

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

5 AN ORDINANCE TO BE KNOWN AS "ELIMINATING
6 EXCESS ELECTIONS," RELATING TO THE TERMS AND
7 ELECTIONS OF CITY OF JACKSONVILLE COUNTY
8 OFFICIALS AND SETTING A PUBLIC REFERENDUM;
9 AMENDING THE CHARTER OF THE CITY OF
10 JACKSONVILLE, CHAPTER 92-341, LAWS OF FLORIDA,
11 AS AMENDED; CHANGING THE DATE OF ASSUMING THE
12 OFFICES OF THE MAYOR, COUNCIL MEMBERS, AND THE
13 SHERIFF, SUPERVISOR OF ELECTIONS, PROPERTY
14 APPRAISER, AND TAX COLLECTOR TO JANUARY 1ST
15 FOLLOWING FALL EVEN-YEAR GUBERATORIAL
16 ELECTIONS COMMENCING JANUARY 1, 2031, AND
17 EVERY 4 YEARS THEREAFTER; PROVIDING FOR
18 TRANSITION; REPEALING CONFLICTING ORDINANCES
19 AND REQUIRING THE ENACTMENT OF NEW
20 IMPLEMENTATION ORDINANCES; REVISING THE
21 LENGTHS OF THE TERMS OF OFFICE OF THE CITY
22 COUNCIL MEMBERS, MAYOR, SHERIFF, SUPERVISOR OF
23 ELECTIONS, PROPERTY APPRAISER, AND TAX
24 COLLECTOR ASSUMING OFFICE ON JULY 1, 2027, TO
25 TERMS OF JULY 1, 2027 THROUGH DECEMBER 31,
26 2030; PROVIDING FOR NO CHANGE IN TERM LIMITS;
27 PROVIDING FOR REFERENDUM APPROVAL OF THIS
28 ORDINANCE; PROVIDING FOR A FINANCIAL IMPACT
29 STATEMENT TO BE DEVELOPED AND PLACED ON THE
30 BALLOT; DIRECTING THE SUPERVISOR OF ELECTIONS
31 TO PLACE THE REFERENDUM QUESTION ON THE

1 SPECIAL ELECTION BALLOT ON FEBRUARY 22, 2022;
2 PROVIDING AN EFFECTIVE DATE.

3 WHEREAS, the issue of the continuing vitality of spring
4 Consolidated Government elections has been debated extensively by
5 the City Council and by advisory committees such as the Task Force
6 for Consolidated Government and Charter Revision Commission, and
7 has been subject to many close votes; and

8 WHEREAS, the City continues to experience ever stagnant low
9 voter turnout at spring elections at substantial costs to the
10 taxpayers; and

11 WHEREAS, it has been projected that the estimated costs of
12 holding spring Consolidated Government elections is approximately
13 \$2,000,000 per unitary election, which is approximately \$4,000,000
14 every four years, and while the cost of fall gubernatorial
15 elections would increase somewhat with the change, it would be to a
16 much lesser extent, with significant cost savings by moving spring
17 Consolidated Government elections to the fall gubernatorial
18 election cycle; and

19 WHEREAS, the Council finds that the terms of the Mayor, all
20 City Council Members, the Sheriff, the Property Appraiser, the
21 Supervisor of Elections, and the Tax Collector should commence in
22 sufficient time to address the City of Jacksonville's annual
23 budget, and setting terms of office to commence on January 1st, and
24 conducting elections in the fall, will most effectively allow for
25 the above described public officials to prepare for annual
26 budgeting; and conducting those elections at the same time as the
27 state gubernatorial elections will save substantial amounts of
28 money;

29 WHEREAS, following an unprecedented international pandemic
30 which has resulted in economic instability for many local
31 taxpayers, the savings of taxpayer dollars has become a critical

1 concern to local taxpayers, voters and leaders; and

2 WHEREAS, additionally, moving the spring Consolidated
3 Government elections would arguably result in greater public
4 participation and voter turnout; and

5 WHEREAS, the Council believes that the issue should be offered
6 to and decided by the voters; now therefore

7 BE IT ORDAINED by the Council of the City of Jacksonville:

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

13 Section 2. Charter Amended. Section 5.03 of Article 5,
14 section 6.01 of Article 6, section 8.02 of Article 8, section 9.02
15 of Article 9, section 10.02 of Article 10, and section 11.02 of
16 Article 11 of the Charter of the City of Jacksonville, as codified
17 in section 1 of chapter 92-341, Laws of Florida, as amended, are
18 amended, and a new section 18.12 of Article 18 is created, all to
19 read as follows:

20 PART A. CHARTER LAWS CHARTER OF THE
21 CITY OF JACKSONVILLE, FLORIDA

22 * * *

23 ARTICLE 5. THE COUNCIL

24 * * *

25 Section 5.03. Terms of councilmen members.

26 Councilmen members shall serve for a term of 4 years beginning
27 on the first day of July after their election, and continuing after
28 such term until their successors are elected and qualified, except
29 that commencing with elections that will be conducted
30 contemporaneously with the state gubernatorial election in 2030,
31 and every four years thereafter, council members shall assume

1 office on the first day of January after their election.

2 * * *

3 **ARTICLE 6. THE MAYOR**

4 **Section 6.01. Qualifications and term of office.**

5 The mayor shall be a qualified elector of Duval County and a
6 resident of Duval County, and shall have resided in and been a
7 qualified elector of Duval County for at least 365 consecutive days
8 immediately before the date on which he or she qualifies to run for
9 the office of mayor. If he or she shall cease to possess any such
10 qualifications during his or her term of office, he or she shall
11 forthwith forfeit the office, and the council shall remove him or
12 her therefrom. He or she shall be elected for a period of 4 years
13 and shall assume office on the first day of July following his or
14 her election and serve until his or her successor is elected and
15 qualified, except that commencing with elections that will be
16 conducted contemporaneously with the state gubernatorial election
17 in 2030, and every four years thereafter, the mayor shall assume
18 office on the first day of January after his or her election. No
19 mayor elected and qualified for two consecutive terms shall be
20 eligible for election as mayor in the next succeeding term. The
21 mayor shall devote his or her entire time to the performance of the
22 duties of his or her office and shall hold no other public office
23 or public employment.

24 * * *

25 **ARTICLE 8. SHERIFF**

26 * * *

27 **Section 8.02. Qualifications, election, terms, compensation.**

28 The sheriff shall be a qualified elector of and reside in
29 Duval County, and shall have resided in and been a qualified
30 elector of Duval County for at least 183 consecutive days
31 immediately before the date on which he or she qualifies to run for

1 the office of sheriff. The sheriff shall be elected by the
2 qualified electors of Duval County for a period of 4 years and
3 shall assume office on the first day of July following his or her
4 election and serve until his or her successor is elected and
5 qualified, except that commencing with elections that will be
6 conducted contemporaneously with the state gubernatorial election
7 in 2030, and every four years thereafter, he or she shall assume
8 office for a four year term on the first day of January following
9 his or her election. The sheriff shall devote his or her entire
10 time to the performance of the duties of his or her office and
11 shall hold no other public office or public employment except that
12 he or she may be a notary public or a member of the armed forces.
13 The compensation of the sheriff shall be fixed by the city council.

14 * * *

15 **ARTICLE 9. SUPERVISOR OF ELECTIONS**

16 * * *

17 **Section 9.02. Qualifications, election, term.**

18 The supervisor of elections shall be a qualified elector of
19 Duval County and a resident of Duval County, and shall have resided
20 in and been a qualified elector of Duval County for at least 183
21 consecutive days immediately before the date on which he or she
22 qualifies to run for the office of supervisor of elections. He or
23 she shall be elected for a term of 4 years and shall assume office
24 on the first day of July following his or her election, except that
25 commencing with elections that will be conducted contemporaneously
26 with the state gubernatorial election in 2030, and every four years
27 thereafter, he or she shall assume office for a four year term on
28 the first day of January following his or her election. He or she
29 shall devote his or her entire time to the performance of the
30 duties of his or her office and shall hold no other public office
31 or public employment.

1 * * *

2 ARTICLE 10. PROPERTY APPRAISER

3 * * *

4 Section 10.02. Qualifications, elections, term.

5 The property appraiser shall be a qualified elector of and
6 reside in Duval County, and shall have resided in and been a
7 qualified elector of Duval County for at least 183 consecutive days
8 immediately before the date on which he or she qualifies to run for
9 the office of property appraiser. He or she shall be elected for a
10 period of 4 years and shall assume office on the first day of July
11 following his or her election and serve until his or her successor
12 is elected and qualified, except that commencing with elections
13 that will be conducted contemporaneously with the state
14 gubernatorial election in 2030, and every four years thereafter, he
15 or she shall assume office for a four year term on the first day of
16 January following his or her election. The property appraiser shall
17 devote his or her entire time to the performance of the duties of
18 his or her office and shall hold no other public office or public
19 employment.

20 * * *

21 ARTICLE 11. TAX COLLECTOR

22 * * *

23 Section 11.02 Qualifications, election, term.

24 The tax collector shall be a qualified elector of and reside
25 in Duval County, and shall have resided in and been a qualified
26 elector of Duval County for at least 183 consecutive days
27 immediately before the date on which he or she qualifies to run for
28 the office of tax collector. He or she shall be elected for a term
29 of 4 years and shall assume office on the first day of July
30 following his or her election, except that commencing with
31 elections that will be conducted contemporaneously with the state

1 gubernatorial election in 2030, and every four years thereafter, he
2 or she shall assume office for a four year term on the first day of
3 January following his or her election. He or she shall devote his
4 or her entire time to the performance of the duties of his or her
5 office and shall hold no other public office or public employment.

6 * * *

7 **ARTICLE 18. MISCELLANEOUS PROVISIONS**

8 * * *

9 **Sec. 18.12 Transition to Fall Elections.** Notwithstanding
10 anything in the Charter or the Ordinance Code of the City of
11 Jacksonville to the contrary, and for purposes of electing City of
12 Jacksonville county officers in fall even-year gubernatorial
13 elections every four years commencing in 2030 and having those
14 terms commence on January 1st of the following year, the 2027-2031
15 terms of the Mayor, all City Council Members, the Sheriff, the
16 Property Appraiser, the Supervisor of Elections, and the Tax
17 Collector, shall expire on December 31, 2030 and shall be
18 considered as one full term for purposes of two term limits, as
19 applicable. The terms of all such persons elected to such offices
20 through elections conducted in the fall gubernatorial elections of
21 2030, and every four years thereafter, in accordance with
22 procedures to be established by contemporaneous changes which shall
23 be made by the City Council to Chapter 350, *Ordinance Code* of the
24 City of Jacksonville, shall commence on January 1, 2031, and shall
25 expire on December 31, 2034, for the 2030 election, and on like
26 January 1st and December 31st dates for each term every four years
27 thereafter.

28 **Section 3. Transition - Conflicting ordinances repealed.** For
29 purposes of implementing this ordinance, any ordinance conflicting
30 with this ordinance, once approved by referendum, is hereby
31 repealed. The City of Jacksonville shall establish, by ordinance,

1 election procedures consistent with this ordinance and the Charter
2 changes approved herein.

3 **Section 4. Referendum.**

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

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

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

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

1 members stated above. The Office of the Council Auditor and the
2 Department of Finance shall be made available as resources. The
3 Council Auditor shall chair the committee and ensure the timely
4 completion of the financial impact estimate in time to be included
5 on the referendum ballot and advertised as required for the charter
6 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 4(a) hereinabove, to print the ballot title and
11 referendum question set forth in Sections 6 and 7 hereof on said
12 absentee ballots and ballot strips at the appropriate place
13 therefor. Immediately after said question shall be provided a
14 space for the voter to indicate whether the vote is "yes" or "no"
15 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
20 once in the third week prior to the week in which the referendum is
21 to be held, in the manner provided in Section 18.05 of the City
22 Charter and 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
25 the following form:

26 "REFERENDUM AMENDING CHARTER, ADOPTING FALL
27 GUBERNATORIAL YEAR ELECTIONS FOR LOCAL ELECTED
28 CONSTITUTIONAL OFFICERS; DECREASING 2027
29 TERMS"

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

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

3 "Shall Ordinance 2021-___-E, which amends
4 Jacksonville's Charter, changes terms of
5 office of council members, the mayor, sheriff,
6 supervisor of elections, property appraiser,
7 and tax collector, eliminates spring
8 elections, and moves those elections to fall
9 gubernatorial year elections commencing in
10 2030, and which for the 2027 term only,
11 decreases the terms of city council members,
12 the mayor, sheriff, supervisor of elections,
13 property appraiser, and tax collector by six
14 months through December 31, 2030, become
15 effective?"

16 (____) YES.

17 (____) NO.

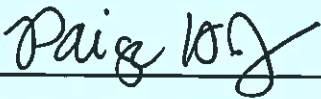
18 **Section 8. Referendum Results.** The Supervisor of
19 Elections for Duval County, Florida shall certify the results of
20 the referendum to the Florida Department of State in accordance
21 with law. If a majority of the votes cast in the referendum shall
22 be for the amendment, the amendment shall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

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

31 **Section 10. Effective Date.** Except as herein provided,

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

7
8 Form Approved:

9
10  _____

11 Office of General Counsel

12 Legislation Prepared By: Paige H. Johnston

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