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**Resolution 21-XX**

**A RESOLUTION OF THE CITY OF BELLE ISLE, FLORIDA, AMENDING RESOLUTION 19-18 GOVERNING THE CITY’S BUDGET ADVISORY COMMITTEE; PROVIDING FOR THE FILLING OF VACANCIES ON THE BUDGET ADVISORY COMMITTEE; PROVIDING FOR APPOINTMENT OF AT-LARGE MEMBERS IF NO CANDIDATES FROM WITHIN THE RELEVANT DISTRICT APPLY; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has found and determined that the adoption of this Resolution is in the interests of the public health, safety and welfare, will aid in the harmonious, orderly and progressive development of the City, and serves a valid public purpose.

**BE IT RESOLVED** by the City Council of the City of Belle Isle, Florida as follows:

**SECTION 1. Amendment of City Resolution 19-18.** Subsections 4.A. and Section 9 of Resolution 19-18 are hereby amended as follows (underlining represents new additions; stars \* \* \* \* \* represent breaks between sections and subsections and do not represent changes):

Section 4. Qualifications and terms of appointed members.

Appointments to the committee are made by the city council after an application is filed with the city clerk. Appointments are made by District. Appointed members:

A. Must be a resident from each of the city's districts unless no candidate from the relevant district is available, including candidates to fill vacancies appointed according to Section 9;

\* \* \* \* \*

Section 9. Removal/vacancies of citizen members.

1 Citizen members serve at the pleasure of city council and may be removed by a majority vote of the  
2 city council. A member who is absent from three consecutive meetings without the permission of the  
3 presiding officer is presumed to be in nonperformance of duty, and the city council may declare the  
4 position vacant. All committee vacancies shall be filled by the council, for the unexpired term, for the  
5 remainder of the term within 45 days after the vacancy occurs. The vacancy will be advertised to fill  
6 the vacancy by District; however if no candidates apply from the District for that District vacancy, the  
7 Council may fill the vacancy from at-large candidates regardless of District residency.  
8

9 **SECTION 2. Severability.** If any section, subsection, sentence, clause, phrase, word or provision of  
10 this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction,  
11 whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct  
12 and independent provision, and such holding shall not affect the validity of the remaining portions of this  
13 Resolution.  
14

15 **SECTION 3. Conflicts.** In the event of a conflict or conflicts between this Resolution and any other  
16 resolution or provision of law, this Resolution controls to the extent of the conflict, as allowable under the law.  
17

18 **SECTION 4. Effective Date.** This Resolution shall take effect upon its adoption.  
19

20 ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021  
21

22 ATTEST: \_\_\_\_\_

23 Yolanda Quiceno

24 CMC-City Clerk

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Nicholas Fouraker

Mayor

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STATE OF FLORIDA

COUNTY OF ORANGE

I, Yolanda Quiceno, City Clerk of the City of Belle Isle do hereby certify that the above and foregoing document RESOLUTION 19-18 was duly and legally passed by the Belle Isle City Council, in session assembled on the 15<sup>th</sup> day of October 2019, at which session a quorum of its members were present.

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Yolanda Quiceno, CMC-City Clerk