

Legislative #

191050



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.** 3.03 titled "City attorney" of Article III of the Charter of the City of Gainesville  
9 is amended to read as set forth below.

10 **3.03 – City attorney.**

11 The commission shall appoint a city attorney. The city attorney must be admitted to the  
12 practice of law in the state, and shall be the legal advisor to and attorney for the city. The city  
13 attorney shall serve at the will of the commission. The city attorney shall prosecute and defend all  
14 suits, complaints, and controversies for and on behalf of the city, unless otherwise directed by the  
15 commission, and shall review all contracts, bonds and other instruments in writing in which the  
16 city is to be a party, and shall endorse on each approval as to form and legality.

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

20 CITY OF GAINESVILLE CHARTER AMENDMENT

21 REQUIRING A CHARTER OFFICER CITY ATTORNEY

22 "SHALL THE CITY CHARTER BE AMENDED TO EXPRESSLY STATE

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

1 THAT THE CITY COMMISSION SHALL APPOINT A CHARTER OFFICER  
2 CITY ATTORNEY, AS PROPOSED BY ORDINANCE NO. \_\_\_\_\_?"

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

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

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

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15 such conflict hereby repealed.

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

17 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.  
18  
19  
20  
21

22 \_\_\_\_\_  
23 LAUREN POE  
24 MAYOR

25 ATTEST:

Approved as to form and legality

26 \_\_\_\_\_  
27 OMICHELE D. GAINEY  
28

\_\_\_\_\_  
NICOLLE M. SHALLEY

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1 CLERK OF COMMISSION

CITY ATTORNEY

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3 This ordinance passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

4 This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2020.

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