

From: DeFoor, Randle
Sent: Thursday, September 26, 2019 7:45 AM
To: Gabriel, Jason
Cc: Rondinelli, Mellissa; CM; SS; CAUDIT; Brown, Cheryl; Sidman Martin, Margaret; Johnston, Paige; Durden, Stephen; Hodges, Lawsikia
Subject: Re: Memo re Ex Parte (a/k/a Cone of Silence) Guidelines; JEA Invitation to Negotiate

Council Members Please do not Respond to this email.

Mr. Gabriel- I believe in order to have a cone of silence on the ITN you need to brief us on the terms of the 80 plus page document so that we are fully informed as a body. A public work shop is appropriate and would also show us as our counsel your knowledge of the subject matter. Can we schedule this early next week?

Regards,

Randy
Sent from my iPhone

On Sep 24, 2019, at 7:30 PM, Gabriel, Jason <JGabriel@coj.net> wrote:
Dear CM DeFoor -

As stated in the memo I sent, on the third page, "The engagement letter is also where approval by the General Counsel is made thereby satisfying the written certification required by the Charter as to the necessity of the legal service." Each of our engagement letters, JEA or otherwise, contains this sign-off.

As to Charter Section 7.01, it applies to all City engagements of outside private counsel. The Charter makes no distinction whether outside private counsel is for Council or the Mayor. The Charter requires that the GC certify the necessity for outside private counsel for any officer or agency of the City, and as stated above, this is satisfied by virtue of signing and approving the engagement letter which we have developed and included in the memo for reference.

I'm happy to call and discuss this further with you at your convenience.

Thanks, Jason G.

From: DeFoor, Randle
Sent: Tuesday, September 24, 2019 3:06 PM
To: Rondinelli, Mellissa; CM; SS; CAUDIT; Brown, Cheryl
Cc: Gabriel, Jason; Sidman Martin, Margaret; Johnston, Paige; Durden, Stephen; Hodges, Lawsikia
Subject: RE: Memo re Ex Parte (a/k/a Cone of Silence) Guidelines; JEA Invitation to Negotiate

Please City Council Members do not reply to this E-mail in any form or fashion.

Dear Mr. Gabriel- Section 7.01 of the Charter specifically states that 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 or legislative counsel within the legislative branch whose purpose shall be to advise and assist the council and its committees and member in the achievement of a clear, faithful and coherent expression of legislative policies and to perform such other related duties...

The office of legislative counsel has already been created in Chapter 14 of the Ordinance Code and these duties have been defined in Chapter 14.103. The only limitation on the scope of services of such counsel to be hired is that the subject matter must be related to something that will be acted on by Council. Clearly, this would include the JEA.

Thus, the provisions of 7.01 that the general counsel must certify in the writing the necessity of outside counsel only pertains to entities other than City Council like the independent authorities. It appears that the JEA has hired numerous outside counsel in connection with the ITN. Have you certified the necessity of all of these counsel and if so please provide your written findings of necessity for each counsel that has been hired by the JEA.

Regards,

Randy DeFoor

From: Rondinelli, Mellissa
Sent: Tuesday, September 24, 2019 12:55 PM

To: CM; SS; CAUDIT; Brown, Cheryl
Cc: Gabriel, Jason; Sidman Martin, Margaret; Johnston, Paige; Durden, Stephen; Hodges, Lawsikia
Subject: Memo re Ex Parte (a/k/a Cone of Silence) Guidelines; JEA Invitation to Negotiate

Dear Honorable Council Members:

Attached is a memo from the General Counsel regarding Ex Parte (a/k/a Cone of Silence) Guidelines related to the JEA ITN process as requested at the Special Meeting held on September 16, 2019. Please do not hesitate to contact Jason individually with any questions you may have.

Thank you,

Mellissa A. Rondinelli
Office Administrator
Executive Assistant to Jason R. Gabriel, General Counsel
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