

1 Introduced by Council Member Freeman:
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4 **RESOLUTION 2023-589**

5 A RESOLUTION REQUESTING A WRITTEN ADVISORY
6 OPINION FROM THE FLORIDA COMMISSION ON ETHICS
7 (THE "COMMISSION") PURSUANT TO RULE 34-6.004,
8 *FLORIDA ADMINISTRATIVE CODE*, AND SECTION
9 112.322(A), *FLORIDA STATUTES*, REGARDING THE
10 APPLICABILITY OF ARTICLE II, SECTIONS 8 (E) AND
11 (F) OF THE FLORIDA CONSTITUTION, AND ANY
12 IMPLEMENTING STATUTORY OR OTHER PROVISIONS
13 RELATED TO POST EMPLOYMENT LOBBYING OR OTHER
14 RESTRICTIONS, REGARDING THE MAYOR'S APPOINTMENT
15 AND COUNCIL'S CONFIRMATION OF A FORMER CITY
16 COUNCIL MEMBER TO THE POSITION OF GENERAL
17 COUNSEL FOR THE CITY OF JACKSONVILLE; DIRECTING
18 THE OFFICE OF GENERAL COUNSEL TO PROVIDE A LEGAL
19 MEMORANDUM PROVIDING RELEVANT FACTS AND LEGAL
20 ANALYSIS; DIRECTING THE OFFICE OF GENERAL
21 COUNSEL TO FORWARD A COPY OF THE RESOLUTION AND
22 LEGAL MEMORANDUM TO THE COMMISSION; REQUESTING
23 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
24 AN EFFECTIVE DATE.
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26 **BE IT RESOLVED** by the Council of the City of Jacksonville:

27 **Section 1. Request for a Written Advisory Opinion from the**
28 **Florida Commission on Ethics.** The City Council hereby submits a
29 request to the Florida Commission on Ethics (the "Commission"),
30 pursuant to Section 112.322(a), *Florida Statutes*, for a written
31 advisory opinion regarding the applicability of Article II, Sections

1 8 (e) and (f) of the Florida Constitution, and any implementing
2 statutory provisions related to post employment lobbying or any other
3 statutory restrictions, regarding the Mayor's appointment and the
4 Council's confirmation of a former Council Member to the position of
5 general counsel for the City of Jacksonville. The Council further
6 requests the Commission address this matter as expeditiously as
7 possible for the reasons outlined in Section 4 below.

8 **Section 2. Directing the Office of General Counsel to**
9 **Prepare a Legal Memorandum.** The Office of General Counsel is hereby
10 directed to draft and attach a legal memorandum to this Resolution
11 providing the relevant facts and background and any legal analysis
12 the City would request the Commission consider in providing a written
13 advisory opinion on the matter described above.

14 **Section 3. Direction to Forward the Resolution and Legal**
15 **Memorandum to the Florida Commission on Ethics.** The Office of General
16 Counsel is hereby directed to forward this request in the form of the
17 enacted Resolution and the legal memorandum described in Section 2
18 to the Florida Commission on Ethics.

19 **Section 4. Requesting Emergency Passage Upon Introduction**
20 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
21 introduction of this legislation is requested. The nature of the
22 emergency is that there is pending legislation seeking the Council's
23 confirmation of the Mayor's appointment of a former Council Member
24 to the position of general counsel for the City. This legislation
25 will require action by the Council within the next several weeks and
26 the Council's action may be affected by the opinion rendered by the
27 Commission on this matter.

28 **Section 5. Effective Date.** This Resolution shall become
29 effective upon signature by the Mayor or upon becoming effective
30 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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