

1 Introduced by Council Member Diamond:
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4 **ORDINANCE 2022-123**

5 AN ORDINANCE RELATING TO THE ELECTIONS AND TERMS
6 OF THE CITY COUNCIL, SHERIFF, SUPERVISOR OF
7 ELECTIONS, PROPERTY APPRAISER, TAX COLLECTOR,
8 CLERK OF THE COURT AND DUVAL COUNTY SCHOOL
9 BOARD; SETTING A PUBLIC REFERENDUM; AMENDING THE
10 CHARTER OF THE CITY OF JACKSONVILLE, CHAPTER 92-
11 341, LAWS OF FLORIDA, AS AMENDED, TO CHANGE THE
12 TWO TERM CONSECUTIVE LIMIT PROVISIONS TO TWO
13 TERM TOTAL LIMIT PROVISIONS FOR SECTIONS 5.041
14 (THE COUNCIL - LIMITATION OF TERM OF OFFICE),
15 6.01 (MAYOR- QUALIFICATIONS AND TERM OF OFFICE);
16 8.04 (SHERIFF - TWO TERM LIMIT), 9.04
17 (SUPERVISOR OF ELECTIONS - TWO TERM LIMIT),
18 10.04 (PROPERTY APPRAISER - TWO TERM LIMIT),
19 11.04 (TAX COLLECTOR - TWO TERM LIMIT), 12.11
20 (CLERK OF COURTS - TWO TERM LIMIT) AND 13.15
21 (DUVAL COUNTY SCHOOL BOARD - TWO TERM LIMIT), OF
22 THE CHARTER OF THE CITY OF JACKSONVILLE;
23 PROVIDING FOR REFERENDUM APPROVAL OF THIS
24 ORDINANCE; PROVIDING FOR A FINANCIAL IMPACT
25 STATEMENT TO BE DEVELOPED AND PLACED ON THE
26 BALLOT; DIRECTING THE SUPERVISOR OF ELECTIONS TO
27 PLACE THE REFERENDUM QUESTION ON THE 2022
28 PRIMARY ELECTION BALLOT ON AUGUST 23, 2022;
29 PROVIDING AN EFFECTIVE DATE.

30 **WHEREAS**, the Council finds that it is in the best interest of
31 the City to allow council members and constitutional officers to

1 serve up to two full, four-year terms total (either consecutive or
2 non-consecutive); and

3 **WHEREAS**, amendments to the Charter of the City of Jacksonville
4 are required to implement such changes; and

5 **WHEREAS** the Council believes that the issue should be offered
6 to and decided by the voters, and upon adoption of this ordinance, a
7 public referendum shall be held during the Primary Election ballot
8 to be held on August 23, 2022 for the voters to decide the question;
9 now therefore

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

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

16 **Section 2. Charter Amended.** The Charter of the City of
17 Jacksonville is hereby amended to read as follows:

18 **CHARTER AND RELATED LAWS**

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

20 * * *

21 **ARTICLE 5. - THE COUNCIL**

22 * * *

23 **Sec. 5.041. - Limitation of Term of Office.**

24 No person elected for two ~~consecutive~~ full terms (consecutive
25 or nonconsecutive) as a member of the council shall be eligible for
26 election as a council member in ~~the next~~ any succeeding term. In the
27 event of council member vacancy, this limitation shall not apply to
28 members elected or appointed to a partial remaining term of less than
29 ½ of the full term to which he or she is elected or appointed to fill
30 such vacancy. This limitation shall apply to all seats regardless
31 of whether they are district or at-large seats. A council term ending

1 ~~on or prior to June 30, 1991, shall not be considered a consecutive~~
2 ~~term for purposes of this section.~~

3 * * *

4 **ARTICLE 6- THE MAYOR**

5 **Sec. 6.01- Qualifications and term of office.**

6 The mayor shall be a qualified elector of Duval County and a
7 resident of Duval County, and shall have resided in and been a
8 qualified elector of Duval County for at least 365 consecutive days
9 immediately before the date on which he or she qualifies to run for
10 the office of mayor. If he or she shall cease to possess any such
11 qualifications during his or her term of office, he or she shall
12 forthwith forfeit the office, and the council shall remove him or her
13 therefrom. He or she shall be elected for a period of 4 years and
14 shall assume office on the first day of July following his or her
15 election and serve until his or her successor is elected and
16 qualified. No mayor elector and qualified for two ~~consecutive~~ full
17 terms (consecutive or nonconsecutive) shall be eligible for election
18 as mayor in the next any succeeding term. In the event of vacancy,
19 this limitation shall not apply to any person elected or appointed
20 to a partial remaining term of less than ½ of the full term to which
21 he or she is elected or appointed to fill such vacancy. The mayor
22 shall devote his or her entire time to the performance of the duties
23 of his or her office and shall hold no other public office or public
24 employment.

25 * * *

26 **ARTICLE 8. - SHERIFF**

27 * * *

28 **Sec. 8.04. - Two term limit.**

29 No person elected and qualified for two ~~consecutive~~ full terms
30 (consecutive or nonconsecutive) as Sheriff shall be eligible for
31 election as Sheriff for ~~the next~~ any succeeding term. In the event

1 of vacancy, this limitation shall not apply to any person elected or
2 appointed to a partial remaining term of less than ½ of the full term
3 to which he or she is elected or appointed to fill such vacancy. The
4 ~~two-term limitation shall apply to any full term which began in 1992~~
5 ~~or thereafter.~~

6 * * *

7 **ARTICLE 9. - SUPERVISOR OF ELECTIONS**

8 * * *

9 **Sec. 9.04. - Two term limit.**

10 No person elected and qualified for two ~~consecutive~~ full terms
11 (consecutive or nonconsecutive) as Supervisor of Elections shall be
12 eligible for election as Supervisor of Elections for ~~the next~~ any
13 succeeding term. In the event of vacancy, this limitation shall not
14 apply to any person elected or appointed to a partial remaining term
15 of less than ½ of the full term to which he or she is elected or
16 appointed to fill such vacancy. The two-term limitation shall apply
17 ~~to any full term which began in 1992 or thereafter.~~

18 * * *

19 **ARTICLE 10. - PROPERTY APPRAISER**

20 * * *

21 **Sec. 10.04. - Two term limit.**

22 No person elected and qualified for two ~~consecutive~~ full terms
23 (consecutive or nonconsecutive) as Property Appraiser shall be
24 eligible for election as Property Appraiser for the next succeeding
25 term. In the event of vacancy, this limitation shall not apply to any
26 person elected or appointed to a partial remaining term of less than
27 ½ of the full term to which he or she is elected or appointed to fill
28 such vacancy. The two-term limitation shall apply to any full term
29 ~~which began in 1992 or thereafter.~~

30 * * *

31 **ARTICLE 11. - TAX COLLECTOR**

1 * * *

2 **Sec. 11.04. - Two term limit.**

3 No person elected and qualified for two ~~consecutive~~ full terms
4 (consecutive or nonconsecutive) as Tax Collector shall be eligible
5 for election as Tax Collector for ~~the next~~ any succeeding term. In
6 the event of vacancy, this limitation shall not apply to any person
7 elected or appointed to a partial remaining term of less than ½ of
8 the full term to which he or she is elected or appointed to fill such
9 vacancy. ~~The two-term limitation shall apply to any full term which~~
10 ~~began in 1992 or thereafter.~~

11 * * *

12 **ARTICLE 12. - JUDICIARY**

13 * * *

14 **Sec. 12.11. - Two term limit.**

15 No person elected and qualified for two ~~consecutive~~ full terms
16 (consecutive or nonconsecutive) as Clerk of the Court shall be
17 eligible for election as Clerk of the Court for ~~the next~~ any
18 succeeding term. In the event of vacancy, this limitation shall not
19 apply to any person elected or appointed to a partial remaining term
20 of less than ½ of the full term to which he or she is elected or
21 appointed to fill such vacancy. ~~The two-term limitation shall apply~~
22 ~~to any full term which began in 1992 or thereafter.~~

23 * * *

24 **ARTICLE 13. - DUVAL COUNTY SCHOOL BOARD**

25 * * *

26 **Sec. 13.15. - Two term limit.**

27 No person elected and qualified two ~~consecutive~~ full terms
28 (consecutive or nonconsecutive) as a Member of the Duval County
29 School Board shall be eligible for election as a Member of the Duval
30 County School Board for ~~the next~~ any succeeding term. In the event
31 of vacancy, this limitation shall not apply to any person elected or

1 appointed to a partial remaining term of less than ½ of the full term
2 to which he or she is elected or appointed to fill such vacancy. The
3 ~~two-term limitation shall apply to any full term which began in 1992~~
4 ~~or thereafter.~~

5 * * *

6 **Section 3. Referendum.**

7 (a) A referendum of the qualified electors residing in Duval
8 County, Florida is hereby called to be held on August 23, 2022, the
9 2022 Primary Election, to determine whether the Charter amendment
10 which provides a limitation of two consecutive full terms to two full
11 terms total (nonconsecutive or consecutive) provisions related to
12 Constitutional Officers, City Council Members and Duval County School
13 Board, as set forth in Section 2 of this ordinance, shall become
14 effective.

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

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

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

1 the Mayor, one appointed by the City Council President, the General
2 Counsel or his or her designee chosen from the General Counsel's
3 office, the Council Auditor and one member having appropriate fiscal
4 expertise in the subject matter of the proposed charter amendment and
5 selected by the other members stated above. The Office of the Council
6 Auditor and the Department of Finance shall be made available as
7 resources. The Council Auditor shall chair the committee and ensure
8 the timely completion of the financial impact estimate in time to be
9 included on the referendum ballot and advertised as required for the
10 charter amendment.

11 (e) The Supervisor of Elections is authorized and directed,
12 when printing the absentee ballots and ballot strips for use in the
13 voting machines for the special referendum election called in
14 Subsection 3(a) hereinabove, to print the ballot title and referendum
15 question set forth in Sections 5 and 6 hereof on said absentee ballots
16 and ballot strips at the appropriate place therefor. Immediately
17 after said question shall be provided a space for the voter to
18 indicate whether the vote is "yes" or "no" on the question.

19 **Section 4. Notice of Referendum.** The Supervisor of
20 Elections is directed to ensure at least thirty (30) days notice of
21 the referendum by publishing at least twice in a daily newspaper of
22 general circulation in Duval County, once in the fifth week and once
23 in the third week prior to the week in which the referendum is to be
24 held, in the manner provided in Section 18.05 of the City Charter and
25 Section 100.342, Florida Statutes.

26 **Section 5. Ballot Title.** The Council hereby directs that
27 the ballot title for the referendum question be in substantially the
28 following form:

29 "AMENDING CHARTER, RESTRICTING TERM LIMITS FOR
30 CITY ELECTED OFFICERS AND SCHOOL BOARD MEMBERS"

31 **Section 6. 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 August 23, 2022, the 2022 Primary Election:

4 "Shall the Jacksonville Charter Sections 5.041
5 (City Council), 6.01 (Mayor), 8.04 (Sheriff);
6 9.04 (Supervisor of Elections), 10.04 (Property
7 Appraiser), 11.04 (Tax Collector); 12.11 (Clerk
8 of Court), and 13.15 (School Board Members) be
9 changed, effective January 1, 2027, so that
10 those identified officials may not serve more
11 than a total of two full terms, except that
12 partial terms that are elected or appointed to
13 fill a vacancy for less than half a full term
14 are permitted?"

15 (_____) YES.

16 (_____) NO.

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

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

30 **Section 10. Effective Date.** This ordinance shall become
31 effective upon signature by the Mayor or upon becoming effective

1 without the Mayor's signature. If this ordinance is approved by a
2 majority of the duly qualified electors voting in the referendum
3 scheduled herein, then the terms of section 2 of this ordinance shall
4 become effective beginning on January 1, 2027 upon verification of
5 the results of the referendum's election vote.

6
7 Form Approved:

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9 /s/ Paige H. Johnston

10 Office of General Counsel

11 Legislation Prepared By: Paige H. Johnston

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