## Legislative # 191051

1	ORDINANCE NO. 191051
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3	An ordinance of the City of Gainesville, Florida; proposing an amendment to 3.04 titled "Clerk of the commission" of the Charter Laws of the City of
4 5	Gainesville to change the name of the position to "city clerk"; providing for
6	submission of the charter amendment to the voters for approval or disapproval
7	at the November 3, 2020 election; approving the question to be placed on the
8	ballot; providing that this charter amendment shall become effective if
9	approved by the voters; providing directions to the codifier; providing
10 11	directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.
12	providing a repeating chause, and providing an initiatiate enective dates
13	WHEREAS, pursuant to 5.01(2) of the City Charter, the City Charter Review Commission
14	can deliver proposed charter amendments to the City Commission; and
15	WHEREAS, the City Charter Review Commission held at least 3 public hearings, each at
16	least 7 calendar days apart, on this amendment, and after which a majority of the full City Charter
17	Review Commission voted favorably on the proposed amendment; and
18	WHEREAS, the City Commission duly considered the charter amendment, had the
19	opportunity to veto the proposed amendment by a two-thirds vote of the City Commission, and
20	having not vetoed the proposed amendment, by passage of this ordinance, requests the Supervisor
21	of Elections place the proposed amendment on the next November election ballot, subject to
22	approval of the electorate at a municipal election; and
23	WHEREAS, at least 10 days' notice has been given by publication in a newspaper of
24	general circulation notifying the public of this proposed ordinance and of public hearings in the
25	Auditorium of City Hall in the City of Gainesville; and
26	WHEREAS, the public hearings before the City Commission were held pursuant to the
27	published notice described at which hearings the parties in interest and all others had an
28	opportunity to be and were, in fact, heard;

CODE: Words stricken are deletions; words <u>underlined</u> are additions.

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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. 3.04 titled "Clerk of the commission" of Article III of the Charter of the City of
9	Gainesville is amended to read as set forth below.
10	3.04 – <u>City clerk of the commission</u> .
11	The commission may employ a city clerk clerk of the commission who shall keep records
12	and perform such other duties as are prescribed by this act or the commission. The city clerk elerk
13	of the commission shall serve at the will of the commission.
14	Section 2. The following ballot title and question is approved for submission to the
15	electors of the City of Gainesville, Florida, for approval or rejection at the election set for Tuesday,
16	November 3, 2020:
17	CITY OF GAINESVILLE CHARTER AMENDMENT
18	CHANGING THE NAME OF THE CHARTER OFFICER "CLERK OF THE
19	COMMISSION" TO "CITY CLERK"
20	"SHALL THE CITY CHARTER BE AMENDED TO CHANGE THE NAME OF
21	THE CHARTER OFFICER "CLERK OF THE COMMISSION" TO "CITY
22	CLERK", AS PROPOSED BY ORDINANCE NO. 191051?"

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Section 3. The Supervisor of Elections is requested to place this ballot title and question 1 on the November 3, 2020 general election ballot. 2 3 **Section 4.** In the event that the charter amendment proposed by Section 1 of this Ordinance is approved by affirmative vote of a majority of votes cast by the electors of the City of 4 Gainesville, Florida at the November 3, 2020 election, then: 1) the codifier is directed to 5 6 incorporate the amendments stated in Section 1 of this Ordinance in the Charter Laws of the City of Gainesville; and 2) the Clerk of the Commission is directed to file a true copy of this ordinance 7 with the Florida Department of State. 8 9 Section 5. If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect 10 the validity of the remaining portions of this ordinance. 11 Section 6. All ordinances or parts of ordinances in conflict herewith are to the extent of 12 such conflict hereby repealed. 13 Section 7. This ordinance shall become effective immediately upon final adoption. 14 PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020. 15 16 17 18 19 LAUREN POE MAYOR 20 21 22 ATTEST: Approved as to form and legality 23 24 25 **OMICHELE D. GAINEY** NICOLLE M. SHALLEY CLERK OF COMMISSION CITY ATTORNEY 26 27 28 This ordinance passed on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020. This ordinance passed on second reading this \_\_\_\_ day of \_\_\_\_\_ , 2020. 29

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