

RESOLUTION NO. 2020- /

A RESOLUTION OF THE VILLAGE OF LAZY LAKE FLORIDA PERTAINING TO THE SUBJECT OF VILLAGE GOVERNANCE; PROVIDING FINDINGS; RATIFYING GENERALLY ALL ACTS AND AUTHORIZATIONS OF THE ACTING MAYOR, ACTING VILLAGE COUNCIL, OR BOTH, FROM APRIL 1, 2018 THROUGH MARCH 31, 2019; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Whereas, the Village Lake, Florida (“Village”) has learned that it likely received inconsistent advice as to whether the terms of Office for its elected positions were “staggered” or whether all elected positions had to be re-elected every two years; and,

Whereas, the Village authorized an examination of its Charter and any amendments thereto and an examination of the relevant service history of persons acting as the Village’s elected officials; and,

Whereas, and the above referenced examination was concluded in May of 2019, and disclosed that: (i) the Village’s elected positions all had two-year terms, (ii) the terms of the Village’s elected positions were not “staggered”, but instead, commenced on April 1 of every even numbered year; (iii) the Village had a March general election cycle; (iv) while it appeared that the Village may have conducted a proper election qualification procedure for the March 2016 municipal general election cycle, it did not appear that this occurred for the March 2018 municipal general election cycle, and (v) the Village had been operating since April 1, 2018 under a situation where some of the persons serving the Village’s elected positions were serving in a “*hold over de facto*” capacity, and others were serving in a “*non holdover de facto*” capacity; and,

Whereas, the Village took steps to conduct a proper qualification procedure for the Village’s March 2020 municipal general election cycle, and those persons previously serving the elected positions as follows were all determined to have duly qualified for the same position they previously occupied, and were thus “re-elected” to new terms commencing April 1, 2020 as a result of no other candidates duly qualifying for same:

Name	Position	Date Service Commenced on or after 4/1/2018
Evan Anthony	Mayor	September 24, 2018
John Boisseau	Council Member	April 1, 2018
Sally Boisseau	Council Member	April 1, 2018
Patrick Kaufman	Council Member	September 24, 2018
Carlton Kirby	Council Member	September 12, 2018
Ray Nyhuis	Council Member	April 1, 2018

Whereas, the Village desires to ratify generally all actions of the persons serving as Members of the Village Council and Mayor which occurred within the course and scope of such respective elective positions from April 1, 2018 through March 31, 2019, in an effort to confirm that such actions are considered duly authorized and binding on the Village, as appropriate;

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF LAZY LAKE, FLORIDA THAT:

SECTION 1: All actions of the persons serving as Members of the Village Council and Mayor which occurred within the course and scope of such respective elective positions from April 1, 2018 through March 31, 2019 are hereby ratified and confirmed.

SECTION 2: All Resolutions of the Village Council which were promulgated from April 1, 2018 through March 31, 2019 are hereby ratified and confirmed.

SECTION 3: All Motions which were approved by the Village Council as reflected in its Meeting Minutes from April 1, 2018 through March 31, 2019 are hereby ratified and confirmed.

SECTION 4: To the extent not already addressed above, all notices, advertisements, postings (including web-site postings), contractual arrangements (and the performance thereof), appointments, expenditures, inter-governmental communications and filings, reports, meetings, hearings, enforcement actions, authorizations, and other actions authorized or taken or conducted by the acting Mayor or the acting Village Council, or both, for and of behalf of the Village from April 1, 2018 through March 31, 2019 are hereby ratified and confirmed.

SECTION 5: This Resolution shall be liberally construed.

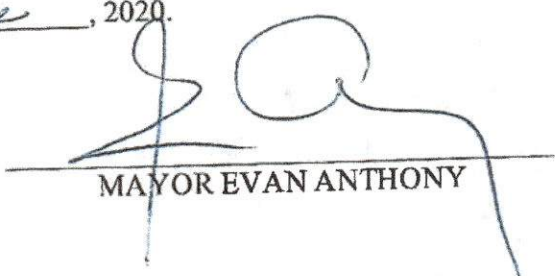
SECTION 6: Should any section, paragraph, sentence, clause, phrase or other part of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part so declared to be invalid.

SECTION 7: This Resolution shall become effective ten (10) days after passage by the Village Council and by signature by the Mayor.

PASSED AND ADOPTED by the Village Council this 16th day of June, 2020.

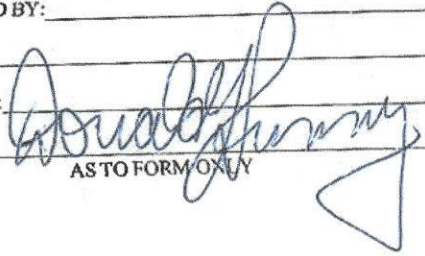
Council Member	Yea	Nay	Absent
John Boisseau	☒	☐	☐
Sally Boisseau	☒	☐	☐
Patrick Kaufman	☒	☐	☐
Carlton Kirby	☒	☐	☐
Ray Nyhuis	☐	☐	☒

SIGNED by the Mayor this 16th day of June, 2020.


MAYOR EVAN ANTHONY

ATTEST:


VILLAGE ADMINISTRATIVE ASSISTANT

	APPROVED	DATE
REQUESTED BY:		
DEPT. OK:		
ADMIN. OK:		
ATTY. OK:		

AS TO FORM ONLY

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