

1 ALACHUA COUNTY BOARD OF COUNTY COMMISSIONERS

2 ORDINANCE 2020-

3  
4  
5 AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF  
6 ALACHUA COUNTY, FLORIDA, PROPOSING THE CREATION OF  
7 SECTION 1.8 OF THE ALACHUA COUNTY HOME RULE CHARTER,  
8 PROVIDING FOR THE IDENTIFICATION OF RACIAL, ECONOMIC AND  
9 GENDER BIAS IN COUNTY POLICIES; PROVIDING FOR A  
10 REFERENDUM ON THE QUESTION OF ADOPTION OF THE PROPOSED  
11 AMENDMENT TO THE COUNTY CHARTER; PROVIDING AN EFFECTIVE  
12 DATE, IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR  
13 INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF ALACHUA  
14 COUNTY AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING  
15 FOR SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND  
16 INTERPRETATION; AND ALLOWING FOR MODIFICATION OF THE  
17 LANGUAGE OF THE ORDINANCE DUE TO CONSIDERATIONS ARISING  
18 AT A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.  
19  
20

21 **WHEREAS**, Alachua County established a charter form of government pursuant to  
22 the provisions of Chapter 125, Part IV, Florida Statutes, effective January 1, 1987; and

23 **WHEREAS**, the Board of County Commissioners adopted an ordinance to approve  
24 the Alachua County Home Rule Charter ("Charter") on September 9, 1986 and the Charter  
25 was approved by a majority of all voters voting in the special election held as part of the  
26 general election on November 4, 1986; and

27 **WHEREAS**, the Charter provides that amendments to the Charter may be proposed  
28 by an ordinance adopted by the Board of County Commissioners by an affirmative vote of  
29 a majority plus one of the membership of the Board of County Commissioners; and  
30

31           **WHEREAS**, the Board of County Commissioners desires to propose an ordinance  
32 for adoption to amend the Alachua County Charter to require identification and elimination  
33 of racial, economic and gender bias in County policies.

34           **NOW    THEREFORE,    BE    IT    ORDAINED    BY    THE    COUNTY**  
35  
36 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

37           **SECTION 1. Authorization and Legislative Findings.** This Ordinance is  
38 authorized by Chapter 125, Part IV, Florida Statutes, and Article IV, Sections 4.2(C) and  
39 4.2(D), Alachua County Charter, and other applicable law. The Board of County  
40 Commissioners finds and declares that all the statements set forth in the preamble of this  
41 ordinance are true and correct and are incorporated herein.

42           **SECTION 2. Amendments to the Alachua County Home Rule Charter.** The  
43 proposed amendment to the Alachua County Charter adding Section 1.8 pertaining racial,  
44 economic and gender equity, set forth in Exhibit “ A”, attached hereto and incorporated  
45 herein, is proposed for adoption in accordance with Subsection 4.2(C)(1), Alachua County  
46 Charter.

47           **SECTION 3. Referendum.**

48           a.           The proposed amendment to the Alachua County Charter in Section 2 of  
49 this ordinance shall be presented to the County electorate on the ballot at the general  
50 election to be held on November 3, 2020.  
51



78 County Manager or designee without public hearing, by filing a corrected or recodified copy  
79 of the same with the Clerk of the Circuit Court.

80 SECTION 6. **Severability.** It is the declared intent of the Board of County  
81 Commissioners that, if any section, sentence, clause, phrase or provision of this ordinance  
82 is for any reason held or declared to be unconstitutional, void, or inoperative by a court or  
83 agency of competent jurisdiction, such holding of invalidity or unconstitutionality shall not  
84 affect the remaining provisions of this ordinance, and the remainder of this ordinance after  
85 the exclusion of such part or parts shall be deemed to be valid.

87 SECTION 7. **Liberal Construction and Interpretation.** This ordinance shall be  
88 liberally construed in order to effectively carry out the purposes hereof which are deemed  
89 to be in the best interest of the public health, safety, and welfare of the citizens and  
90 residents of Alachua County, Florida.

91 SECTION 8. **Modification.** It is the intent of the Board of County Commissioners  
92 that the provisions of this ordinance may be modified as a result of considerations that  
93 may arise during public hearings. Such modifications shall be incorporated into the final  
94 version of the ordinance adopted by the Board and filed by the Clerk to the Board.

95 SECTION 9. **Effective Date.** A certified copy of this ordinance shall be filed with  
96 the Department of State by the Clerk of the Board of County Commissioners within ten  
97 (10) days after enactment by the Board of County Commissioners, and this ordinance  
98 shall take effect upon filing with the Department of State.

99  
100

101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121

**DULY ADOPTED** in regular session by an affirmative vote of a majority plus one of the membership of the Board of County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

By: \_\_\_\_\_  
Robert Hutchinson, Chair

ATTEST:

\_\_\_\_\_  
J.K. "Jess" Irby, Esq., Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Alachua County Attorney

## EXHIBIT A

Sec. 1.8. – Identify and eliminate racial, economic and gender bias in County policies.

The Board of County Commissioners shall examine policies for all County operations for elements of racial, economic, and gender bias in the design and delivery of County programs and services. The County will identify and act to mitigate and improve upon the effects, patterns, and disparities imposed by said biases.

Editor's note— The addition of § 1.8 to the county charter was approved by the voters at an election held on Nov. 3, 2020.

5