

Charter Revision Commission
Subcommittee, Government Structure/
Preserving Institutional Knowledge
(Jessica Baker)

TIMING OF LOCAL ELECTIONS

The Subcommittee on Government Structure/Preserving Institutional Knowledge voted on January 30, 2020 to recommend the following Charter Amendments regarding the timing of local elections.

Charter Amendments:

1. Amend the Charter to require that all local elections currently held in the spring, including City Council Members, Mayor, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector, be held in the fall of the “off year” in-between the presidential and Florida gubernatorial elections.
2. Amend the Charter to provide for the newly elected City Council Members, Mayor, Property Appraiser, Sheriff, Supervisor of Elections, and Tax Collector, to take office on the first of January following their election.

Background and Findings:

The Subcommittee found two main reasons to change the timing of elections from the spring to the fall of the “off year.” The first reason is it would make for more effective government when it comes to the budget. Newly elected officials would be sworn into office on the first of January and therefore, the operational challenges that new Council Members and a new Mayor face with the coming budget would be mitigated, if not resolved.¹ Currently, the budget is presented by the Mayor to the City Council on July 15, yet a new Mayor and new Council Members are sworn into office on the first of July.² This creates a hardship every four (4) years for newly elected officials as they have no time to deal with, nor understand the budget process. The budget process begins in March and April with departmental requests compiled by the Budget Office into a draft document for consideration by the Mayor’s Office.³ The Mayor’s Budget Review Committee (MBRC) reviews the entire budget at noticed meetings in June and questions department heads about the proposals for their department.⁴ During an election year, the new Mayor has roughly 45 days to put his or her stamp on the budget, mainly through the MBRC process in June, which is still run by the outgoing administration, but is attended by the new administration’s transition team.⁵ New Council Members attend the Mayor’s budget presentation 15 days after being sworn into office.⁶ The budget is vetted by Council in August and must be passed out and adopted no later than September 30th.⁷ Changing the election to the fall, with elected officials sworn in on the first of January, would result in greater opportunity for newly elected officials to become acclimated to the position, as well as the budget process.

¹ 09/20/19 Transcript, p. 124.

² Ibid.

³ 12/12/19 Government Structure/Preserving Institutional Knowledge Subcommittee Meeting Minutes, p. 3.

⁴ Ibid.

⁵ Ibid.

⁶ 09/20/19 Transcripts, p. 124.

⁷ 10/15/19 Transcripts, p. 36.

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The second reason for moving local elections to the fall of the “off year” is this is the best way to increase turnout, and more importantly, keep the voter’s attention on the local elections. Voter turnout has been low in recent years.⁸ In 2019, approximately 25% of registered voters voted in March and 14% in May.⁹ There may still be a turnout issue in the fall of the “off year,” but the belief is that voters are used to voting in August and November, so turnout may improve in the fall, even though it does not coincide with the presidential or the Gubernatorial elections.¹⁰ The strongest case to be made in favor of keeping the March elections is that voters can focus their attention on the candidates running for local office.¹¹ Since a change to the fall in the “off year” will still be a stand-alone election, this would still be the case. Voters will not be distracted by the abundance of TV ads and mail for top ticket candidates as is the case in even numbered years.¹² Candidates for local office will be able to get their message out on radio and tv programs without having to compete for this time with other legislative races.¹³ Candidates will have the ability to get air time at reasonable rates and not have to pay premium costs to get on tv, like in even numbered years.¹⁴ Local elections will not be buried at the bottom of the ballot, where voters may leave them blank or simply have no idea who the candidates are.¹⁵ There is also a cost to candidates running for a local office because, in the even numbered year, they would have to compete against all candidates for fundraising dollars.¹⁶ For these reasons, the Subcommittee recommends that elections be moved to the fall of the “off year.”

Charter Amendment:

1. Amend the Charter to require that such change in the timing of local elections shall take place in year 2031, such that the four (4) year term for elected officials taking office on the first of July, 2027 shall be extended by six (6) months from the 31st of June, 2031 to the 31st of December, 2031.

Background and Findings:

The changing of local elections from the spring to the fall in even or odd numbered years has been debated for over 20 years. Numerous bills have been filed to make this change, however, almost all of the legislation has failed at City Council. One of the sticking points throughout the years was how to make this transition. Council Members argued that either method – the one-time shortening or lengthening of a term was problematic. Some thought if you shortened the term, Council Members would not support the change due to the decrease in length of term. Others argued that lengthening the term, even by 6 months, would put Council Members

⁸ 10/02/19 Transcripts, p. 120.

⁹ 10/02/19 Transcripts, p. 146.

¹⁰ 10/15/19 Transcripts, p. 36.

¹¹ Ibid, p. 35.

¹² Ibid, p. 48.

¹³ Ibid, p.35.

¹⁴ Ibid, p. 48.

¹⁵ Ibid, p. 46.

¹⁶ Ibid, p. 48.

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who approved the change at risk in future elections (opponents would paint the candidate as a term limit violator who voted to keep themselves in office beyond 4 years).

The Subcommittee found that the best way to resolve this issue is to require that such change happen in the year 2031. This ensures that all current Council Member's terms would not be impacted by this change, if Council approves this recommendation by June 31st, 2023. Thus, no Council Member approving this recommendation would be in office for the term starting the first of July, 2027 and ending December 31st, 2031.

Ordinance Code Amendments:

1. Amend the Ordinance Code to require that local elections, which currently take place in March and May, shall take place in August and November of the same "off-year."
2. Amend the Ordinance Code to require the general election be held on the first Tuesday after the first Monday in November.
3. Amend the Ordinance Code to require the first election be held on the Tuesday 11 weeks prior to the general election.

Background and Findings:

As discussed above, the Subcommittee found that turnout for local elections may increase with elections held in August and November since voters are used to voting in these months, notwithstanding the fact that the local elections will not coincide with the presidential or Gubernatorial elections.¹⁷ The Subcommittee discussed when the election should take place in the fall and ultimately concluded that it is best to be consistent with the Florida Statutes.

- Current Municipal Ordinance Code:
 - The first election shall be held the 12th Tuesday of the year.¹⁸
 - The general election shall be held eight Tuesdays later.¹⁹
- Florida Statutes:
 - The primary election is held on the Tuesday 11 weeks prior to the general election.²⁰
 - The general election is held on the first Tuesday after the first Monday in November of each even numbered year.²¹

¹⁷ See footnote 10.

¹⁸ City of Jacksonville Municipal Ordinance Code, § 350.102.

¹⁹ City of Jacksonville Municipal Ordinance Code, § 350.102.

²⁰ FLA. STAT. § 100.061 (2019).

²¹ FLA. STAT. § 100.031 (2019).