

Introduced by: Council Member Cory Nichols
1st Reading: April 4, 2022
2nd Reading: April 18, 2022

ORDINANCE NO. 2022-8176

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA PERTAINING TO ELECTIONS IN JACKSONVILLE BEACH, FLORIDA; REVISING THE BOUNDARIES OF THREE CITY COUNCIL DISTRICTS PURSUANT TO THE 2020 FEDERAL CENSUS; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF ORDINANCE NO. 2011-8013 AND OF OTHER CONFLICTING ORDINANCES, DESCRIPTION OF THE PLAN TO BE ENTERED UPON THE MINUTES, SCRIVENER'S ERRORS, SEVERABILITY, EFFECTIVE DATES, AND APPLICABILITY.

WHEREAS, the City of Jacksonville Beach, Florida ("City") has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Section 166.031(3) of the Florida Statutes, and Section 3, Chapter I, Charter of Jacksonville Beach, Florida ("City Charter"); and

WHEREAS, the City Charter requires the City Council to adopt an ordinance reapportioning its voting district every 10 years based upon changes in the most recent Florida and U.S. Census so that each district is contiguous in territory and nearly equal in population as practicable so as to promote fair representation; and

WHEREAS, it is the intent of this Ordinance to comply with these aforesaid requirements, as well as those set forth pursuant to federal jurisprudence.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. Findings of Fact. The City Council hereby adopts the following Findings of Fact:

A. Chapter I, Section 3 of the Jacksonville Beach City Charter requires that the Jacksonville Beach City Council ("City Council") divide the City into districts of contiguous territory as nearly equal in population as practicable after each decennial census. Such decennial redistricting is also required pursuant to federal jurisprudence, specifically the "one person, one vote" principle derived by the U.S. Supreme Court from the Fourteenth Amendment.

B. The City Council carefully reviewed and evaluated the data provided by the U.S. Census Bureau, considered input provided by members of the public as well as input provided by members of the City Council in their capacity as the elected representatives of their pre-existing City Council Districts, and adhered to all applicable legal criteria, including federal equal population law, federal anti-discrimination law, the Voting Rights Act, and state and local contiguity requirements prior to the enactment of this Ordinance.

C. The City Council determined, in its sole discretion and authority, that the district lines as hereby adopted preserve districts of contiguous territory and nearly equal apportionment of the population as practicable while strictly comporting with applicable federal, state, and local law pertaining to redistricting.

SECTION 2. Redistricting. Chapter III, Section 19, Appendix "A", of the Charter of the City of Jacksonville Beach, Florida is hereby amended by deleting the existing section in its entirety and replacing it with the following:

Appendix "A"

City of Jacksonville Beach Voting Districts

District 1

Commencing at the intersection of the easterly projection of the centerline of Beach Boulevard (U.S. Highway 90) with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the easterly projection of the centerline of 13th Avenue South; thence west along the centerline of 13th Avenue South to its intersection with the centerline of South 1st Street; thence south along the centerline of South 1st Street to its intersection with the centerline of 14th Avenue South; thence west along the centerline of 14th Avenue South to its intersection with the centerline of South 2nd Street; thence south along the centerline of South 2nd Street to its intersection with the centerline of 15th Avenue South; thence west along the centerline of 15th Avenue South to its intersection with the centerline of South 9th Street; thence south along the centerline of South 9th Street to its intersection with the centerline of 16th Avenue South; thence west along the centerline of 16th Avenue South to its intersection with the centerline of Roberts Drive; thence south along the centerline of Roberts Drive to its intersection with the centerline of Seabreeze Avenue; thence west along the centerline of Seabreeze Avenue to its intersection with the centerline of America Avenue; thence south along the centerline of America Avenue to its intersection with the centerline of Osceola Avenue; thence west along the centerline of Osceola Avenue to its intersection with the centerline of the Constitution Cove-Sanctuary drainage ditch; thence north along the centerline of the Constitution Cove-Sanctuary drainage ditch to its intersection with the easterly projection of the southern boundary of the Oakbreeze Cove subdivision; thence west along the easterly projection of the southern boundary of the Oakbreeze Cove subdivision and the westerly projection of the southern boundary of the Oakbreeze Cove subdivision to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the centerline of Beach Boulevard (U.S. Highway 90); thence east along the centerline of Beach Boulevard (U.S. Highway 90) to its intersection with the centerline of Penman Road; thence north along the centerline of Penman Road to its intersection with the centerline of 2nd Avenue North; thence east along the centerline of 2nd Avenue North to its intersection with the centerline of Palm Tree Road, thence north along the centerline of Palm Tree Road to its intersection with the centerline of 5th Avenue North; thence east along the centerline of 5th Avenue North to its intersection with the centerline of North 11th Street; thence north along the centerline of North 11th Street to its intersection with the centerline of 6th Avenue North; thence east along the centerline of 6th Avenue North and the centerline of 6th Avenue North extended to its intersection with the point of beginning at the low tide line of the Atlantic Ocean.

District 2

Commencing at the intersection of the easterly projection of the centerline of 13th Avenue South with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the Duval County-St. Johns County boundary line; thence west along the Duval County-St. Johns County boundary line to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the western projection of the southern boundary of the Oakbreeze Cove subdivision; thence east along the western projection of the southern boundary of the Oakbreeze Cove subdivision and continuing along the southern boundary of the Oakbreeze Cove subdivision to its intersection with the centerline of the Constitution Cove-Sanctuary drainage ditch; thence south along the centerline of the Constitution Cove-Sanctuary drainage ditch to its intersection with the centerline of Osceola Avenue; thence east along the centerline of Osceola Avenue to its intersection with the centerline of American Avenue; thence north along the centerline of American Avenue to its intersection with the centerline of Seabreeze Avenue; thence east along the centerline of Seabreeze Avenue to its intersection with the centerline of Roberts Drive; thence north along the centerline of Roberts Drive to its intersection with the centerline of 16th Avenue South; thence east along the centerline of 16th Avenue South to its intersection with the centerline of South 9th Street; thence north along the centerline of South 9th Street to its intersection with the centerline of 15th Avenue South; thence east along the centerline of 15th Avenue South to its intersection with the centerline of South 2nd Street; thence north along the centerline of South 2nd Street to its intersection with the centerline of 14th Avenue South; thence east along the centerline of 14th Avenue South to its intersection with the centerline of South 1st Street; thence north along the centerline of South 1st Street to its intersection with the centerline of 13th Avenue South; thence east along the centerline of 13th Avenue South and the easterly projection of the centerline of 13th Avenue South.

District 3

Commencing at the intersection of the City of Jacksonville Beach-City of Neptune Beach boundary line with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the easterly projection of the centerline of 6th Avenue North; thence west along the centerline of 6th Avenue North to its intersection with the centerline of North 11th Street; thence south along the centerline of North 11th Street to its intersection with the centerline of 5th Avenue North; thence west along the centerline of 5th Avenue North to its intersection with Palm Tree Road; thence south along the centerline of Palm Tree Road to its intersection with the centerline of 2nd Avenue North; thence along the centerline of 2nd Avenue North to its intersection with the centerline of Penman Road; thence south along the centerline of Penman Road to its intersection with the centerline of Beach Boulevard (U.S. Highway 90); thence west along the centerline of Beach Boulevard (U.S. Highway 90) to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the City of Jacksonville Beach-City of Neptune Beach boundary line; thence east along the City of Jacksonville Beach-City of Neptune Beach boundary line to the point of beginning.

SECTION 3. Repeal of Conflicting Ordinances. All ordinances, official determinations, or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are repealed to the extent of conflict or inconsistency herewith, specifically including City Ordinance No. 2011-8013.

SECTION 4. Publication and Minutes. The City Council hereby directs the City Clerk to publish the adoption of the reapportioned boundaries of the Jacksonville Beach City Council districts, and to cause an accurate description of said boundaries, as changed, to be entered upon the City Council's minutes and a certified copy thereof to be published at least once each week for two consecutive weeks in a newspaper published in the City with proof of such publication entered upon the City minutes.

SECTION 5. Codification. The City Clerk and City Attorney shall cause the Charter of the City of Jacksonville Beach, Florida to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the findings of law.

SECTION 6. Scrivener's Errors. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

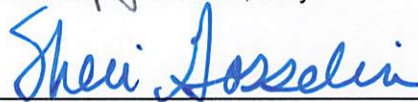
SECTION 7. Severability. It is hereby declared to be the intention of the City Council for the City of Jacksonville Beach that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable. If any phrase, clause, sentence, paragraph, or section of this Code shall be declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

SECTION 8. Effective Dates and Applicability. All sections of this Ordinance shall take effect immediately upon final adoption. The revised boundaries shall govern the qualification and election of the City Council Members in 2022.

AUTHENTICATED THIS 18th DAY OF April, A.D., 2022.



Christine H. Hoffman, Mayor



Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:



Sandra R. Robinson, City Attorney

