

PROPOSED
ORDINANCE NO. 01-20

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 3-3-11 (4) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA EXTENDING THE SUNSET DATE OF THE MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PURCHASING PROGRAM BY MARCH 1, 2020 TO MARCH 1, 2025; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 3-3-11 (4) of the Code of the City of Pensacola, Florida is hereby amended to read:

Sec. 3-3-11. - Program review and sunset.

- (1) The city council shall hear annual reports from the purchasing department detailing the city's performance under the program.
- (2) The city council will review these reports, including the annual participation goals and the city's progress towards meeting those goals and eliminating disparate treatment in its contracting activities and marketplace.
- (3) Within five (5) years after the effective date of this ordinance, the city will review the operation of the program and the evidentiary basis for the program in order to determine whether the city has a continuing compelling interest in remedying disparate treatment against MBEs and WBEs in its marketplace, and the permissible scope of any narrowly tailored remedies to redress disparate treatment against MBEs or WBEs.
- (4) This subdivision shall sunset on or before March 1, ~~2020~~ 2025.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or application of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed:_____

Approved:_____
President of the City Council

Attest:

City Clerk