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Community Services, Public Health and Safety Committee:

ORDINANCE 2022-265-D

Introduced by Council Member Ferraro and amended by the Neighborhoods,

AN ORDINANCE REGARDING DISPOSITION OF MONUMENTS ON CITY-OWNED PROPERTY; SETTING Α PUBLIC REFERENDUM ON WHETHER CITY SHOULD REMOVE HISTORIC MONUMENTS ON CITY-OWNED PROPERTY; PROVIDING FOR REFERENDUM APPROVAL OF ORDINANCE; PROVIDING FOR A FINANCIAL IMPACT STATEMENT TO BE DEVELOPED AND PLACED ON THE BALLOT; DIRECTING THE SUPERVISOR OF ELECTIONS TO PLACE THE REFERENDUM QUESTION ON THEGENERAL ELECTION BALLOT ON NOVEMBER 8, 2022; PROVIDING AN EFFECTIVE DATE.

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

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

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

WHEREAS, the Council finds that it is not in the best interest of the City to delay such decision and that citizen input on this issue is important; as a result, the question should be offered to

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and decided by the voters, and upon adoption of this ordinance, a public referendum shall be held during the General Election ballot to be held on November 8, 2022 for the voters to decide the question; now therefore

BE IT ORDAINED by the Council of the City of Jacksonville: Section 1. Referendum.

- A referendum of the qualified electors residing in Duval County, Florida is hereby called to be held on November 8, 2022, the 2022 General Election, to determine whether the City of Jacksonville should remove historic monuments and markers on City-owned property, as set forth in Section 4 of this ordinance, shall become effective.
- The referendum shall be held and conducted in the manner prescribed by law for holding elections under a referendum provision.
- All qualified electors in Duval County shall be entitled and permitted to vote in the referendum. The places and times of voting shall be those polling places and times established for voting by law. The inspectors and clerks for the referendum shall be designated by the Supervisor of Elections in accordance with applicable State law.
- Upon approval of this ordinance, the Supervisor Elections shall notify the Mayor, City Council President, General Counsel and Council Auditor, by hand and certified mail, of a duty to prepare, within thirty (30) days of such notice, an up to seventyfive (75) word financial impact estimate of the increase or decrease of any revenues or costs to the City of Jacksonville resulting from the implementation of the proposed ballot question. The financial impact estimate shall be constructed, within the thirty (30) day period, by a committee composed of one representative appointed by the Mayor, one appointed by the City Council President, the General Counsel or his or her designee chosen from the General Counsel's office, the Council Auditor and one member having appropriate fiscal

expertise in the subject matter of the proposed ballot question and selected by the other members stated above. The Office of the Council Auditor and the Department of Finance shall be made available as resources. The Council Auditor shall chair the committee and ensure the timely completion of the financial impact estimate in time to be included on the referendum ballot and advertised as required for the ballot question.

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

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

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

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

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

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"Shall the City of Jacksonville remove historic monuments and markers, defined as fixed assets that are identifiable because of particular historic, national, local, or symbolic significance, on City-owned property?"

(____) YES.

(____) NO.

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

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

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

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Paige H. Johnston

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Form Approved: