

Introduced by the Council Member Gay and amended on the Floor of Council:

RESOLUTION 2025-475-A

A RESOLUTION REQUESTING A WRITTEN ADVISORY OPINION FROM THE FLORIDA COMMISSION ON ETHICS (THE "COMMISSION") PURSUANT TO RULE 34-6.004, *FLORIDA ADMINISTRATIVE CODE*, AND SECTION 112.322 (3) (A), *FLORIDA STATUTES*, REGARDING THE APPLICABILITY OF CHAPTER 112, PART III, *FLORIDA STATUTES* OR ANY OTHER PROVISIONS RELATED TO STANDARDS OF CONDUCT FOR LOCAL GOVERNMENT ATTORNEYS AND PUBLIC OFFICERS AND EMPLOYEES, REGARDING THE HIRING OF THE LAW FIRM OF GENERAL COUNSEL MICHAEL FACKLER'S FATHER-IN-LAW TO REPRESENT THE CONSOLIDATED CITY GOVERNMENT AND THE DUVAL COUNTY SCHOOL BOARD; DIRECTING THE OFFICE OF GENERAL COUNSEL TO ENGAGE JASON GABRIEL OF THE LAW FIRM OF BURR & FORMAN AT A REASONABLE RATE TO PROVIDE A LEGAL MEMORANDUM PROVIDING RELEVANT FACTS AND LEGAL ANALYSIS FOR REVIEW AND APPROVAL BY THE COUNCIL PRESIDENT PRIOR TO SUBMITTAL TO THE COMMISSION; DIRECTING THE OFFICE OF GENERAL COUNSEL TO FORWARD A COPY OF THE RESOLUTION AND APPROVED LEGAL MEMORANDUM TO THE COMMISSION; PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED by the Council of the City of Jacksonville:

Section 1. Request for a Written Advisory Opinion from the Florida Commission on Ethics. The City Council hereby submits a

1 request to the Florida Commission on Ethics (the "Commission"),
2 pursuant to Section 112.322(3)(a), *Florida Statutes*, for a written
3 advisory opinion regarding the applicability of Chapter 112, Part
4 III, *Florida Statutes*, or any other statutory restrictions concerning
5 standards of conduct for local government attorneys and public
6 officers and employees, or any other statutory restrictions,
7 regarding General Counsel Michael Fackler hiring the law firm owned
8 by his father-in-law for legal services directly rendered by his
9 father-in-law for the Consolidated Government of the City of
10 Jacksonville, including the Duval County School Board and the other
11 Independent Agencies.

12 **Section 2. Directing the Office of General Counsel to**
13 **Engage Attorney Jason Gabriel to Prepare a Legal Memorandum.** The
14 Office of General Counsel is hereby directed to engage Jason Gabriel
15 of the law firm of Burr & Forman at a reasonable rate to draft and
16 attach a legal memorandum to this Resolution after its adoption,
17 providing the relevant facts and background and any legal analysis
18 the City would request the Commission consider in providing a written
19 advisory opinion on the matter described above. The legal memorandum
20 shall be reviewed by the Council President prior to it being submitted
21 to the Commission to ensure it is consistent with the Council's intent
22 as stated herein.

23 **Section 3. Direction to Forward the Resolution and Legal**
24 **Memorandum to the Florida Commission on Ethics.** The Office of General
25 Counsel is hereby directed to forward this request in the form of the
26 enacted Resolution and the legal memorandum described in Section 2
27 to the Florida Commission on Ethics.

28 **Section 4. Effective Date.** Pursuant to Section 6.05(e) of
29 the Charter, this Resolution shall become effective upon adoption by
30 the Council.
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1 Form Approved:

2
3 /s/Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Jason R. Teal

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