

1 Introduced by Council Member Carrico:
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4 **RESOLUTION 2025-695**

5 A RESOLUTION EXPRESSING THE CITY COUNCIL'S
6 SUPPORT FOR LOCAL BILL J-1, TO BE CONSIDERED BY
7 THE DUVAL COUNTY LEGISLATIVE DELEGATION, WHICH
8 WOULD AMEND CHAPTER 92-341, LAWS OF FLORIDA, AS
9 AMENDED, BY AMENDING SECTION 7.01, CHARTER OF
10 THE CITY OF JACKSONVILLE, TO AUTHORIZE THE DUVAL
11 COUNTY SCHOOL BOARD TO EMPLOY A GENERAL COUNSEL
12 WHO SHALL BE INDEPENDENT OF THE CITY'S OFFICE OF
13 GENERAL COUNSEL AND WHO SHALL NOT BE SUBJECT TO
14 THE OPINION, BINDING OR OTHERWISE, OF THE
15 GENERAL COUNSEL OF THE CITY OF JACKSONVILLE;
16 PROVIDING THE STATE J-BILL PROCESS AND
17 RESPONSIBILITIES OF THE LOCAL PROPONENT;
18 DIRECTING THE DUVAL DELEGATION COORDINATOR TO
19 FORWARD TO CIVIC PLUS A COPY OF ANY SPECIAL ACT
20 OF THE STATE LEGISLATURE THAT WOULD EFFECTUATE
21 THIS REQUEST; PROVIDING AN EFFECTIVE DATE.
22

23 **WHEREAS**, Article 7 of the Charter of the City of Jacksonville
24 (the "City Charter") establishes the City's Office of General Counsel
25 which has the responsibility for furnishing legal services to the
26 City and its independent agencies; and

27 **WHEREAS**, Section 7.02 (General counsel), *City Charter*, provides
28 that the head of the Office of General Counsel shall be the General
29 Counsel who serves as the chief legal officer for the entire
30 consolidated government, including its independent agencies; and

31 **WHEREAS**, the School Board of Duval County, Florida (the "School

1 Board"), consists of seven elected officials who serve as the
2 governing body for the School District of Duval County, Florida, an
3 independent agency of the Consolidated Government of the City of
4 Jacksonville; and

5 **WHEREAS**, the School Board is the only independent agency within
6 the Consolidated Government of the City of Jacksonville whose budget
7 is not subject to the oversight, review or approval of the City
8 Council; and

9 **WHEREAS**, on August 7, 2025, the School Board adopted Resolution
10 2026-04, a copy of which is attached hereto as **Exhibit 1**, proposing
11 revisions to Section 7.01, *City Charter*, to authorize the School
12 Board to employ a general counsel who is independent from the City's
13 Office of General Counsel and who would not be subject to the opinion
14 of the City's General Counsel, binding or otherwise; and

15 **WHEREAS**, pursuant to Resolution 2026-04, the School Board cited
16 the Final Order rendered in the case of *School Board of Duval County,*
17 *et al. v. City of Jacksonville*, Case No. 2019-CA-6561 (Fourth Judicial
18 Circuit, Duval County, Florida) wherein the Circuit Court ruled that:
19 (1) the School Board was "established and operated as [a]
20 constitutional, independent county governmental entit[y]," (2)
21 "[c]onsolidated government in Jacksonville has not changed the status
22 of the Duval County School Board under Florida Law," (3) the School
23 Board has "maintain[ed] its fundamental independence," and (4) the
24 School Board had a right to independent legal counsel in that court
25 proceeding, as evidence of the School Board's greater level of
26 independence within the Consolidated Government to support its
27 pursuit of a Charter amendment to authorize its employment of legal
28 counsel that is separate from the Office of General Counsel as
29 described herein; and

30 **WHEREAS**, the School Board's general counsel, if authorized,
31 would continue to work with the Office of General Counsel to assign

1 duties and matters to the Office of General Counsel on behalf of the
2 School Board and the Duval County School District; and

3 **WHEREAS**, the City Council hereby expresses its support for Local
4 Bill J-1 to effectuate the proposed change to the City Charter; now
5 therefore

6 **BE IT RESOLVED** by the Council of the City of Jacksonville:

7 **Section 1. Support of Local Bill J-1.** The Council hereby
8 expresses its support for Local Bill J-1 to be considered by the
9 Duval County Legislative Delegation for the 2026 State Legislative
10 Session. Said Local Bill J-1 would amend Chapter 92-341, Laws of
11 Florida, as amended, to amend Section 7.01, Charter of the City of
12 Jacksonville (the "City Charter"), to authorize the School Board of
13 Duval County, Florida, to employ a general counsel who shall be
14 independent from the City's Office of General Counsel and who shall
15 not be subject to the opinion, binding or otherwise, of the General
16 Counsel of the City of Jacksonville. A true and correct copy of said
17 Local Bill J-1 is attached hereto as **Exhibit 2** and is incorporated
18 herein by this reference.

19 **Section 2. State J-bill Process and Responsibilities of**
20 **Local Proponent.** The House of Representatives sponsor will deliver
21 the Local Bill J-2 to House Bill Drafting. The local proponent will
22 be responsible for complying with the provisions of the Local Bill
23 Filing Manual including but not limited to advertising and public
24 hearing requirements. The Duval Delegation Local Bill hearing will
25 occur on October 22, 2025, in the City Council Chamber.

26 **Section 3. Directing the Duval Delegation Coordinator to**
27 **Forward to Civic Plus a Copy of Any Special Act of the State**
28 **Legislature Which Effectuates this Request.** The Duval Delegation
29 Coordinator is hereby directed to forward to Civic Plus, formerly
30 known as "Municode," a copy of any Special Act of the State
31 Legislature that effectuates the amendment to the City Charter of the

1 City of Jacksonville proposed herein so that, if approved, the
2 amendment can be catalogued in Article 7 (Office of General Counsel),
3 Part A - Charter Laws, of the Charter of the City of Jacksonville
4 Florida.

5 **Section 4. Effective Date.** This Resolution shall become
6 effective upon signature by the Mayor or upon becoming effective
7 without the Mayor's signature.

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9 Form Approved:

10
11 /s/Mary E. Staffopoulos

12 Office of General Counsel

13 Legislation Prepared By: Mary E. Staffopoulos

14 GC-#1706589-v1-Reso_Supporting_J-1_-_DCSB_Charter_Amd_(2025) (Carrico).docx

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:

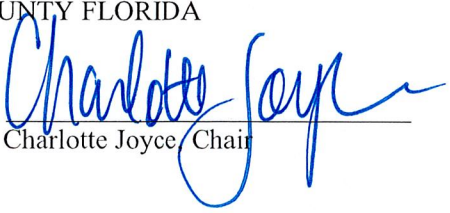

Charlotte Joyce / Chair

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.

EXHIBIT 1

CHAPTER 2026-_____

House Bill No. _____

An act relating to the City of Jacksonville, Duval County; amending ch. 92-341, Laws of Florida, as amended; amending Section 7.01 to authorize the Duval County School Board to employ a general counsel who shall be independent of the City's office of general counsel and who shall not be subject to the opinion, binding or otherwise, of the general counsel of the City of Jacksonville; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 7.01 of Article 7 of chapter 92-341, Laws of Florida, as amended, is amended to read:

ARTICLE 7

OFFICE OF GENERAL COUNSEL

Section 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 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 Duval County School Board and School District of Duval County, as determined and assigned by the general counsel to the Duval County School Board, 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 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.

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Section 2. This act shall take effect upon becoming a law.