TO PROHIBIT THE CITY FROM ENACTING, ADOPTING, ENFORCING OR ADMINISTERING ANY ORDINANCE, REGULATION, RULE OR POLICY THAT PROVIDES PROTECTED STATUS, PREFERENCES OR CLAIMS OF DISCRIMINATION BASED ON ANY CLASSIFICATION, CHARACTERISTIC OR ORIENTATION NOT RECOGNIZED BY THE FLORIDA CIVIL RIGHTS ACT (THE ACT RECOGNIZES RACE, COLOR, CREED, RELIGION, GENDER, NATIONAL ORIGIN, AGE, HANDICAP AND MARITAL STATUS) (FLA. STAT. §§760.01-760.11, 509.092), AND TO VOID ANY EXISTING ORDINANCES INCONSISTENT WITH THIS PROVISION?

_____ Yes – for adoption of the amendment.

_____ No – against adoption of the amendment.

Section 3. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED this _____ day of _____, 2008.

DRAFT

10/23/2008

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2 _____
3 PEGEEN HANRAHAN, MAYOR

4 ATTEST:

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8
9 Approved as to form and legality

9 _____
10 KURT M. LANNON
CLERK OF THE COMMISSION

_____ MARION J. RADSON
CITY ATTORNEY