



Legislation Details (With Text)

**File #:** 191120.      **Version:** 5      **Name:**  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 3/11/2020      **In control:** City Attorney  
**On agenda:** 6/18/2020      **Final action:** 6/18/2020  
**Title:** Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Systems (B)

ORDINANCE NO. 191120

An ordinance of the City of Gainesville, Florida; proposing an amendment to 5.04 titled "Disposal of utilities" of the Charter Laws of the City of Gainesville, to further limit the authority of the City Commission to dispose of certain of the city's utility systems without prior approval of the qualified electors of the city; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the 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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 191120\_Charter Amendment Ordinance - Disposal of Utility Facilities\_20200511.pdf, 2. 191120\_Updated Charter Officer Analysis Memo\_20200511.pdf, 3. 191120\_CRC Letter to Commission\_20200511.pdf, 4. 191120\_draft ordinance\_20200604.pdf, 5. 191120\_Ordinance\_20200618.pdf

Date	Ver.	Action By	Action	Result
6/18/2020	5	City Commission	Adopted on Final Reading (Ordinance)	Pass
6/4/2020	5	City Commission	Adopted on First Reading (Ordinance)	Pass
4/30/2020	3	Charter Review Commission		
4/23/2020	3	Charter Review Commission	Heard	

**Proposed Charter Amendment to Further Limit the Authority of the City Commission to Dispose of Certain Utility Systems (B)**

ORDINANCE NO. 191120

An ordinance of the City of Gainesville, Florida; proposing an amendment to 5.04 titled "Disposal of utilities" of the Charter Laws of the City of Gainesville, to further limit the authority of the City Commission to dispose of certain of the city's utility systems without prior approval of the qualified electors of the city; providing for submission of the charter amendment to the voters for approval or disapproval at the November 3, 2020 election; approving the 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.

The City Commission adopt the proposed ordinance.

This Charter amendment proposed by the City Charter Review Commission (the CCRC) would place the following ballot question on the November 3, 2020 general election ballot: "SHALL THE CITY CHARTER BE AMENDED TO LIMIT THE AUTHORITY OF THE CITY COMMISSION TO DISPOSE OF THE CITY'S NATURAL GAS, WASTEWATER, OR TELECOMMUNICATIONS UTILITY SYSTEM, IN A MANNER THAT MATERIALLY REDUCES THE CAPACITY OF THAT SYSTEM TO PRODUCE, DISTRIBUTE OR TREAT, WITHOUT PRIOR APPROVAL OF THE QUALIFIED ELECTORS OF THE CITY, AS PROPOSED BY ORDINANCE NO. 191120?"

The first decennial CCRC established in 5.01(2) of the City Charter commenced meetings in May 2019 to review the City Charter and propose any amendments which may be advisable for placement on the November 2020 general election ballot. The CCRC finalized its work and, per direction of the City Commission, the City Attorney's Office drafted Charter Amendment ordinances for the CCRC. As required by the Charter, the CCRC held three public hearings (on Wednesday, April 15th; Thursday, April 23rd and Thursday, April 30th) on its proposed charter amendments. Four proposed amendments were favorably voted upon by 6 or more members of the CCRC and delivered to the City Commission by May 3, 2020.

At its meeting on May 11, 2020, the City Commission directed the City Attorney to advertise this ordinance for first reading on June 4, 2020. If approved on first reading, second reading will occur on June 18, 2020. After which, the Clerk of the Commission will deliver the adopted ordinance to the Alachua County Supervisor of Elections by July 3, 2020, requesting that the proposed Charter Amendment be placed on the November 2020 general election ballot.

None.