# REPEALED OND 73-451-341

and subject matter

Introduced by Councilman Roberts at the request of the Magreirance Code

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ORDINANCE 72-618-314

AN ORDINANCE REPEALING SECTION 7.306 OF THE CHARTER OF THE CITY OF JACKSONVILLE ESTABLISHING THE LEGAL DIVISION; AMENDING THE CHARTER BY ESTABLISHING A DEPARTMENT TO BE KNOWN AS THE OFFICE OF GENERAL COUNSEL AND PRESCRIBING THE DUTIES AND FUNCTIONS OF THE OFFICE; REPEALING PART 2 OF CHAPTER 12 OF THE ORDINANCE CODE OF THE CITY, RELATING TO THE LEGAL DIVISION AND ADDING CHAPTER 23 TO THE ORDINANCE CODE RELATING TO THE OFFICE OF GENERAL COUNSEL; AMENDING SECTIONS 7.301 AND 7.303 OF THE CHARTER TO CONFORM HEREWITH; PROVIDING A TRANSITION PERIOD AND AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville: Section 1. Legal Division Abolished. Section 7,306 of the Charter of the City of Jacksonville, relating to the Legal Division, is repealed. Sections 7.301 and 7.303 of the Charter, relating to Central Services, are amended to read as follows:

Section 7.301. General. The central services department shall include the purchasing, motor pool, information systems, information services and communications divisions. The director

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of central services shall be the head of the central services department and shall have the responsibility for the management, operation and control of all central services established by the consolidated government and furnished to all independent agencies, except the services of the personnel department and the office of general counsel.

Section 7.303. <u>Utilization of Central Services</u>. All of the services provided by the central services department and the personnel department and the office of general counsel shall be utilized by all offices, departments and boards of the consolidated government and by all independent agencies, except when otherwise provided by law or directed by the council or by this charter. For the purposes of utilization of central services by independent agencies the services of the personnel department and the office of general counsel shall be deemed to be services of the central services department of the city. Independent agencies shall compensate the consolidated government for all services provided to the independent agencies.

Section 2. Office of General Counsel Established.

The Charter of the City of Jacksonville is amended by adding the following Chapter 11, in Article 7, establishing the Office of General Counsel:

#### CHAPTER 11

#### OFFICE OF GENERAL COUNSEL

7.1101 Office Established. There is established a

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department to be known as the Office of General Counsel, which shall have general responsibility for furnishing legal services to the City and its independent agencies, except where the Council may otherwise 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 Services Department of the City, as the case may be. The head of the Office of General Counsel shall be the General Counsel. The General Counsel shall be an attorney licensed to practice law in the State of Florida and have at least five years experience in the practice of law. He shall be appointed by the Mayor and confirmed by the Council and shall serve at the pleasure of the Mayor.

appoint Assistant Counsel and fix their compensation, subject to the approval of the Mayor. The General Counsel and all Assistant Counsel shall devote their entire time and attention to the business of the office and shall not engage in the private practice of law. No special counsel shall be employed by the City and paid from the public funds, unless otherwise provided for any independent agency, except that whenever, upon recommendation by the General Counsel, the interest of the City requires special counsel, the Council by resolution may employ such counsel, who shall be paid such compensation for their

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services as the General Counsel shall determine, and the Council shall approve, to be reasonable compensation for the services to be rendered.

7.1103 <u>Corporation Secretary</u>. Subject to applicable civil service laws and rules, the General Counsel shall designate one of his employees as Corporation Secretary.

7.1104 <u>Duties of Corporation Secretary</u>. The Corporation Secretary shall be responsible for the custody and safekeeping of such records of the office of the Mayor as the Mayor shall designate and for the performance of such additional duties as may be delegated to him by the Mayor. The Corporation Secretary is authorized and entitled to keep in his possession a duplicate official seal of the City, and to affix the seal on all papers and documents necessary to be executed by the Mayor and on all certified copies of public records of which he has custody.

Section 3. Ordinance Code Amended. Part 2 of Chapter 12 of the Ordinance Code of the City of Jacksonville, relating to the Legal Division, is repealed. The Ordinance Code is amended by adding the foregoing Chapter 11, in Article 7, as Chapter 23 of the Ordinance Code.

Section 4. <u>Transition Period</u>. On the effective date of this ordinance:

(a) The Division Chief of the Legal Division abolished hereby shall serve as General Counsel, and all Assistant Counsel and employees of the Legal Division abolished hereby shall become

Assistant Counsel and employees of the Office of General Counsel; and

(b) The budget for the Legal Division for the fiscal year 1971-1972 shall become the budget for the Office of General Counsel for the remainder of that fiscal year.

Section 5. <u>Effective Date</u>. This ordinance becomes effective on the first day of the first full pay period of the City after signature by the Mayor or after otherwise becoming effective without the Mayor's signature.

Form approved:

Assistant Counsel

Daniel L. Livernote ... Chief Legislative Counsel

### ORDINANCE 72-618-314

## CERTIFICATE OF AUTHENTICATION

ENACTED BY THE COUNCIL

JULY 25 19 72

APPROVED

HANS G. TANZLER, JR., MAYOR

ATTESTS

DAVID C. MacNAMARA
SECRETARY OF THE COUNCIL