

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2023-281

Introducer/Sponsor(s): Council President at the request of the Office of General Counsel

Date of Introduction: April 25, 2023

Committee(s) of Reference: F

Date of Analysis: April 25, 2023

Type of Action: Approval of legal settlement; appropriation; authorization of General Counsel to conclude legal proceedings; approval of City Council and School Board redistricting plan; City Charter amendment; direction to Office of General Counsel and Legislative Services Division; request for one cycle emergency passage

Bill Summary: The bill authorizes the execution of a legal settlement resolving the claims raised in *Jacksonville Branch of the NAACP, et al v. City of Jacksonville, et al.*, pending in the Middle District of Florida, Jacksonville Division (Case No. 3:22-cv-493-MMH-LLL) as well as all related appellate proceedings. It appropriates \$100,000 from the City Council Operating Contingency fund to the Office of General Counsel's Judgement, Claims and Losses account to settle the litigation and pay the plaintiffs' attorney fees. The bill authorizes the General Counsel to take the actions necessary to conclude the litigation and to dismiss the City's remedial map appeal after the settlement is approved by the District Court. It adopts Plaintiff's Map 3, the district maps being used in the current City elections, as the official City Council and School Board redistricting map and amends the City Charter to incorporate those district boundary narrative descriptions. The bill directs the General Counsel to immediately notify the Council Secretary/Director and the Duval County School Board Chair of the federal court order accepting the parties' settlement agreement. The Chief of Legislative Services is directed to forward the enacted ordinance to CivicPlus, the City's code and charter codifier. One cycle emergency enactment is requested. The effective date of the ordinance and the settlement agreement will be the date on which the settlement agreement is approved by the federal District Court.

Background Information: The Plaintiffs would be entitled to recover attorneys' fees and costs if they prevailed in the litigation and related appellate matters. As part of the Settlement Agreement, Plaintiffs have agreed to limit their attorneys' fees and costs to \$100,000. The funds, which are coming from the General Fund Operating - Council Operating Contingency, will be used to pay this agreed upon settlement amount. The nature of the emergency is that the litigation and related appeals engendered confusion and uncertainty regarding the legal boundaries of City Council and School Board Districts among voters, elected representatives, and candidates in the March 2023 elections, and may continue to do so in the upcoming May 2023 elections, and beyond. This legislation seeks to resolve the litigation and appeals in an expeditious and efficient manner thereby eliminating the citizenry's confusion and uncertainty, while also bringing this ongoing and expensive litigation to a close

Policy Impact Area: City Council redistricting; litigation settlement

Fiscal Impact: The bill appropriates \$100,000 from the City Council Operating Contingency fund

Analyst: Clements