

1 Introduced by Council Member Ferraro:
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4 **ORDINANCE 2022-265**

5 AN ORDINANCE REGARDING DISPOSITION OF MONUMENTS
6 ON CITY-OWNED PROPERTY; SETTING A PUBLIC
7 REFERENDUM ON WHETHER CITY SHOULD REMOVE
8 HISTORIC MONUMENTS ON CITY-OWNED PROPERTY;
9 PROVIDING FOR REFERENDUM APPROVAL OF THIS
10 ORDINANCE; PROVIDING FOR A FINANCIAL IMPACT
11 STATEMENT TO BE DEVELOPED AND PLACED ON THE
12 BALLOT; DIRECTING THE SUPERVISOR OF ELECTIONS TO
13 PLACE THE REFERENDUM QUESTION ON THE 2022
14 GENERAL ELECTION BALLOT ON NOVEMBER 8, 2022;
15 PROVIDING AN EFFECTIVE DATE.
16

17 **WHEREAS**, on June 9, 2021, the Confederate Monument in James
18 Weldon Johnson Park (formerly known as Hemming Park) was removed by
19 the City of Jacksonville and Mayor Curry announced that removal was
20 planned for other historic monuments and markers; and

21 **WHEREAS**, while the Mayor brought forth a plan for removal of one
22 historic monument since that time; that legislation was not enacted
23 so the structure remains intact; and

24 **WHEREAS**, the Council finds that the decision as to whether these
25 historic monuments and markers should be removed by the City from
26 City-owned land should be resolved as soon as possible to prevent
27 inaction from further frustrating the work of Council; and

28 **WHEREAS**, the Council finds that it is not in the best interest
29 of the City to delay such decision and that citizen input on this
30 issue is important; as a result, the question should be offered to
31 and decided by the voters, and upon adoption of this ordinance, a

1 public referendum shall be held during the General Election ballot
2 to be held on November 8, 2022 for the voters to decide the question;
3 now therefore

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

5 **Section 1. Referendum.**

6 (a) A referendum of the qualified electors residing in Duval
7 County, Florida is hereby called to be held on November 8, 2022, the
8 2022 General Election, to determine whether the City of Jacksonville
9 should remove historic monuments and markers on City-owned property,
10 as set forth in Section 4 of this ordinance, shall become effective.

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

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

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

1 selected by the other members stated above. The Office of the Council
2 Auditor and the Department of Finance shall be made available as
3 resources. The Council Auditor shall chair the committee and ensure
4 the timely completion of the financial impact estimate in time to be
5 included on the referendum ballot and advertised as required for the
6 charter amendment.

7 (e) The Supervisor of Elections is authorized and directed,
8 when printing the absentee ballots and ballot strips for use in the
9 voting machines for the special referendum election called in
10 Subsection 1(a) hereinabove, to print the ballot title and referendum
11 question set forth in Sections 3 and 4 hereof on said absentee ballots
12 and ballot strips at the appropriate place therefor. Immediately
13 after said question shall be provided a space for the voter to
14 indicate whether the vote is "yes" or "no" on the question.

15 **Section 2. Notice of Referendum.** The Supervisor of
16 Elections is directed to ensure at least thirty (30) days notice of
17 the referendum by publishing at least twice in a daily newspaper of
18 general circulation in Duval County, once in the fifth week and once
19 in the third week prior to the week in which the referendum is to be
20 held, in the manner provided in Section 18.05 of the City Charter and
21 Section 100.342, Florida Statutes.

22 **Section 3. Ballot Title.** The Council hereby directs that
23 the ballot title for the referendum question be in substantially the
24 following form:

25 "CITY REMOVAL OF HISTORIC MONUMENTS AND MARKERS
26 ON CITY-OWNED PROPERTY"

27 **Section 4. Official Ballot.** The Council hereby directs
28 that the following referendum question, in substantially the form set
29 forth below, be placed on the ballot at the election to be held on
30 November 8, 2022, the 2022 General Election:

31 "Shall the City of Jacksonville remove historic

1 monuments and markers, defined as fixed assets
2 that are identifiable because of particular
3 historic, national, local, or symbolic
4 significance, on City-owned property?"

5 (____) YES.

6 (____) NO.

7 **Section 5. Referendum Results.** The Supervisor of Elections
8 for Duval County, Florida shall certify the results of the referendum
9 to the Florida Department of State in accordance with law.

10 **Section 6. Exercise of County Powers.** This ordinance is
11 enacted by the Council exercising its power as the governing body of
12 Duval County, Florida, under Section 3.01, of the Charter of the City
13 of Jacksonville. All duly qualified electors of the county shall be
14 entitled to vote thereon.

15 **Section 7. Effective Date.** This ordinance shall become
16 effective upon signature by the Mayor or upon becoming effective
17 without the Mayor's signature.

18
19 Form Approved:

20
21 /s/ Paige H. Johnston

22 Office of General Counsel

23 Legislation Prepared By: Paige H. Johnston

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