

1 Introduced by the Council President at the request of the Mayor and
2 Co-Sponsored by Council Member Peluso, Clark-Murray, Amaro and
3 Pittman:

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6 **RESOLUTION 2023-812-A**

7 A RESOLUTION CONFIRMING THE MAYOR'S APPOINTMENT
8 OF MICHAEL T. FACKLER AS THE GENERAL COUNSEL
9 PURSUANT TO SECTION 7.03 OF THE CHARTER OF THE
10 CITY OF JACKSONVILLE; DIRECTING LEGISLATIVE
11 SERVICES TO NOTIFY THE CLERK OF COURT, PROPERTY
12 APPRAISER, SHERIFF, SUPERVISOR OF ELECTIONS, TAX
13 COLLECTOR AND CHAIRPERSON OF THE DUVAL COUNTY
14 SCHOOL BOARD UPON INTRODUCTION OF THIS
15 RESOLUTION TO ENCOURAGE INPUT AND GUIDANCE
16 REGARDING THIS APPOINTMENT PURSUANT TO COUNCIL
17 RULE 4.1103; PROVIDING AN EFFECTIVE DATE.

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19 **WHEREAS,** the selection of the General Counsel is governed by
20 Section 7.03 (Selection and Term of General Counsel) of the City of
21 Jacksonville Charter; and

22 **WHEREAS,** in accordance therewith, at the commencement of newly
23 elected Mayor Donna Deegan's term, Mayor Deegan empaneled the General
24 Counsel's Qualification Review Committee, comprised of five attorneys
25 consisting of the Jacksonville Bar Association President, two former
26 general counsels and two members of the Florida Bar Board of
27 Governors; and

28 **WHEREAS,** Mayor Deegan subsequently appointed an acting General
29 Counsel to serve for a period of 90 days beginning July 1, 2023 and
30 expiring at the end of September, 2023, in order for there to be
31 continuity of management and orderly operation in the Office of

1 General Counsel during the pendency of the deliberations of the
2 General Counsel's Qualification Review Committee; and

3 **WHEREAS**, upon expiration of the initial acting General
4 Counsel's term, Mayor Deegan appointed Michael T. Fackler as acting
5 General Counsel for a 90-day period beginning September 29, 2023, to
6 allow for continued orderly operation in the Office of General Counsel
7 until the Qualifications Review Committee could convene to review Mr.
8 Fackler's qualifications and make a recommendation; and

9 **WHEREAS**, the 90-day period for Mr. Fackler's term as acting
10 General Counsel will expire at the end of December, 2023; and

11 **WHEREAS**, on October 26, 2023, the General Counsel's
12 Qualification Review Committee convened and voted unanimously to
13 strongly recommend Michael T. Fackler be appointed as General Counsel;
14 and

15 **WHEREAS**, Mr. Fackler graduated with High Honors from the
16 University of Florida Levin College of Law in 2002 and began the
17 practice of law as a Law Clerk for the Honorable Harvey E. Schlesinger
18 of the United States Middle District of Florida; during that time he
19 also served as an Adjunct Professor at Florida Coastal School of Law,
20 teaching legal research and writing and appellate advocacy; since
21 2004, Mr. Fackler has focused his practice in the area of complex
22 commercial litigation, most recently as a partner with the established
23 local law firm of Milam Howard Nicandri & Gillam, P.A., where he
24 litigated cases in both state and federal court and handled multiple
25 appeals and arbitrations; and

26 **WHEREAS**, prior to and throughout his career, Mr. Fackler found
27 a calling to service to both his profession and the community; in
28 1996 he joined the United States Peace Corps and spent two years
29 teaching English in Rybnik, Poland; in 2016 he began serving on the
30 Advisory Committee for the United States District Court, Middle
31 District of Florida, and in 2022 he was appointed to the Jacksonville

1 Area Legal Aid Board of Directors; he also served as a board member
2 and President of the Jacksonville Historical Society; and

3 **WHEREAS,** in further recognition of Mr. Fackler's distinguished
4 career, he was named one of Florida's "Legal Elite™" in 2012, 2020
5 and 2021, and has been honored as a "Super Lawyer" since 2016; and

6 **WHEREAS,** Mayor Deegan has determined that the interests of the
7 Consolidated Government will be best served by appointing Michael T.
8 Fackler as General Counsel; and

9 **WHEREAS,** the Council finds that Michael T. Fackler is duly
10 qualified to serve as the City of Jacksonville's General Counsel and
11 that Mayor Deegan's appointment of Michael T. Fackler as General
12 Counsel should be confirmed; now therefore

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

14 **Section 1. Confirmation.** The Council hereby confirms the
15 Mayor's appointment of Michael T. Fackler as the General Counsel for
16 the City of Jacksonville pursuant to Section 7.03 of the Charter of
17 the City of Jacksonville. The resume of the General Counsel is
18 attached hereto as **Exhibit 1.**

19 **Section 2. Directing Legislative Services to Notify Certain**
20 **Parties Pursuant to Council Rule 4.1103.** Upon introduction of this
21 Resolution, the Legislative Services Division is directed to notify
22 the Clerk of Court, Property Appraiser, Sheriff, Supervisor of
23 Elections, Tax Collector and Chairperson of the Duval County School
24 Board and encourage them to provide oral or written input and guidance
25 to the Rules Committee and any other committee considering this
26 appointment, as to the fitness of the appointee to be General Counsel,
27 in accordance with Council Rule 4.1103 (Confirmation of the General
28 Counsel).

29 **Section 3. Effective Date.** This Resolution shall become
30 effective upon signature by the Mayor or upon becoming effective
31 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation Prepared By: Mary E. Staffopoulos

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