

RESOLUTION 2026-04

A RESOLUTION OF THE SCHOOL BOARD OF DUVAL COUNTY, FLORIDA, REGARDING EMPLOYMENT OF A GENERAL COUNSEL

WHEREAS, the School Board of Duval County, Florida (the “School Board”), consisting of seven elected Florida Constitutional Officers, is the governing body for the School District of Duval County, Florida (the “district”);

WHEREAS, Article 7, Section 7.01 of the Charter of the City of Jacksonville, Florida, establishes the office of general counsel for the City of Jacksonville, which has the responsibility for furnishing legal services to the city and its independent agencies;

WHEREAS, Article 7, Section 7.02 of the Charter of the City of Jacksonville, Florida, provides that the head of the office of general counsel for the City of Jacksonville shall be the general counsel who shall be the chief legal officer for the entire consolidated government, including its independent agencies;

WHEREAS, Article 7, Section 7.02 of the Charter of the City of Jacksonville, Florida, further provides that any legal opinion rendered by the general counsel for the City of Jacksonville shall constitute the final authority for the resolution or interpretation of any legal issue relative to the entire consolidated government and shall be considered valid and binding in its application unless and until it is overruled or modified by a court of competent jurisdiction or an opinion of the Attorney General of the State of Florida dealing with a matter of solely state law;

WHEREAS, Section 1.102 of the Jacksonville Ordinance Code includes the School Board within the definition of “independent agencies,” to which the foregoing charter provision applies;

WHEREAS, the School Board is the only “independent agency” identified in the Charter of the City of Jacksonville, Florida, that has its own budget that is not overseen by the City Council for the City of Jacksonville;

WHEREAS, in *School Board of Duval County, et al. v. City of Jacksonville*, Case No. 2019-CA-6561 (Fourth Judicial Circuit, Duval County, Florida), the Circuit Court ruled that the School Board was “established and operated as [a] constitutional, independent county governmental entit[y],” that “[c]onsolidated government in Jacksonville has not changed the status of the Duval County School Board under Florida Law,” that the School Board has “maintain[ed] its fundamental independence,” and that the School Board had the right to independent legal counsel in that court proceeding; and

WHEREAS, the School Board wishes to employ its own general counsel who is independent of the office of the General Counsel of the City of Jacksonville and whose opinions on legal issues pertaining to the Duval County School Board and School District of Duval County shall not be subject to the opinion of the General Counsel of the City of Jacksonville or any binding opinion rendered by the General Counsel of the City of Jacksonville.

BE IT RESOLVED, that the Duval County School Board desires to file a local bill for consideration by the Duval County Legislative Delegation and subsequently the Florida Legislature to amend the Charter of the City of Jacksonville, Florida as more specifically set forth in Exhibit “A”, attached hereto, and further seeks the Jacksonville City Council’s support for the School Board’s

pursuit of said Charter amendment.

ADOPTED, on August 5, 2025, in Jacksonville, Duval County, Florida, by the School Board of Duval County, Florida.

ATTEST:

By:


Dr. Christopher Bernier,
Superintendent of Schools
And Ex-Officio Secretary
To the Board

THE SCHOOL BOARD OF DUVAL,
COUNTY FLORIDA

By:

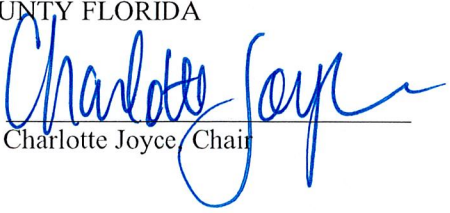

Charlotte Joyce / Chair

EXHIBIT "A"

Sec. 7.01. - Office established; general responsibility.

There is established an office of the City of Jacksonville to be known as the office of general counsel, which shall have the responsibility for furnishing legal services to the city and its independent agencies, except that the council may create an office of legislative counsel within the legislative branch whose purpose shall be to advise and assist the council and its committees and members in the achievement of a clear, faithful and coherent expression of legislative policies and to perform such other related duties for the council as the council may by ordinance direct. For purposes of utilization of central services by the city and its independent agencies, the services of the office of general counsel shall be deemed to be central services or services of the central service department, as the case may be. The general counsel shall provide to any member of the Duval County legislative delegation who resides in Duval County upon request an opinion on any matter relative to the government of the City of Jacksonville or any of its independent agencies.

The General Counsel may employ, supervise and terminate assistant counsels to assist with the efficient provision of legal services for the City's independent agencies. The General Counsel may authorize the independent agencies to engage outside counsel upon certification by the General Counsel of compliance with the Charter and with the agency's authority and a written finding of necessity by the General Counsel. The General Counsel may authorize the City to engage outside private counsel upon written certification by the General Counsel of its necessity, and such engagement shall be in accordance with procedures set forth by the City Council.

Notwithstanding any provisions to the contrary in the General and Permanent Ordinances and Charter and Related Laws of the City of Jacksonville, Florida, the Duval County School Board may employ its own general counsel, who shall be independent of the office of the General Counsel of the City of Jacksonville and whose opinions on legal issues pertaining to the Duval County School Board and School District of Duval County shall not be subject to the opinion of the General Counsel of the City of Jacksonville or any binding opinion rendered by the General Counsel of the City of Jacksonville. This provision shall apply only to the selection and employment of a general counsel for the Duval County School Board. All other legal services to the School Board and School District of Duval County, as determined and assigned by the School Board General Counsel, including but not limited to representation of the Duval County School Board and Duval County School District in litigation and contract preparation, shall continue to be provided through the office of the General Counsel of the City of Jacksonville, and the attorneys who provide such services shall be subject solely to the supervision of the General Counsel of the City of Jacksonville.