

PROPOSED
ORDINANCE NO. 21-21

ORDINANCE NO. 10-21

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA; ESTABLISHING A PROCESS AND A SCHEDULE FOR THE DISTRICTING COMMISSION TO SUBMIT PLAN FOR THE REDISTRICTING OF CITY COUNCIL BOUNDARIES FOR THE NOVEMBER 8, 2022 GENERAL ELECTION; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, section 6.08(b)(3) of the charter requires the city council to appoint a districting commission no later than one year and five months before the first general election of the city council after each federal decennial census for the purpose of redrawing the council district boundaries where necessary; and

WHEREAS, section 6.08(c) of the charter provides for the powers and duties of the districting commission; including a time frame for holding public hearings, making its plan available for public inspection, and submission to the city council not less than one year before the first general election of the city council after each decennial census; and

WHEREAS, the city has been informed that there will be a delay in the receipt of the results of the 2020 decennial census, necessitating an adjustment by the city council in the schedule for the districting commission to perform its duties; and

WHEREAS, section 6.08(c)(6) of the charter provides that in any year that population figures are not available at least one year and five months before the first general election following the decennial census, the city council may, by local law, shorten the time periods provided for districting commission action required by the charter; and

WHEREAS, the city council finds that it is necessary to adopt this ordinance pursuant to section 6.08(c)(6) in order to shorten the time frame for districting commission action;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Findings.

The legislative findings recited above are true and correct and are incorporated herein by reference as if fully set forth.

SECTION 2. Amended schedule for districting commission action.

- (a) The deadline for the districting commission to hold one or more public hearings and to make its plan available for public inspection before it submits its plan to city council shall remain as provided in section 6.08(c)(2).
- (b) The districting commission shall submit its plan to the city council not less than ten (10) months in advance of the first general election of the city council after the decennial census, which deadline is January 7, 2022.
- (c) The districting commission plan shall be deemed adopted by the city council unless disapproved by the council within three (3) weeks of the plan submission to the council or by January 19, 2022, whichever is earlier, by the vote of the majority of all members of the city council. If the city council fails to adopt the plan, it shall return the plan to the districting commission with its objections and the objections of individual councilmembers.
- (d) Upon rejection of the plan by the city council, the districting commission shall prepare a revised plan and shall submit such revised plan to the city council no later than February 8, 2022. Such revised plan shall be deemed adopted by the city council unless disapproved within two (2) weeks by the vote of two-thirds of all councilmembers and unless, by a vote of two-thirds of all councilmembers, the city council votes to file a petition in the circuit court in and for Escambia County for determination that the plan fails to meet the requirements of the charter. The city council shall file its petition no later than ten (10) days after its disapproval of the plan. Upon a final determination upon appeal, if any, that the plan meets the requirements of the charter, the plan shall be deemed adopted by the city council and the commission shall deliver the plan to the city clerk. The plan delivered to the city clerk shall include a map and description of the districts.

SECTION 3. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.


SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: May 27, 2021

Approved: Jared Max
President of City Council

Attest:

 Michelle L. Burnett
City Clerk

CITY CLERKS OFFICE - LEGAL ADS
222 W MAIN ST

PENSACOLA, FL 32502

Published Daily-Pensacola, Escambia County, FL

PROOF OF PUBLICATION

State of Florida
County of Escambia:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Advertising Representative of the Pensacola News Journal, a daily newspaper published in Escambia County, Florida that the attached copy of advertisement, being a Legal Ad in the matter of

NOTICE OF PROPOSED ORDINA

as published in said newspaper in the issue(s) of:

05/17/21

Affiant further says that the said Pensacola News Journal is a newspaper in said Escambia County, Florida and that the said newspaper has heretofore been continuously published in said Escambia County, Florida, and has been entered as second class matter at the Post Office in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or coporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 7th of June 2021, by legal clerk who is personally known to me

Amy Kohott
Affiant
Vicky Felty
Notary Public State of Wisconsin, County of Brown
979-21

My commission expires

of Affidavits: 1

Publication Cost: \$288.90
Ad No: 0004732243
Customer No: PNJ-25615500

VICKY FELTY
Notary Public
State of Wisconsin

This is not an invoice

NOTICE OF PROPOSED ORDINANCES

Please be advised that Proposed Ordinance Nos. 16-21 and 21-21 were presented to the City Council of the City of Pensacola for first reading on Thursday, May 13, 2021 and will be presented for final reading and adoption on Thursday, May 27, 2021 at 5:30 p.m., in Council Chambers on the First Floor of City Hall, 222 West Main Street, Pensacola, Florida.

Members of the public may attend the meeting in person. Members of the public may also attend and participate or via live stream and/or phone as follows: To watch the meeting live visit: cityofpensacola.com/428/Live-Meeting-Video.

To provide input:
• For Leroy Boyd Forum, for items not on the agenda: citizens may submit an online form here: https://www.cityofpensacola.com/cinput. beginning at 3:00 P.M. until 5:30 P.M. only to indicate they wish to speak during Leroy Boyd Forum and include a phone number. Staff will call the person at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone.

• For agenda items, proposed ordinance items: citizens may submit an online form here: https://www.cityofpensacola.com/cinput. beginning at 3:00 P.M. until that agenda item has been voted upon to indicate they wish to speak to a specific item on the agenda and include a phone number. Staff will call the person at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone. Any form received after an agenda item has been voted upon will not be considered.

The title(s) of the proposed ordinance(s) are as follows:

P.O. #16-21:

AN ORDINANCE AMENDING SECTION 9-5-72 AND CREATING CHAPTER 9-10, SECTION 9-10-1 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; IMPLEMENTING RATIFIED FIREIGHTER COLLECTIVE BARGAINING AGREEMENT PROVISIONS; PROHIBITING ADDITIONAL FUNDING OF THE FIREIGHTERS' DEFERRED COMPENSATION PLAN; PROVIDING FIREIGHTER PENSION BENEFITS SUPPLEMENTAL TO BENEFITS PROVIDED BY STATE STATUTE; AMENDING SPOUSAL AND WIDOW/WIDOWER BENEFITS; AMENDING DEFINITION OF COMPENSATION; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

P.O. #21-21:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA; ESTABLISHING A PROCESS AND A SCHEDULE FOR THE DISTRICTING COMMISSION TO SUBMIT PLAN FOR THE REDISTRICTING OF CITY COUNCIL BOUNDARIES FOR THE NOVEMBER 8, 2022 GENERAL ELECTION; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A copy of proposed ordinances may be inspected by the public by calling the City Clerk's office to request a copy, or on-line with the agenda package on the City's website: https://pensacola.legistar.com/Calendar.aspx. Interested parties may be physically present at the meeting to participate (as indicated above) or may attend and participate via live stream and/or phone as (as indicated above) and be heard with respect to the proposed ordinances.

If any person decides to appeal any decision made with respect to any matter considered at this meeting or public hearing, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and any evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to city services, programs, and activities. Please call 435-1606 (or TDD 435-1666) for further information. Requests must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.

CITY OF PENSACOLA, FLORIDA
By: Ericka L. Burnett, City Clerk

Legal No. 4732243

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5/17/2021