

1 Introduced by Council Member Dennis:

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4 **ORDINANCE 2021-707-D**

5 AN ORDINANCE TO BE KNOWN AS "ELIMINATING EXCESS
6 ELECTIONS," RELATING TO THE TERMS AND ELECTIONS
7 OF CITY OF JACKSONVILLE COUNTY OFFICIALS AND
8 SETTING A PUBLIC REFERENDUM; AMENDING THE
9 CHARTER OF THE CITY OF JACKSONVILLE, CHAPTER 92-
10 341, LAWS OF FLORIDA, AS AMENDED; CHANGING THE
11 DATE OF ASSUMING THE OFFICES OF THE MAYOR,
12 COUNCIL MEMBERS, AND THE SHERIFF, SUPERVISOR OF
13 ELECTIONS, PROPERTY APPRAISER, AND TAX COLLECTOR
14 TO JANUARY 1ST FOLLOWING FALL EVEN-YEAR
15 GUBERNATORIAL ELECTIONS COMMENCING JANUARY 1,
16 2031, AND EVERY 4 YEARS THEREAFTER; PROVIDING
17 FOR TRANSITION; REPEALING CONFLICTING
18 ORDINANCES AND REQUIRING THE ENACTMENT OF NEW
19 IMPLEMENTATION ORDINANCES; REVISING THE LENGTHS
20 OF THE TERMS OF OFFICE OF THE CITY COUNCIL
21 MEMBERS, MAYOR, SHERIFF, SUPERVISOR OF
22 ELECTIONS, PROPERTY APPRAISER, AND TAX COLLECTOR
23 ASSUMING OFFICE ON JULY 1, 2027, TO TERMS OF
24 JULY 1, 2027 THROUGH DECEMBER 31, 2030;
25 PROVIDING FOR NO CHANGE IN TERM LIMITS;
26 PROVIDING FOR REFERENDUM APPROVAL OF THIS
27 ORDINANCE; PROVIDING FOR A FINANCIAL IMPACT
28 STATEMENT TO BE DEVELOPED AND PLACED ON THE
29 BALLOT; DIRECTING THE SUPERVISOR OF ELECTIONS TO
30 PLACE THE REFERENDUM QUESTION ON THE SPECIAL

1 ELECTION BALLOT ON FEBRUARY 22, 2022; PROVIDING
2 AN EFFECTIVE DATE.

3 **WHEREAS**, the issue of the continuing vitality of spring
4 Consolidated Government elections has been debated extensively by the
5 City Council and by advisory committees such as the Task Force for
6 Consolidated Government and Charter Revision Commission, and has been
7 subject to many close votes; and

8 **WHEREAS**, the City continues to experience ever stagnant low
9 voter turnout at spring elections at substantial costs to the
10 taxpayers; and

11 **WHEREAS**, it has been projected that the estimated costs of
12 holding spring Consolidated Government elections is approximately
13 \$2,000,000 per unitary election, which is approximately \$4,000,000
14 every four years, and while the cost of fall gubernatorial elections
15 would increase somewhat with the change, it would be to a much lesser
16 extent, with significant cost savings by moving spring Consolidated
17 Government elections to the fall gubernatorial election cycle; and

18 **WHEREAS**, the Council finds that the terms of the Mayor, all City
19 Council Members, the Sheriff, the Property Appraiser, the Supervisor
20 of Elections, and the Tax Collector should commence in sufficient
21 time to address the City of Jacksonville's annual budget, and setting
22 terms of office to commence on January 1st, and conducting elections
23 in the fall, will most effectively allow for the above described
24 public officials to prepare for annual budgeting; and conducting
25 those elections at the same time as the state gubernatorial elections
26 will save substantial amounts of money;

27 **WHEREAS**, following an unprecedented international pandemic which
28 has resulted in economic instability for many local taxpayers, the
29 savings of taxpayer dollars has become a critical concern to local
30 taxpayers, voters and leaders; and

31 **WHEREAS**, additionally, moving the spring Consolidated Government

1 elections would arguably result in greater public participation and
2 voter turnout; and

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

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

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

11 **Section 2. Charter Amended.** Section 5.03 of Article 5,
12 section 6.01 of Article 6, section 8.02 of Article 8, section 9.02
13 of Article 9, section 10.02 of Article 10, and section 11.02 of
14 Article 11 of the Charter of the City of Jacksonville, as codified
15 in section 1 of chapter 92-341, Laws of Florida, as amended, are
16 amended, and a new section 18.12 of Article 18 is created, all to
17 read as follows:

18 **PART A. CHARTER LAWS CHARTER OF THE**
19 **CITY OF JACKSONVILLE, FLORIDA**

20 * * *

21 **ARTICLE 5. THE COUNCIL**

22 * * *

23 **Section 5.03. Terms of councilmen members.**

24 Councilmen members shall serve for a term of 4 years beginning
25 on the first day of July after their election, and continuing after
26 such term until their successors are elected and qualified, except
27 that commencing with elections that will be conducted
28 contemporaneously with the state gubernatorial election in 2030, and
29 every four years thereafter, council members shall assume office on
30 the first day of January after their election.

31 * * *

1 successor is elected and qualified, except that commencing with
2 elections that will be conducted contemporaneously with the state
3 gubernatorial election in 2030, and every four years thereafter, he
4 or she shall assume office for a four year term on the first day of
5 January following his or her election. The sheriff shall devote his
6 or her entire time to the performance of the duties of his or her
7 office and shall hold no other public office or public employment
8 except that he or she may be a notary public or a member of the armed
9 forces. The compensation of the sheriff shall be fixed by the city
10 council.

11 * * *

12 **ARTICLE 9. SUPERVISOR OF ELECTIONS**

13 * * *

14 **Section 9.02. Qualifications, election, term.**

15 The supervisor of elections shall be a qualified elector of
16 Duval County and a resident of Duval County, and shall have resided
17 in and been a qualified elector of Duval County for at least 183
18 consecutive days immediately before the date on which he or she
19 qualifies to run for the office of supervisor of elections. He or she
20 shall be elected for a term of 4 years and shall assume office on the
21 first day of July following his or her election, except that
22 commencing with elections that will be conducted contemporaneously
23 with the state gubernatorial election in 2030, and every four years
24 thereafter, he or she shall assume office for a four year term on the
25 first day of January following his or her election. He or she shall
26 devote his or her entire time to the performance of the duties of his
27 or her office and shall hold no other public office or public
28 employment.

29 * * *

30 **ARTICLE 10. PROPERTY APPRAISER**

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1 **Section 10.02. Qualifications, elections, term.**

2 The property appraiser shall be a qualified elector of and reside
3 in Duval County, and shall have resided in and been a qualified
4 elector of Duval County for at least 183 consecutive days immediately
5 before the date on which he or she qualifies to run for the office
6 of property appraiser. He or she shall be elected for a period of 4
7 years and shall assume office on the first day of July following his
8 or her election and serve until his or her successor is elected and
9 qualified, except that commencing with elections that will be
10 conducted contemporaneously with the state gubernatorial election in
11 2030, and every four years thereafter, he or she shall assume office
12 for a four year term on the first day of January following his or her
13 election. The property appraiser shall devote his or her entire time
14 to the performance of the duties of his or her office and shall hold
15 no other public office or public employment.

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17 **ARTICLE 11. TAX COLLECTOR**

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19 **Section 11.02 Qualifications, election, term.**

20 The tax collector shall be a qualified elector of and reside in
21 Duval County, and shall have resided in and been a qualified elector
22 of Duval County for at least 183 consecutive days immediately before
23 the date on which he or she qualifies to run for the office of tax
24 collector. He or she shall be elected for a term of 4 years and shall
25 assume office on the first day of July following his or her election,
26 except that commencing with elections that will be conducted
27 contemporaneously with the state gubernatorial election in 2030, and
28 every four years thereafter, he or she shall assume office for a four
29 year term on the first day of January following his or her election.
30 He or she shall devote his or her entire time to the performance of
31 the duties of his or her office and shall hold no other public office

1 or public employment.

2 * * *

3 **ARTICLE 18. MISCELLANEOUS PROVISIONS**

4 * * *

5 **Sec. 18.12 Transition to Fall Elections.** Notwithstanding
6 anything in the Charter or the Ordinance Code of the City of
7 Jacksonville to the contrary, and for purposes of electing City of
8 Jacksonville county officers in fall even-year gubernatorial
9 elections every four years commencing in 2030 and having those terms
10 commence on January 1st of the following year, the 2027-2031 terms of
11 the Mayor, all City Council Members, the Sheriff, the Property
12 Appraiser, the Supervisor of Elections, and the Tax Collector, shall
13 expire on December 31, 2030 and shall be considered as one full term
14 for purposes of two term limits, as applicable. The terms of all
15 such persons elected to such offices through elections conducted in
16 the fall gubernatorial elections of 2030, and every four years
17 thereafter, in accordance with procedures to be established by
18 contemporaneous changes which shall be made by the City Council to
19 Chapter 350, *Ordinance Code* of the City of Jacksonville, shall
20 commence on January 1, 2031, and shall expire on December 31, 2034,
21 for the 2030 election, and on like January 1st and December 31st dates
22 for each term every four years thereafter.

23 **Section 3. Transition - Conflicting ordinances repealed.** For
24 purposes of implementing this ordinance, any ordinance conflicting
25 with this ordinance, once approved by referendum, is hereby repealed.
26 The City of Jacksonville shall establish, by ordinance, election
27 procedures consistent with this ordinance and the Charter changes
28 approved herein.

29 **Section 4. Referendum.**

30 (a) A referendum of the qualified electors residing in Duval
31 County, Florida is hereby called to be held on February 22, 2022, set

1 as a Special Election, to determine whether the Charter should be
2 amended to change the terms of office of the elected officials, as
3 set forth in this ordinance, shall become effective.

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

6 (c) All qualified electors in Duval County shall be entitled
7 and permitted to vote in the referendum. The places and times of
8 voting shall be those polling places and times established for voting
9 by law. The inspectors and clerks for the referendum shall be
10 designated by the Supervisor of Elections in accordance with
11 applicable State law.

12 (d) Upon approval of this ordinance, the Supervisor of
13 Elections shall notify the Mayor, City Council President, General
14 Counsel and Council Auditor, by hand and certified mail, of a duty
15 to prepare, within thirty (30) days of such notice, an up to seventy-
16 five (75) word financial impact estimate of the increase or decrease
17 of any revenues or costs to the City of Jacksonville resulting from
18 the implementation of the proposed charter amendment. The financial
19 impact estimate shall be constructed, within the thirty (30) day
20 period, by a committee composed of one representative appointed by
21 the Mayor, one appointed by the City Council President, the General
22 Counsel or his or her designee chosen from the General Counsel's
23 office, the Council Auditor and one member having appropriate fiscal
24 expertise in the subject matter of the proposed charter amendment and
25 selected by the other members stated above. The Office of the Council
26 Auditor and the Department of Finance shall be made available as
27 resources. The Council Auditor shall chair the committee and ensure
28 the timely completion of the financial impact estimate in time to be
29 included on the referendum ballot and advertised as required for the
30 charter amendment.

31 (e) The Supervisor of Elections is authorized and directed,

1 when printing the absentee ballots and ballot strips for use in the
2 voting machines for the special referendum election called in
3 Subsection 4(a) hereinabove, to print the ballot title and referendum
4 question set forth in Sections 6 and 7 hereof on said absentee ballots
5 and ballot strips at the appropriate place therefor. Immediately
6 after said question shall be provided a space for the voter to
7 indicate whether the vote is "yes" or "no" on the question.

8 **Section 5. Notice of Referendum.** The Supervisor of
9 Elections is directed to ensure at least thirty (30) days notice of
10 the referendum by publishing at least twice in a daily newspaper of
11 general circulation in Duval County, once in the fifth week and once
12 in the third week prior to the week in which the referendum is to be
13 held, in the manner provided in Section 18.05 of the City Charter and
14 Section 100.342, Florida Statutes.

15 **Section 6. Ballot Title.** The Council hereby directs that
16 the ballot title for the referendum question be in substantially the
17 following form:

18 "REFERENDUM AMENDING CHARTER, ADOPTING FALL
19 GUBERNATORIAL YEAR ELECTIONS FOR LOCAL ELECTED
20 CONSTITUTIONAL OFFICERS; DECREASING 2027 TERMS"

21 **Section 7. Official Ballot.** The Council hereby directs
22 that the following referendum question, in substantially the form set
23 forth below, be placed on the ballot at the Special Unitary Election
24 to be held on February 22, 2022:

25 "Shall Ordinance 2021-___-E, which amends
26 Jacksonville's Charter, changes terms of office
27 of council members, the mayor, sheriff,
28 supervisor of elections, property appraiser, and
29 tax collector, eliminates spring elections, and
30 moves those elections to fall gubernatorial year
31 elections commencing in 2030, and which for the

1 2027 term only, decreases the terms of city
2 council members, the mayor, sheriff, supervisor
3 of elections, property appraiser, and tax
4 collector by six months through December 31,
5 2030, become effective?"

6 (_____) YES.

7 (_____) NO.

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

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

21 **Section 10. Effective Date.** Except as herein provided, this
22 ordinance shall become effective upon signature by the Mayor or upon
23 becoming effective without the Mayor's signature. If this ordinance
24 is approved by a majority of the duly qualified electors voting in
25 the referendum scheduled herein, then the terms of section 2 of this
26 ordinance shall become effective immediately upon verification of the
27 results of the referendum's election vote.

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Form Approved:

 /s/ Paige H. Johnston

Office of General Counsel

Legislation Prepared By: Paige H. Johnston

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