

**RESOLUTION NO. 080410**

**PASSED December 4, 2008**

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

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

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

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

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

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

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.**

SHALL THE CITY CHARTER BE AMENDED TO PROHIBIT THE ADOPTION OR ENFORCEMENT OF ORDINANCES, REGULATIONS, RULES OR POLICIES THAT PROVIDE PROTECTED STATUS, PREFERENCES OR DISCRIMINATION CLAIMS BASED ON CLASSIFICATIONS, CHARACTERISTICS OR ORIENTATIONS NOT RECOGNIZED BY THE FLORIDA CIVIL RIGHTS ACT? THE ACT RECOGNIZES RACE, COLOR, CREED, RELIGION, GENDER, NATIONAL ORIGIN, AGE, HANDICAP, MARITAL AND FAMILIAL STATUS. ADDITIONALLY, THIS AMENDMENT VOIDS EXISTING ORDINANCES CONCERNING SEXUAL ORIENTATION, GENDER IDENTITY, AND OTHER ORDINANCES INCONSISTENT WITH THIS AMENDMENT.

\_\_\_\_\_ 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 4<sup>th</sup> day of December, 2008.

  
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PEGEEN HANRAHAN, MAYOR

ATTEST:

Approved as to form and legality

  
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KURT M. LANNON  
CLERK OF THE COMMISSION

  
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MARION J. RADSON  
CITY ATTORNEY

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