

ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS

**ORDINANCE NO. 2020-\_\_**

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AMENDING CHAPTER 23 OF THE ALACHUA COUNTY CODE OF ORDINANCES, ENTITLED "PERSONNEL," ARTICLE II, ENTITLED "DEFERRED COMPENSATION," SECTION 23.21 ENTITLED DEFERRED COMPENSATION PROGRAM COMMITTEE; DEVELOPMENT OF PROGRAM," BY AMENDING THE COMPOSITION OF THE COMMITTEE; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR MODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Charter of Alachua County grants the County Commission home rule power to enact an Ordinance that does not conflict with State law; and

WHEREAS, Section 112.215(5), Fla. Stats., permits a county by ordinance to provide a deferred compensation program to its employees; and

WHEREAS, Section 112.215(5), Fla. Stats., requires the ordinance designate a public official body to make the determinations provided for by state law; and

WHEREAS, the County now desires to change the composition of the committee;

**NOW, THEREFORE, BE IT DULY ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1.** Section 23.21 of the Alachua County Code, entitled "DEFERRED COMPENSATION PROGRAM COMMITTEE; DEVELOPMENT OF PROGRAM," is hereby amended to read:

**Sec. 23.21. Deferred compensation program committee; development of program.**

(a) A deferred compensation program committee is established, which shall consist of the chairman of the board of county commissioners, the county manager, ~~the county attorney,~~ the human resources director, ~~and~~ the clerk of the circuit court, and the library director.

1           **SECTION 2. Repealing Clause.** All ordinances or portions thereof in conflict herewith  
2 are, to the extent of such conflict, hereby repealed.

3           **SECTION 3. Modification.** It is the intent of the Board of County Commissioners that  
4 the provisions of this ordinance may be modified as a result of considerations that may arise  
5 during public hearings. Such modifications shall be incorporated into the final version of the  
6 ordinance adopted by the Board and filed by the Clerk to the Board.

7           **SECTION 4. Severability.** If any word, phrase, clause, paragraph, section or provision  
8 of this ordinance or the application hereof to any person or circumstance is held invalid or  
9 unconstitutional, such finding shall not affect the other provisions or applications of the  
10 ordinance which can be given effect without the invalid or unconstitutional provisions or  
11 application, and to this end the provisions of this ordinance are declared severable.

12           **SECTION 5. Inclusion in the Code.** It is the intent of the Board of County  
13 Commissioners of Alachua County, Florida, and it is hereby provided that the provisions of this  
14 ordinance shall become and be made a part of the Code of Ordinances of Alachua County,  
15 Florida; that the section of this ordinance may be renumbered or re-lettered to accomplish such  
16 intent and that the word “ordinance” may be changed to “section”, “article”, or other appropriate  
17 designation.

18           **SECTION 6. Effective Date.** A certified copy of this ordinance shall be filed with the  
19 Department of State by the Clerk of the Board within ten days after enactment by the Board and  
20 shall take effect upon filing with the Department of State.

21           **DULY ADOPTED** in regular session, this 10th day of March, 2020.

22                           **(SIGNATURES ON NEXT PAGE)**

BOARD OF COUNTY COMMISSIONERS  
OF ALACHUA COUNTY, FLORIDA

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

APPROVED AS TO FORM

ATTEST:

\_\_\_\_\_  
Jesse K. Irby, II, Clerk

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

(SEAL)