

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2023-589

Introducer/Sponsor(s): Council Member Freeman

Date of Introduction: August 22, 2023

Committee(s) of Reference: R

Date of Analysis: August 24, 2023

Type of Action: Request for Florida Ethics Commission advisory opinion; direction to Office of General Counsel; request for emergency passage upon introduction

Bill Summary: The bill requests a written advisory opinion from the Florida Commission on Ethics regarding the application of a Florida Constitution provision limiting post-employment lobbying or other state statutory provisions to the Mayor's appointment of a former City Council Member to the position of General Counsel. It directs the Office of General Counsel to draft and transmit to the Ethics Commission a legal memorandum providing the relevant facts, background information and legal analysis to accompany the request for an advisory opinion. Emergency passage on first reading is requested.

Background Information: Both the Florida Constitution and Florida Statutes contain provisions that prohibit a "public official" (as defined) from lobbying the body on which they previously served for a period of time after they vacate that office. This bill requests a formal written advisory opinion from the State Ethics Commission as to how the constitutional and statutory lobbying restrictions would apply to a former City Council member serving in the position of General Counsel in Jacksonville. Emergency passage is requested because the City Charter permits a person designated by the mayor to be the "acting" General Counsel to perform the duties of the office for not more than 90 days, unless a resolution appointing a new General Counsel has been rejected by the Council, in which case the "acting" General Counsel may be reappointed for one additional 60-day period. Mr. Robert Rhodes assumed the position of Acting General Counsel on July 1st.

Policy Impact Area: General Counsel selection and confirmation

Fiscal Impact: None

Analyst: Clements