

1 Introduced by Council President Newby:
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4 **ORDINANCE 2021-778**

5 AN ORDINANCE REGARDING THE CONFIRMATION OF THE
6 MAYOR'S APPOINTMENT OF JASON R. TEAL AS THE
7 GENERAL COUNSEL PURSUANT TO SECTION 7.03 OF THE
8 CHARTER OF THE CITY OF JACKSONVILLE; WAIVING
9 COUNCIL RULE 4.1103 (CONFIRMATION OF THE GENERAL
10 COUNSEL), COUNCIL RULES, AS TO THE REQUIREMENT
11 THAT UPON INTRODUCTION OF ANY RESOLUTION
12 CONFIRMING THE APPOINTMENT OR REAPPOINTMENT OF
13 THE GENERAL COUNSEL, LEGISLATIVE SERVICES SHALL
14 NOTIFY THE CLERK OF COURT, PROPERTY APPRAISER,
15 SHERIFF, SUPERVISOR OF ELECTIONS, TAX COLLECTOR
16 AND CHAIRPERSON OF THE DUVAL COUNTY SCHOOL BOARD
17 AND ENCOURAGE THEM TO PROVIDE ORAL OR WRITTEN
18 INPUT AND GUIDANCE AS TO THE FITNESS OF THE
19 APPOINTEE TO BE GENERAL COUNSEL; REQUESTING
20 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
21 AN EFFECTIVE DATE.

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23 **WHEREAS**, the selection of the General Counsel is governed by the
24 City of Jacksonville Charter (the "Charter"), Section 7.03 (Selection
25 and Term of the General Counsel); and

26 **WHEREAS**, in accordance therewith, following the resignation of
27 the former General Counsel Jason R. Gabriel on August 6, 2021, Mayor
28 Curry empaneled the General Counsel's Qualification Review Committee
29 consisting of the designee of the Jacksonville Bar Association
30 President, two former general counsels of the City and two members
31 of the Florida Bar Board of Governors; and

1 **WHEREAS**, during the pendency of the vacancy, Mayor Curry
2 appointed an acting General Counsel pursuant to Charter Section 7.05
3 (Vacancy) for a period not to exceed 90 days from the effective date
4 of the vacancy on August 7, 2021 in order for there to be continuity
5 and an orderly operation in the Office of General Counsel; and

6 **WHEREAS**, the 90-day period is scheduled to expire at the end of
7 November 4, 2021; and

8 **WHEREAS**, the General Counsel's Qualification Review Committee
9 commenced meeting in September 2021 and advertised for interested
10 candidates for the General Counsel position for two weeks; and

11 **WHEREAS**, on October 4, 2021, the General Counsel's Qualification
12 Review Committee voted unanimously to strongly recommend Acting
13 General Counsel Jason R. Teal be appointed as General Counsel; and

14 **WHEREAS**, Mr. Teal graduated with Honors from Florida State
15 University College of Law in 1998; he has been employed with the
16 Office of General Counsel since October 2000, including as an
17 Assistant General Counsel from October 2000 to February 2010, when
18 he was promoted to Chief of the Office's Regulatory Division; he
19 served as Regulatory Chief from February 2010 until November 2015,
20 when he was promoted to Deputy General Counsel over the Office's
21 Regulatory and Constitutional Law Department; and

22 **WHEREAS**, during his tenure with the Office of General Counsel,
23 Mr. Teal has represented clients from nearly every aspect and element
24 of the Consolidated City government and has participated in numerous
25 critical and significant matters involving and defending the Charter,
26 the Ordinance Code and the overall interests of the Consolidated
27 City; and

28 **WHEREAS**, Mayor Lenny Curry has found that the interests of the
29 Consolidated Government will be best served by appointing Mr. Teal
30 as General Counsel; and

31 **WHEREAS**, in accordance with the process outlined in Charter

1 Section 7.03, the Mayor filed Resolution 2021-770 seeking the
2 Council's confirmation of the appointment of Jason R. Teal as General
3 Counsel; and

4 **WHEREAS**, on October 19, 2021, in compliance with Council Rule
5 4.1101, Mr. Teal appeared in front of the Rules Committee and was
6 interviewed by the members of said Committee and visiting members of
7 Council; and

8 **WHEREAS**, during its October 19th meeting and prior to
9 interviewing Mr. Teal, the Rules Committee discussed Council Rule
10 4.1103 (Confirmation of the General Counsel), which requires that
11 upon introduction of any resolution confirming the appointment or
12 reappointment of the General Counsel, Legislative Services shall
13 notify the Clerk of Court, Property Appraiser, Sheriff, Supervisor
14 of Elections, Tax Collector and Chairperson of the Duval County School
15 Board and encourage them to provide oral or written input and guidance
16 to the Rules Committee and any other committee considering said
17 appointment or reappointment, as to the fitness of the appointee to
18 be General Counsel; and

19 **WHEREAS**, the Legislative Services Division confirmed that notice
20 to the Constitutional Officers and the Chair of the Duval County
21 School Board had not been provided prior to the October 19th Rules
22 Committee meeting, thus necessitating the subsequent filing of this
23 legislation at the request of the Rules Committee in order to waive
24 the aforementioned notice requirement in Council Rule 4.1103 and to
25 ensure the appointment of Jason R. Teal as General Counsel can be
26 acted upon in a timely manner prior to the expiration of the 90-day
27 period outlined in Section 7.05(a) of the Charter; now therefore

28 **BE IT ORDAINED** by the Council of the City of Jacksonville:

29 **Section 1. Recitals.** The above recitals are true and
30 correct and are incorporated herein by this reference.

1 **Section 2. Waiver of Council Rule 4.1103 (Confirmation of**
2 **the General Counsel), Council Rules.** Council Rule 4.1103
3 (Confirmation of the General Counsel), Part 11 (Appointments and
4 Confirmations), Chapter 4 (Procedures), *Council Rules*, is hereby
5 waived as to the requirement that upon the introduction of any
6 resolution confirming the appointment or reappointment of the General
7 Counsel, Legislative Services shall notify the Clerk of Court,
8 Property Appraiser, Sheriff, Supervisor of Elections, Tax Collector
9 and Chairperson of the Duval County School Board and encourage them
10 to provide input as to the fitness of the appointee to be General
11 Counsel. The Legislative Services Division confirmed this notice was
12 not provided prior to the October 19th meeting of the Rules Committee.
13 This waiver is necessary to ensure Resolution 2021-770 confirming the
14 appointment of Jason R. Teal as General Counsel is acted upon prior
15 to the expiration of the 90-day period described in Section 7.05(a)
16 of the Charter on November 4, 2021.

17 **Section 3. Requesting emergency passage upon introduction**
18 **pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
19 introduction of this Ordinance is requested. The nature of the
20 emergency is that section 7.05(a) of the Charter authorizes an acting
21 general counsel to be appointed for a maximum of 90 days from the
22 commencement of the vacancy. The former General Counsel's resignation
23 was on August 6, 2021, creating a vacancy as of August 7, 2021. The
24 90-day period expires at the end of November 4, 2021, requiring
25 passage of this Ordinance no later than the Council meeting on October
26 26, 2021.

27 **Section 4. Effective Date.** This Ordinance shall become
28 effective upon signature by the Mayor or upon becoming effective
29 without the Mayor's signature.
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1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation prepared by: Mary E. Staffopoulos

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