

1 Introduced by the Rules Committee (Council Members Freeman, White,
2 Amaro, Boylan, J. Carlucci, Johnson and Miller) and amended on the
3 Floor of Council:
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6 **RESOLUTION 2023-589-A**

7 A RESOLUTION REQUESTING A WRITTEN ADVISORY
8 OPINION FROM THE FLORIDA COMMISSION ON ETHICS
9 (THE "COMMISSION") PURSUANT TO RULE 34-6.004,
10 *FLORIDA ADMINISTRATIVE CODE*, AND SECTION
11 112.322(3)(A), *FLORIDA STATUTES*, REGARDING THE
12 APPLICABILITY OF ARTICLE II, SECTIONS 8 (E) AND
13 (F) OF THE FLORIDA CONSTITUTION, AND ANY
14 IMPLEMENTING STATUTORY OR OTHER PROVISIONS
15 RELATED TO POST EMPLOYMENT LOBBYING OR OTHER
16 RESTRICTIONS, REGARDING THE MAYOR'S APPOINTMENT
17 AND COUNCIL'S CONFIRMATION OF A FORMER CITY
18 COUNCIL MEMBER TO THE POSITION OF GENERAL
19 COUNSEL FOR THE CITY OF JACKSONVILLE; DIRECTING
20 THE OFFICE OF GENERAL COUNSEL TO PROVIDE A LEGAL
21 MEMORANDUM PROVIDING RELEVANT FACTS AND LEGAL
22 ANALYSIS; DIRECTING THE OFFICE OF GENERAL
23 COUNSEL TO FORWARD A COPY OF THE RESOLUTION AND
24 LEGAL MEMORANDUM TO THE COMMISSION; REQUESTING
25 EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING
26 AN EFFECTIVE DATE.
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28 **BE IT RESOLVED** by the Council of the City of Jacksonville:

29 **Section 1. Request for a Written Advisory Opinion from the**
30 **Florida Commission on Ethics.** The City Council hereby submits a
31 request to the Florida Commission on Ethics (the "Commission"),

1 pursuant to Section 112.322(3)(a), *Florida Statutes*, for a written
2 advisory opinion regarding the applicability of Article II, Sections
3 8 (e) and (f) of the Florida Constitution, and any implementing
4 statutory provisions related to post employment lobbying or any other
5 statutory restrictions, regarding the Mayor's appointment and the
6 Council's confirmation of a former Council Member to the position of
7 general counsel for the City of Jacksonville. The Council further
8 requests the Commission address this matter as expeditiously as
9 possible for the reasons outlined in Section 4 below.

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

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

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

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

1 without the Mayor's signature.

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3 Form Approved:

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5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation Prepared By: Mary E. Staffopoulos

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