

1 Introduced by Council Member Dennis:
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4 **ORDINANCE 2021-706**

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
31 defined role in the Charter and Ordinance Code and the Council

1 believes that a 14-member City Council could adequately represent the
2 residents of the City; and

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

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

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

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

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

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

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

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

30 * * *

31 **ARTICLE 5. THE COUNCIL**

1 **Section 5.01. Council membership, residence areas and**
2 **districts.** The council shall consist of ~~19~~14 members and there shall
3 be ~~14~~ council districts and ~~5~~ at-large residence areas. Each council
4 district shall elect one council member. The council districts are
5 described in appendix 1 to this charter. ~~Five council members shall~~
6 ~~be elected at large. One at-large council member shall reside in each~~
7 ~~at-large residence area. The initial at-large residence areas are~~
8 ~~described in Appendix 1-A to this charter.~~

9 **Section 5.02. Redistricting of council districts and residence**
10 **areas.**

11 ~~(a)~~ Within 8 months after publication of each official federal
12 census of the City of Jacksonville (Duval County), the council
13 shall redistrict the 14 council districts and ~~5~~ at-large
14 ~~residence areas~~ so that all districts and at-large residence
15 ~~areas~~ are as nearly equal in population and are arranged in a
16 logical and compact geographic pattern to the extent possible.
17 If the council shall be unable to complete the redistricting of
18 the council districts within 8 months after the official
19 publication of the census, the general counsel shall petition
20 the circuit court for the fourth judicial circuit to make such
21 redistricting. Any redistricting of the council districts ~~or at~~
22 ~~large residence areas~~ made pursuant to this section shall not
23 affect any term of office in existence at the date of such
24 redistricting, but shall be applicable beginning with the next
25 succeeding general consolidated government election which occurs
26 at least 9 months after the effective date of the redistricting.

27 ~~(b)~~ ~~The council shall establish the initial 5 at-large residence~~
28 ~~areas according to the same considerations for reapportioning~~
29 ~~the existing council and school districts as are established in~~
30 ~~chapter 18 of the Ordinance Code. Establishment of the initial~~
31 ~~5 at-large residence areas by the council shall be accomplished~~

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

10 * * *

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

30 * * *

31 **Section 5.06. Vacancies; ~~temporary appointments.~~** The office

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

1 certification, in order to reduce the time the council district—~~or~~
2 ~~at-large residence area~~ is vacant and without representation.

3 * * *

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

22 **ARTICLE 18. MISCELLANEOUS PROVISIONS**

23 * * *

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

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

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

6 **Section 4. Referendum.**

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

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

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

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

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

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

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

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

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

30 **Section 7. Official Ballot.** The Council hereby directs
31 that the following referendum question, in substantially the form set

1 forth below, be placed on the ballot at the election to be held on
2 February 22, 2022, the Final Special Election:

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

11 (____) YES.

12 (____) NO.

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

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

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

1 results of the referendum's election vote.

2

3 Form Approved:

4

5 /s/ Paige H. Johnston

6 Office of General Counsel

7 Legislation Prepared By: Paige H. Johnston

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