Legislative # 191115

1	ORDINANCE NO. 191115		
2 3	An ordinance of the City of Gainesville, Florida; proposing an amendment to		
4	eliminate 5.06 titled "Funds for construction of paved surfaces in designated		
5	areas" of the Charter Laws of the City of Gainesville; providing for submission		
6	of the charter amendment to the voters for approval or disapproval at the		
7 8	November 3, 2020 election; approving the question to be placed on the ballot; providing that this charter amendment shall become effective if approved by		
9	the voters; providing directions to the codifier; providing directions to the clerk		
10	of the commission; providing a severability clause; providing a repealing clause;		
11 12	and providing an immediate effective date.		
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 underlined are additions.

1

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. 5.06 titled "Funds for construction of paved surfaces in designated areas" of		
9	Article V of the Charter of the City of Gainesville is eliminated as set forth below.		
10	5.06 Funds for construction of paved surfaces in designated areas.		
11	The City of Gainesville, Florida shall not expend, use, seek, permit or allow the use of		
12	any city, county, state, private or federal funds for the construction of any paved surfaces for		
13	trails or transportation corridors on City owned land designated as Conservation, as shown on		
14	the map dated May 1998 and on file in the Office of the Clerk of the Commission, within the		
15	Hogtown Creek Watershed. This provision is not intended to restrict paving for parking or		
16	recreational facilities constructed on land designated as Recreation on the aforementioned map.		
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	ELIMINATING RESTRICTIONS ON CONSTRUCTION OF PAVED SURFACES ON		
22	CITY-OWNED LAND		

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2

1	"SHALL THE CITY CHARTER BE AMENDED TO ELIMINATE THE			
2	RESTRICTIONS IN 5.06 ON THE USE OF PUBLIC OR PRIVATE FUNDS			
3	FOR THE CONSTRUCTION OF PAVED SURFACES ON CITY-OWNED			
4	LAND, AS PROPOSED BY ORDINANCE NO. 191115?"			
5	Section 3. The Supervisor of Elections is requested to place this ballot title and question			
6	on the November 3, 2020 general election ballot.			
7	Section 4. In the event that the charter amendment proposed by Section 1 of this			
8	Ordinance is approved by affirmative vote of a majority of votes cast by the electors of the City of			
9	Gainesville, Florida at the November 3, 2020 election, then: 1) the codifier is directed to			
10	incorporate the amendments stated in Section 1 of this Ordinance in the Charter Laws of the City			
11	of Gainesville; and 2) the Clerk of the Commission is directed to file a true copy of this ordinance			
12	with the Florida Department of State.			
13	Section 5. If any section, sentence, clause or phrase of this ordinance is held to be invalid			
14	or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect			
15	the validity of the remaining portions of this ordinance.			
16	Section 6. All ordinances or parts of ordinances in conflict herewith are to the extent of			
17	such conflict hereby repealed.			
18	Section 7. This ordinance shall become effective immediately upon final adoption.			
19 20 21 22 23 24 25 26	PASSED AND ADOPTED this day of, 2020.			



1	ATTEST:	Approved as to form and legality
2		
3		
4	OMICHELE D. GAINEY	NICOLLE M. SHALLEY
5	CLERK OF COMMISSION	CITY ATTORNEY
6		
7	This ordinance passed on first reading this _	day of, 2020.
8	This ordinance passed on second reading thi	s day of, 2020.

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