



## Legislation Text

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**File #: 030168, Version: 3**

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### LIVING WAGE (B)

#### ORDINANCE NO. 0-03-77

An ordinance of the City of Gainesville, Florida, correcting a scrivener's error in subsection 2-616(c) of Article IX of Chapter 2 of the City of Gainesville Code of Ordinances, by changing a reference to the appropriate living wage rate, providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

The City Commission adopt the proposed ordinance.

At its meeting on August 11, 2003, the City Commission authorized the City Attorney to draft and the Clerk of the Commission to advertise an ordinance correcting a scrivener's error in the living wage ordinance. At its July 24, 2003 meeting the Personnel and Organizational Structure Committee recommended that the attached ordinance amendment be adopted to correct the scrivener's error discussed below.

An amendment was made at the second reading of the ordinance, which was intended to generally "cap" the amount service contractors/subcontractors would be required to pay at no more than what the City was willing to pay its employees. However, during the process of preparing contract documents specifications to be utilized when the living wage requirements are scheduled to go into effect in September, a drafting error was discovered.

The living wage ordinance was intended to require payment of an additional \$1.25 per hour (over the DHHS poverty level wage) by service contractors/subcontractors who do not offer to provide health benefits. This would presumably either encourage such contractors to provide health benefits to their employees, or allow employees to procure their own or set aside funds in anticipation of incurring health expenses.

However, the actual amendment made at second reading would (as incorrectly drafted) not require payment of an additional \$1.25 an hour in these cases, but instead only an additional 5 to 10 cents per hour. The language of the written amendment made at second reading incorrectly referred to the wrong wage level when attempting to impose the "cap" described above. In order to correctly reflect the City Commission's intent when it considered and adopted the amended ordinance on March 17, 2003, it is necessary to eliminate the words "living" and "wage" (line 10) and the word "Non" (lines 2 and 10) from subsection 2-616(c) of the Code.

The first and second readings of the corrective ordinance will occur and the corrections be accomplished prior to the effective date of the remainder of the living wage ordinance provisions.