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RESOLUTION NO. 2021-1

A RESOLUTION OF THE VILLAGE OF LAZY LAKE, BROWARD COUNTY, FLORIDA PERTAINING TO THE SUBJECT OF ADMINISTRATION; FILLING THE CHARTER POSITION OF PRESIDENT OF THE VILLAGE COUNCIL; PROVIDING FINDINGS; PROVIDING IMPLEMENTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

Whereas, Article III, Section 2 of the Village Charter provides that in case of sickness, absence, or disqualification of the Mayor, the President of the Village Council can act for such Mayor and perform all of the Mayor's duties; and,

Whereas, Article III, Section 4 of the Village Charter provides that the Village Council shall determine its own rules and order of business; and,

Whereas, Fla. Stat. §166.041(1)(b) (2020) defines the word "Resolution" as meaning "*an expression of a governing body concerning matters of administration, an expression of a temporary character, or a provision for the disposition of a particular item of the administrative business of the governing body*"; and,

Whereas, the Village Council has determined that it is appropriate to fill the Charter position of President of the Village Council so that the Administrative business of the Village may be executed in the event the Mayor can not perform his or her duties as a result of sickness, absence, or disqualification;

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

Section 1: The foregoing recitals are approved as if set forth herein.

Section 2: Village Council Member Richard Willard is hereby appointed as President of the Council. This appointment shall be effective until the earlier of March 31, 2022 or a Resolution is adopted by the Council either rescinding this Resolution or appointing a different Member of the Council as the Council President.

Section 3: When the Mayor can not perform his or her duties as a result of sickness, absence, or disqualification, he or she shall advise the Village Administrative Assistant

45 and the Village Administrative Assistant shall in writing advise the President of the Village
 46 Council that he or she shall be the Village Acting Mayor during such time period. In the
 47 event the Mayor is unable to make such communication, the Village Council may by
 48 Resolution determine that the Mayor can not perform his or her duties as a result of
 49 sickness, absence, or disqualification, and thereafter for such disability period, the
 50 President of the Village Council shall be the Acting Mayor. In the event of a dispute
 51 between the Mayor and Council as to whether the Charter prerequisites have been met for
 52 the President of the Village Council to serve the Village as Acting Mayor, the Mayor shall
 53 retain his or her Charter authority until the dispute is resolved by Declaratory Judgment or
 54 resolved in some alternative manner acceptable to the Mayor and Village Council.

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56 **Section 4:** During any timeframe that the President of the Council serves the Village as
 57 Acting Mayor, he or she shall not be able to exercise any of his or her powers as a Member
 58 of the Council.

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60 **Section 5:** Should any section, paragraph, sentence, clause, phrase or other part of this
 61 Resolution be declared by a court of competent jurisdiction to be invalid, such decision
 62 shall not affect the validity of this Resolution as a whole or any portion or part thereof,
 63 other than the part so declared to be invalid.

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65 **Section 6:** This Resolution shall become effective immediately after passage by the
 66 Village Council and by signature by the Mayor.

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69 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** this ___ day of
 70 February 2021.

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Council Member	Voice Vote	Absent
Daniel Copher	Yea <input type="checkbox"/> Nay <input type="checkbox"/>	<input checked="" type="checkbox"/>
Patrick Kaufman	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	<input type="checkbox"/>
Carlton Kirby	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	<input type="checkbox"/>
Ray Nyhuis	Yea <input type="checkbox"/> Nay <input type="checkbox"/>	<input checked="" type="checkbox"/>
Richard Willard	Yea <input checked="" type="checkbox"/> Nay <input type="checkbox"/>	<input type="checkbox"/>

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SIGNED BY THE MAYOR this 16th day of February 2021.



MAYOR EVAN ANTHONY

ATTEST:

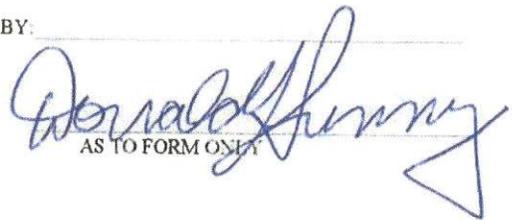


VILLAGE ADMINISTRATIVE ASSISTANT

APPROVED DATE

REQUESTED BY: _____

ATTY. OK:



AS TO FORM ONLY

RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Resolution was received by the Village Administrative Assistant and entered into the Public Record this 16th day of February, 2021.



Village Administrative Assistant, Lisa Tayar

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