

RESOLUTION NO. 2025-32

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, CLARIFYING THE SCOPE OF THE MAYOR'S EXECUTIVE POWERS; REAFFIRMING THE REQUIREMENT FOR COUNCIL APPROVAL OF CERTAIN MAYORAL ACTIONS; REQUESTING THE MAYOR TO SUBMIT PERIODIC OPERATIONAL REPORTS ON TOWN-RELATED MATTERS WHICH CONCERN THE HUNGERFORD PROPERTY; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY, AND CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Eatonville is a "strong mayor" form of government, in which the Mayor is vested with certain executive powers and the Town Council is the legislative body; and

WHEREAS, as a strong mayor, the Mayor acts in an executive role within the powers delegated by the Town of Eatonville charter (the "Charter"), but does not by virtue of holding the mayor's office, get to speak for the Town Council without the Council's express approval; and

WHEREAS, while all elected officials are free to express personal opinions, the Town Council desires to clarify that only actions and/or statements formally adopted by the Council reflect the Council's official position on Town matters; and

WHEREAS, Section 2.03(g) of the Charter expressly states that, in addition to providing a report on the finances and administrative activities of the Town, the Mayor must "make such other reports as the Town Council may require concerning operations;" and

WHEREAS, the Town Council requests the Mayor submit monthly reports on all matters relating to the historic Hungerford property; and

WHEREAS, this Resolution is not intended to modify or contravene existing authority granted the Mayor under the Town's Charter, Code of Ordinances, or other applicable law.

NOW THEREFORE, be it resolved by the Town Council of the Town of Eatonville, Florida, as follows:

SECTION 1. Legislative Findings. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Council.

SECTION 2. Ratification of Council Required. The Town Council hereby affirms that any actions taken by the Mayor outside of the Mayor's delegated authority shall have no legal force and effect absent ratification or approval by the Town Council at a duly noticed public meeting.

SECTION 3. Operational Reports on Matters Concerning the Hungerford Property. Pursuant to Sec. 2.03(g) of the Eatonville Charter, the Mayor is hereby requested to submit a monthly

operational report to the Town Council on town-related matters which concern the Hungerford property. Such reports shall include, at a minimum:

- a. Notice of any scheduled meetings, conferences, or discussions with the Dr. Phillips Foundation, Dr. Phillips Charities, and/or Orange County Public Schools regarding the conveyance or subsequent development of the Hungerford property; and
- b. Summaries of any written or oral communications with the Dr. Phillips Foundation, Dr. Phillips Charities, and/or Orange County Public Schools concerning any proposed or planned future development of the Hungerford property, except to the extent such communications are deemed confidential or exempt under Florida's Public Records Act; and
- c. The status of the implementation of the Community Master Plan as it relates to the Hungerford property.

SECTION 4. Scrivener's Errors. Typographical errors and other matters of a similar nature that do not affect the intent of this Resolution, as determined by the Town Clerk and Town Attorney, may be corrected without further action of the Town Council.

SECTION 5. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Resolution and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 6. Conflicts. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION 7. Effective Date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this **18th** day of **NOVEMBER** 2025.

Angie Gardner, Mayor

ATTEST:

Veronica King, Town Clerk