

Dear Ms. Cavey and Mr. Fackler:

The City Council is empowered in section 5.09 of the Charter with the broad authority to conduct investigations of any aspect of the affairs of the Consolidated Government. Pursuant to section 7.01 of the Charter, the office of general counsel is responsible for furnishing legal services to the City and its Independent Agencies, including the JEA. Pursuant to section 7.02 of the Charter, the general counsel is the chief legal officer for the entire Consolidated Government, including the Independent Agencies, and he "shall make legal decisions on the merits for the consolidated government without preference to any official or agency." Finally, pursuant to section 7.07 of the Charter, the general counsel shall appoint assistant counsels to provide representation of the Consolidated Government in furtherance of the general counsel's obligations as the Consolidated Government's chief legal officer.

The City Council is a client of the office of general counsel and is entitled to representation. Due to the creation of the Council's Special Investigative Committee ("SIC") by Council President Kevin Carrico to investigate revenue concerns identified by the Jacksonville Inspector General and allegations of toxic workplace conditions identified at the recent JEA Board meeting, it has become apparent that the SIC needs guidance and information from Ms. Regina Ross, the former office of general counsel chief legal officer to the JEA.

Mr. Fackler has raised concerns regarding Ms. Ross' ability to participate in the SIC's work due to certain attorney/client privileges. Historically, previous general counsels have taken the position that no such privilege exists in internal matters involving only the Consolidated Government. It is the SIC's position that no attorney/client privilege exists regarding Ms. Ross' participation in this investigation.

In light of Mr. Fackler's new interpretation, the City Council hereby requests a waiver, in an abundance of caution, of any attorney/client privilege that may exist between Ms. Ross and JEA. No confidential information on any other topic other than those properly before the SIC will be requested.

Please confirm the JEA's consent and agreement, by signing below, to Ms. Ross participating in the SIC investigation and waiving any attorney/client privilege that may exist relating to matters falling under the jurisdiction of the SIC.

---

Vickie Cavey  
JEA Managing Director and Chief Executive Officer

---

Date