



**Ronald B. Salem, Pharm.D.**  
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## OFFICE OF THE CITY COUNCIL

TDD: (904) 255-5200

**Meeting Date:** February 24, 2026

**Topic:** OGC Opinion on Ordinance 2025-0872

**Location:** 117 West Duval Street, Council Chambers

**In attendance:** Council Member Ron Salem, Council Member Ken Amaro, Council Member Mike Gay, Council Member Joe Carlucci, Council Member Will Lahnen, Council Member Chris Milker, Council Member Randy White, Council Member Micheal Boylan, Council Member Jimmy Peluso, Council Member Matt Carlucci, Council Member Nick Howland, Kim Taylor and Phillip Peterson (Council Auditor's Office), Jason Teal (Council Director), Dylan Reingold, Regina Ross and Mary Staffopoulos (Office of General Counsel), Brittany Norris (Administration), Garrett Dennis (Administration).

**Meeting Convened:** 3:00 PM

Council Member Salem opened the meeting and asked everyone to introduce themselves for the record. He explained that the purpose of this meeting is to discuss the opinion from OGC regarding 2025-0872. The meeting began with a review of a memo from the OGC, drafted by Regina Ross. The memo argues against the City Council's power to make appointments to the KHA and Library Board, stating that appointment powers are "executive in nature" and belong to the Mayor.

Jason Teal presented several counterarguments to the OGC's opinion:

- Historical Precedent: The Council has made appointments to boards for over 50 years without challenge.
- Charter Language: Specific sections of the City Charter (6.04 on Mayoral appointments, 6.05 on veto exemptions) and the Ordinance Code (50.102) imply the Council has appointment authority.
- JEA Amendment: The OGC's use of the 2020 JEA Charter Amendment as precedent is flawed because JEA is a unique executive entity.
- Case Law: Appointment power is generally a shared political power unless explicitly assigned to one branch.

Council Member Discussion:

CM Matt Carlucci questioned why only the KHA and Library boards were being considered. CM Salem explained it was a starting point to re-establish Council powers they believe were eroded by the OGC's opinion. It was clarified that the bill would not cause immediate disruption, as appointments would be made one at a time as terms expired. Dylan Reingold (OGC) stated the current meeting process violates the City Charter and Ordinance Code (Chapter 14), which requires cooperation and communication between the Office of Legislative Counsel and the OGC. An email from Michael Fackler to Jason Teal on January 6th, 2026, allegedly went unanswered. CM



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Salem countered that a meeting was held with Mr. Fackler and Mr. Teal to discuss the issue. Regina Ross (Deputy General Counsel) clarified the memo was advisory guidance for this specific legislation, not a "bright line rule" for all boards. Mr. Teal countered that the charter makes any OGC opinion binding until overturned by a court, and the memo's language suggests a broader scope.

### Next Steps:

- The council could pass the bill by a simple majority. If vetoed by the mayor, a 13-vote override would be required. This would conclude the legislative process but leave the underlying legal question unresolved.
- The council could pass a resolution with 10+ votes to seek a declaratory judgment from a court. This would involve filing a lawsuit to clarify the council's appointment rights. Mr. Teal stated he could represent the council in such a suit.
- CM Boylan proposed a charter amendment to be decided by voters as a simpler solution.

### Action Items:

- Mr. Teal is to advise on the best strategy and timing for resolving the legal dispute, whether by deferring the bill and passing a resolution for court action, or another path.

**Adjournment:** 4:00 PM

*The following items were submitted for public record and can be accessed by contacting the Legislative Services Division: minutes, audio recording, and attendance sheet, video.*

Minutes: Nikki Evans – complete on March 2<sup>nd</sup>, 2026

cc: Council Members/Staff  
Jason Teal, Director/Council Secretary  
Bernadette Smith, Chief, Legislative Services Division  
Colleen Hampsey, Chief of Research  
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