



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 18, 2020

Honorable J.K. "Jess" Irby, Esq.
Clerk of the Circuit Court
Alachua County
201 East University Avenue
Post Office Box 939
Gainesville, Florida 32602

Attention: Steve Donahey

Dear Mr. Irby:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of the Alachua County Ordinance No. 2020-13, which was filed in this office on June 18, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

ORDINANCE 2020- 13

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY, FLORIDA, PROPOSING THE CREATION OF SECTION 1.8 OF THE ALACHUA COUNTY HOME RULE CHARTER, PROVIDING FOR THE IDENTIFICATION OF RACIAL AND GENDER BIAS IN COUNTY POLICIES; PROVIDING FOR A REFERENDUM ON THE QUESTION OF ADOPTION OF THE PROPOSED AMENDMENT TO THE COUNTY CHARTER; PROVIDING AN EFFECTIVE DATE, IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF ALACHUA COUNTY AND CORRECTION OF SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY; PROVIDING FOR LIBERAL CONSTRUCTION AND INTERPRETATION; AND ALLOWING FOR MODIFICATION OF THE LANGUAGE OF THE ORDINANCE DUE TO CONSIDERATIONS ARISING AT A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

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

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

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

26 **WHEREAS**, the Board of County Commissioners desires to propose an ordinance
27 for adoption to amend the Alachua County Charter to annually examine County policies
28 to endeavor to eliminate racial and gender bias in County policies.

29 **NOW THEREFORE, BE IT ORDAINED BY THE COUNTY**
30 **COMMISSIONERS OF ALACHUA COUNTY, FLORIDA:**

31 **SECTION 1. Authorization and Legislative Findings.** This Ordinance is
32 authorized by Chapter 125, Part IV, Florida Statutes, and Article IV, Sections 4.2(C) and
33 4.2(D), Alachua County Charter, and other applicable law. The Board of County
34 Commissioners finds and declares that all the statements set forth in the preamble of this
35 ordinance are true and correct and are incorporated herein.

36 **SECTION 2. Amendments to the Alachua County Home Rule Charter.** The
37 proposed amendment to the Alachua County Charter adding Section 1.8 pertaining racial,
38 economic and gender equity, set forth in Exhibit " A", attached hereto and incorporated
39 herein, is proposed for adoption in accordance with Subsection 4.2(C)(1), Alachua County
40 Charter.

41 **SECTION 3. Referendum.**

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

45 b. The Supervisor of Elections of Alachua County shall cause the following

46 question to be placed on the ballot at the general election to be held on November 3, 2020:

47 IDENTIFICATION AND ELIMINATION OF RACIAL AND GENDER BIAS IN ALACHUA
48 COUNTY POLICIES

50 Shall the Board of County Commissioners annually examine policies for all County
51 operations and endeavor to eliminate all elements of racial and gender bias in both the
52 design and delivery of County programs and services?

54 _____ YES

55 _____NO

56 **SECTION 4. Effective Date of Charter Amendment.**

57 This amendment to the Alachua County Charter adopted as set forth in Exhibit "A" shall
58 be effective on January 1, 2021, only if approved by a majority of the electors voting in the
59 general election to be held on November 3, 2020.

SECTION 5. **Inclusion in the Code, Scrivener's Error.** It is the intention of the Board of County Commissioners of Alachua County, Florida, and it is hereby provided that the provisions of this ordinance shall become and be made a part of the Code of Laws and Ordinances of Alachua County, Florida; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section," "article," or other appropriate designation. The correction of typographical errors which do not affect the intent of the ordinance may be authorized by the

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

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

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


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

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

87 **DULY ADOPTED** in regular session by an affirmative vote of a majority plus one
88 of the membership of the Board of County Commissioners this 9th day of June,
89 2020.

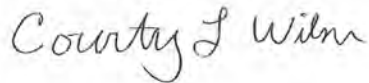
90 BOARD OF COUNTY COMMISSIONERS OF
91 ALACHUA COUNTY, FLORIDA

92
93 ATTEST:

By: 
Robert Hutchinson, Chair

94 
95 J.K. "Jess" Irby, Esq., Clerk

APPROVED AS TO FORM:



96
97
98

Alachua County Attorney

EXHIBIT A

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

The Board of County Commissioners shall annually examine policies for all County operations and endeavor to eliminate all elements of racial and gender bias in both the design and delivery of County programs and services.

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.

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