

1 Introduced by Council Member Dennis:
2
3

4 **ORDINANCE 2021-706-D**

5 AN ORDINANCE TO BE KNOWN AS THE "GOVERNMENT
6 REDUCTION BILL," RELATING TO AT-LARGE RESIDENCE
7 AREAS COUNCIL MEMBERS AND SETTING A PUBLIC
8 REFERENDUM; AMENDING THE CHARTER OF THE CITY OF
9 JACKSONVILLE, CHAPTER 92-341, LAWS OF FLORIDA,
10 AS AMENDED; ELIMINATING AT-LARGE RESIDENCE AREAS
11 COUNCIL DISTRICTS COMMENCING JANUARY 1, 2031;
12 PROVIDING FOR TRANSITION; REPEALING CONFLICTING
13 ORDINANCES AND REQUIRING THE ENACTMENT OF NEW
14 IMPLEMENTATION ORDINANCES; PROVIDING FOR
15 REFERENDUM APPROVAL OF THIS ORDINANCE; PROVIDING
16 FOR A FINANCIAL IMPACT STATEMENT TO BE DEVELOPED
17 AND PLACED ON THE BALLOT; DIRECTING THE
18 SUPERVISOR OF ELECTIONS TO PLACE THE REFERENDUM
19 QUESTION ON THE SPECIAL ELECTION BALLOT ON
20 FEBRUARY 22, 2022; PROVIDING AN EFFECTIVE DATE.
21

22 **WHEREAS**, the issue of maintaining a 19-member City Council has
23 been debated extensively by the City Council, and has been discussed
24 intermittently by advisory committees such as the Charter Revision
25 Commission and the Task Force on Consolidated Government; and

26 **WHEREAS**, the salary, benefits and administrative costs of having
27 of one council member is around \$175,000 each, with the cost of having
28 five at-large residence area council members being approximately
29 \$885,000 each year; and

30 **WHEREAS**, at-large residence area council members have a less

1 defined role in the Charter and Ordinance Code and the Council
2 believes that a 14-member City Council could adequately represent the
3 residents of the City; and

4 **WHEREAS**, as a result of the ongoing COVID-19 pandemic and the
5 resulting economic instability it created for many local taxpayers,
6 saving taxpayer dollars has become a critical concern to local
7 taxpayers, voters and leaders; and

8 **WHEREAS**, the costs of having at-large residence area council
9 members is a substantial costs to the taxpayers of which the return
10 on investment may not be correspondingly realized; and

11 **WHEREAS**, the Council finds that the decrease in total number of
12 council members from 19 to 14 would save the taxpayers a substantial
13 amount over the next several decades and there is negligible detriment
14 to the public by reducing the council representatives which serve at-
15 large residence areas; and

16 **WHEREAS**, the Council believes that the issue should be offered
17 to and decided by the voters; now therefore

18 **BE IT ORDAINED** by the Council of the City of Jacksonville:

19 **Section 1. Applicability; Subject to Referendum.** The
20 amendments to the City of Jacksonville's Charter as described in the
21 provisions of section 2 below, shall be subject to and become
22 effective only upon the certification of a majority vote in favor of
23 the amendments at the voter referendum as hereinafter set forth.

24 **Section 2. Charter Amended.** Sections 5.01, 5.02, 5.04,
25 5.06 and 5.08 of Article 5 of the Charter of the City of Jacksonville,
26 as codified in section 1 of chapter 92-341, Laws of Florida, as
27 amended, are amended, and a new section 18.12 of Article 18 is
28 created, all to read as follows:

29 **PART A. CHARTER LAWS CHARTER OF THE**
30 **CITY OF JACKSONVILLE, FLORIDA**

31 * * *

1 ~~5 at-large residence areas by the council shall be accomplished~~
2 ~~no later than 9 months prior to the opening of the qualifying~~
3 ~~period for candidates seeking election in the 1995 consolidated~~
4 ~~government elections. Subsequent reapportionment of the~~
5 ~~residence areas shall be accomplished in the same manner~~
6 ~~provided for in the Ordinance Code for the reapportionment of~~
7 ~~council and school board districts. The 5 council members~~
8 ~~elected countywide in the general consolidated government~~
9 ~~election occurring in 1995 and thereafter shall each qualify~~
10 ~~from 1 of the 5 residence areas.~~

11 * * *

12 **Section 5.04. Qualifications and compensation of council**
13 **members.** Every member of the council shall be continuously throughout
14 his or her term of office, a resident and qualified elector of Duval
15 County, and of his or her district ~~or residence area~~. A candidate for
16 the office of member of the council shall have resided in and been a
17 qualified elector of Duval County for at least 183 consecutive days
18 immediately before the date on which the candidate qualifies to run
19 for the office of member of the council; ~~and if the person is a~~
20 ~~candidate for the office of member of the council from a district or~~
21 ~~residence area, the candidate must also have resided in and been a~~
22 ~~qualified elector of that district or residence area for at least 183~~
23 ~~consecutive days immediately before the date on which the candidate~~
24 ~~qualifies to run for the office of member of the council from a~~
25 ~~district or residence area.~~ Members of the council shall not hold any
26 other public office or public employment except as notary public nor
27 shall any member of the council be an employee of the city or any of
28 its independent agencies except for certificated employees of the
29 Duval County School Board. Members of the council shall receive an
30 annual salary to be fixed by the council.

31 * * *

1 **Section 5.06. Vacancies; ~~temporary appointments.~~** The office
2 of a council member shall become vacant upon his or her death,
3 resignation, failure to reside continuously in the district ~~or~~
4 ~~residence~~ area from which he or she was elected, except in the event
5 redistricting should occur during his or her term of office pursuant
6 to section 5.02, or removal from office in any manner authorized by
7 law. A vacancy in the council shall be filled for the remainder of
8 the unexpired term by election of a council member at a special
9 election to be called pursuant to resolution of the city council and
10 held on a date no sooner than 1 month and no later than 6 months
11 after the vacancy occurs, which special election shall, if possible,
12 be held in conjunction with any other election scheduled to be held
13 within the county. Any resignation by a council member shall be
14 submitted in writing to the supervisor of elections (with a copy to
15 the secretary of the city council), shall specify the date on which
16 it is effective, and shall be irrevocable. If any council member
17 submits a resignation which is effective at a date later than that
18 on which it is submitted, the city council may, by resolution, call
19 a special election for the election of a successor, said special
20 election to be held on a date not less than 1 month after the date
21 the resignation is submitted nor more than 6 months prior to the date
22 the resignation is effective; and such special elections shall, if
23 possible, be held in conjunction with any other election scheduled
24 to be held within the county. In those situations in which a vacancy
25 exists in a council district ~~or at-large resident area~~ and such
26 vacancy is filled in the first consolidated government election or
27 in the general consolidated government election, the council member-
28 elect, who has been duly elected in the first consolidated government
29 election, or in the general consolidated government election to
30 represent said vacant district ~~or at-large residence area~~, shall take
31 office and assume and exercise all duties of office immediately after

1 certification of said election returns, as of the date of said
2 certification, in order to reduce the time the council district~~or~~
3 ~~at-large residence area~~ is vacant and without representation.

4 * * *

5 **Section 5.08. Procedures.** The council shall meet regularly
6 at least once in every month at such times and places as the council
7 may prescribe. Special meetings may be held on call of the mayor or
8 the president of the council, or seven or more members of the council,
9 upon no less than 24 hours' notice to each member of the council.
10 ~~Fourteen~~Ten members of the council shall constitute a quorum. The
11 council may take official action only by the adoption of ordinances
12 or resolutions, and no ordinance or resolution shall be passed until
13 it has been read on 3 separate days, unless it is adopted as an
14 emergency measure, or the council authorizes by two-thirds vote of
15 the members to have 2 readings for certain subjects of legislation,
16 or for certain subjects of legislation relating to economic
17 development, one or two readings, as provided in the City Council
18 Rules, so long as the ordinances and resolutions so passed shall be
19 enacted or adopted in the manner provided by general law. The council
20 shall determine its own rules and order of business, keep a journal
21 of its proceedings and annually select a president and a president
22 pro tempore from its members.

23 **ARTICLE 18. MISCELLANEOUS PROVISIONS**

24 * * *

25 **Sec. 18.12 Transition to 14 Members Representing Council**
26 **Districts.** Commencing with the next succeeding general consolidated
27 government election held in or after 2030, the amended provisions of
28 Article 5, adopted by Ordinance 2021-___ and approved by the voters
29 in a public referendum, shall take effect. This shall not affect
30 term of any existing at-large residence area council members which
31 end as June 30, 2031.

1 **Section 3. Transition - Conflicting ordinances repealed.**

2 For purposes of implementing this ordinance, any ordinance
3 conflicting with this ordinance, once approved by referendum, is
4 hereby repealed. The City of Jacksonville shall establish, by
5 ordinance, election procedures consistent with this ordinance and the
6 Charter changes approved herein.

7 **Section 4. Referendum.**

8 (a) A referendum of the qualified electors residing in Duval
9 County, Florida is hereby called to be held on February 22, 2022, set
10 as a Special Election, to determine whether the Charter should be
11 amended to change the terms of office of the elected officials, as
12 set forth in this ordinance, shall become effective.

13 (b) The referendum shall be held and conducted in the manner
14 prescribed by law for holding elections under a referendum provision.

15 (c) All qualified electors in Duval County shall be entitled
16 and permitted to vote in the referendum. The places and times of
17 voting shall be those polling places and times established for voting
18 by law. The inspectors and clerks for the referendum shall be
19 designated by the Supervisor of Elections in accordance with
20 applicable State law.

21 (d) Upon approval of this ordinance, the Supervisor of
22 Elections shall notify the Mayor, City Council President, General
23 Counsel and Council Auditor, by hand and certified mail, of a duty
24 to prepare, within thirty (30) days of such notice, an up to seventy-
25 five (75) word financial impact estimate of the increase or decrease
26 of any revenues or costs to the City of Jacksonville resulting from
27 the implementation of the proposed charter amendment. The financial
28 impact estimate shall be constructed, within the thirty (30) day
29 period, by a committee composed of one representative appointed by
30 the Mayor, one appointed by the City Council President, the General
31 Counsel or his or her designee chosen from the General Counsel's

1 office, the Council Auditor and one member having appropriate fiscal
2 expertise in the subject matter of the proposed charter amendment and
3 selected by the other members stated above. The Office of the Council
4 Auditor and the Department of Finance shall be made available as
5 resources. The Council Auditor shall chair the committee and ensure
6 the timely completion of the financial impact estimate in time to be
7 included on the referendum ballot and advertised as required for the
8 charter amendment.

9 (e) The Supervisor of Elections is authorized and directed,
10 when printing the absentee ballots and ballot strips for use in the
11 voting machines for the special referendum election called in
12 Subsection 4(a) hereinabove, to print the ballot title and referendum
13 question set forth in sections 6 and 7 hereof on said absentee ballots
14 and ballot strips at the appropriate place therefor. Immediately
15 after said question shall be provided a space for the voter to
16 indicate whether the vote is "yes" or "no" on the question.

17 **Section 5. Notice of Referendum.** The Supervisor of
18 Elections is directed to ensure at least thirty (30) days notice of
19 the referendum by publishing at least twice in a daily newspaper of
20 general circulation in Duval County, once in the fifth week and once
21 in the third week prior to the week in which the referendum is to be
22 held, in the manner provided in Section 18.05 of the City Charter and
23 Section 100.342, *Florida Statutes*.

24 **Section 6. Ballot Title.** The Council hereby directs that
25 the ballot title for the referendum question be in substantially the
26 following form:

27 "REFERENDUM AMENDING CHARTER, ELIMINATING THE 5
28 AT-LARGE RESIDENCE AREAS AND REDUCING THE CITY
29 COUNCIL MEMBERS FROM 19 TO 14 MEMBERS, TAKING
30 EFFECT IN OR AFTER 2030"

31 **Section 7. Official Ballot.** The Council hereby directs

1 that the following referendum question, in substantially the form set
2 forth below, be placed on the ballot at the election to be held on
3 February 22, 2022, the Final Special Election:

4 "Shall Ordinance 2021-___-E, which amends
5 Jacksonville's Charter, Article 5 (the Council),
6 to eliminate the five at-large residence areas
7 and reduces the Jacksonville City Council from
8 19 to 14 council members respectively, to take
9 effect with the next general consolidated
10 government election in or after 2030, become
11 effective?"

12 (_____) YES.

13 (_____) NO.

14 **Section 8. Referendum Results.** The Supervisor of Elections
15 for Duval County, Florida shall certify the results of the referendum
16 to the Florida Department of State in accordance with law. If a
17 majority of the votes cast in the referendum shall be for the
18 amendment, the amendment shall be approved, and shall take effect as
19 provided in this Ordinance. If less than a majority of the votes
20 cast in the referendum shall be for the amendment, the amendment
21 shall be defeated, and shall not take effect.

22 **Section 9. Exercise of County Powers.** This ordinance is
23 enacted by the Council exercising its power as the governing body of
24 Duval County, Florida, under Section 3.01, of the Charter of the City
25 of Jacksonville. All duly qualified electors of the county shall be
26 entitled to vote thereon.

27 **Section 10. Effective Date.** Except as herein provided, this
28 ordinance shall become effective upon signature by the Mayor or upon
29 becoming effective without the Mayor's signature. If this ordinance
30 is approved by a majority of the duly qualified electors voting in
31 the referendum scheduled herein, then the terms of section 2 of this

1 ordinance shall become effective immediately upon verification of the
2 results of the referendum's election vote.

3

4 Form Approved:

5

6 /s/ Paige H. Johnston

7 Office of General Counsel

8 Legislation Prepared By: Paige H. Johnston

9 GC-#1453386-v2-Dennis_Referendum_At_Large_Council_Districts.docx