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ORDINANCE NO. 030168
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 wate rate, providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, an amendment to subsection 2-616(c), adopted on the second reading of Ordinance 020663, made reference to the incorrect living wage rate and did not accurately reflect the intent of the ordinance as amended; and

WHEREAS, this error may be corrected by changing such references prior to the effective date of the ordinance; and

WHEREAS, at least ten (10) days notice has been given of the public hearing once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE, FLORIDA:

Section 1. Subsection 2-616(c) of Article IX, entitled "Amount of Living Wage;" "Adjustment" of Chapter 2 of the City of Gainesville Code of Ordinances, is hereby amended to read as follows:

Sec. 2-616. Amount of living wage.

1 c. Adjustment. The Living Wage (~~Non-Health Benefit Wage~~) specified in (a) above
2 is based on the Federal Poverty Guidelines for a family of four as determined by
3 the U.S. Department of Health and Human Services (DHHS) and published in the
4 Federal Register February 14, 2002. It will be adjusted annually as of the first day
5 of the second month following the month of publication of the new Federal
6 Poverty Guidelines by the DHHS and the adjusted rates will be applied to
7 contracts for which bids/proposals are solicited, or extensions/amendments of
8 existing contracts entered into, after the effective date of the adjustment. Provided
9 further, however, that in no event shall the ~~living wage (Non-health Benefit~~
10 ~~Wage)~~ exceed the lowest hourly base rate of pay of any regular, full-time City
11 employee in effect at the time bids/proposals for contracts are solicited, or in the
12 case of extensions/amendments of then existing contracts, the rate in effect at the
13 time such extension/amendment is entered into. The applicable living wage shall
14 be noted in all solicitations for covered services, and disclosed during negotiations
15 for extensions/amendments of contracts for covered services.

16 **Section 2.** It is the intention of the City Commission that the provisions of Section 1 of
17 this ordinance shall become and be made a part of the Code of Ordinances of the City of
18 Gainesville, Florida, and that the Sections and Paragraphs of this Ordinance may be renumbered
19 or relettered in order to accomplish such intentions.

20 **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
21 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way

1 affect the validity of the remaining portions of this ordinance.

2 **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of
3 such conflict hereby repealed.

4 **Section 5.** This ordinance shall become effective immediately upon final adoption.

5 **PASSED AND ADOPTED** this 8th day of September, 2003.

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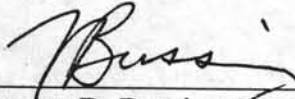
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Thomas D. Bussing, Mayor

Approved as to form and legality:



By:

MARION J. RADSON, CITY ATTORNEY

ATTEST:



KURT LANNON,
CLERK OF THE COMMISSION

SEP - 9 2003

This Ordinance passed on first reading this 25th day of August, 2003.

This Ordinance passed on second reading this 8th day of September, 2003.