

Legislative #

191121

**ORDINANCE NO. 191121**

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**An ordinance of the City of Gainesville, Florida; proposing an amendment to the Charter Laws of the City of Gainesville, to insert a Preamble prior to Article I of the Charter; providing for submission of this charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the title and question to be placed on the ballot; providing that this charter amendment shall become effective if approved by the voters; providing directions to the codifier; providing directions to the clerk of the commission; providing a severability clause; providing a repealing clause; and providing an immediate effective date.**

WHEREAS, pursuant to 5.01(2) of the City Charter, the City Charter Review Commission can deliver proposed charter amendments to the City Commission; and

WHEREAS, the City Charter Review Commission held at least 3 public hearings, each at least 7 calendar days apart, on this amendment, and after which a majority of the full City Charter Review Commission voted favorably on the proposed amendment; and

WHEREAS, the City Commission duly considered the charter amendment, had the opportunity to veto the proposed amendment by a two-thirds vote of the City Commission, and having not vetoed the proposed amendment, by passage of this ordinance, requests the Supervisor of Elections place the proposed amendment on the next November election ballot, subject to approval of the electorate at a municipal election; and

WHEREAS, at least 10 days’ notice has been given by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of public hearings in the Auditorium of City Hall in the City of Gainesville; and

WHEREAS, the public hearings before the City Commission were held pursuant to the published notice described at which hearings the parties in interest and all others had an opportunity to be and were, in fact, heard;

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

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.** The Charter of the City of Gainesville is amended to insert a Preamble prior to  
9 Article I of the Charter, as set forth below. Except as amended herein, the Charter remains in full  
10 force and effect.

11 **Preamble.**

12 We, the people of the City of Gainesville, under the constitution and laws of the State of  
13 Florida, value the benefits of local self-government and an honest and accountable commission-  
14 management government, and hereby affirm this charter. By this action, we increase citizen  
15 participation and promote equal opportunity of broad cultural diversity of the city and  
16 inclusiveness that focuses on justice and equality. Further, we affirm the values of representative  
17 democracy, professional management, and environmental stewardship.

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

21 CITY OF GAINESVILLE CHARTER AMENDMENT

22 CREATING A PREAMBLE TO THE CHARTER

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

1 “SHALL THE CITY CHARTER BE AMENDED TO INSERT A PREAMBLE  
2 STATEMENT THAT AFFIRMS THE CHARTER AND EXRESSES THE  
3 VALUES OF THE PEOPLE, AS PROPOSED BY ORDINANCE NO. 191121?”

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

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

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

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

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

18 **PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.**

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24 LAUREN POE  
25 MAYOR

26 ATTEST: Approved as to form and legality  
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1 \_\_\_\_\_  
2 OMICHELE D. GAINNEY  
3 CLERK OF COMMISSION

\_\_\_\_\_   
NICOLLE M. SHALLEY  
CITY ATTORNEY

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

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

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