

**RESOLUTION NO. 09-05**

**A RESOLUTION OF THE TOWN OF ST. LEO, FLORIDA  
PERTAINING TO VOTING PROCEDURES OF THE MAYOR AND  
TOWN COMMISSION; SETTING FORTH FINDINGS OF FACT;  
PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN  
EFFECTIVE DATE.**

**WHEREAS**, the Town of St. Leo is governed by a Charter; and

**WHEREAS**, the Charter provides that the Town Commission consists of five (5) members elected by the electors of the Town; and

**WHEREAS**, Section 3.05 of the Charter provides that the mayor shall be elected by the Commission from among its members; and

**WHEREAS**, Section 3.11 of the Charter, which establishes voting procedures provides that a majority of the Commission shall constitute a quorum, and except as otherwise provided therein, actions of the Commission shall only be valid or binding when adopted by an affirmative vote of the majority of the quorum present; and

**WHEREAS**, the Town Commission felt it necessary to clarify the role and voting authority of the commissioner who is also elected to act as the mayor.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF ST. LEO, FLORIDA THAT:**

Section 1. The findings set forth in the preamble above are hereby adopted as findings of the Town Commission and incorporated herein by reference.

Section 2. As per the Charter, the Mayor of the Town of St. Leo, Florida is also an elected Commissioner who is appointed to mayoral duties, annually by vote of the other Commissioners.

Section 3. As an elected Commissioner, the Mayor is empowered to cast a vote in the same manner as the other elected Commissioners on each matter brought before the Town Commission which requires a vote.

Section 4. It shall be the procedure of the Town of St. Leo for the mayor's vote to be called as the last vote on any motion taken via a roll call vote.

Section 5. It is hereby declared to be the intention of the Town Commission that the sections, paragraphs, sentences, clauses and phrases of this Resolution be deemed severable, and if

any phrase, clause, sentence, paragraph or section hereof is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution.

9<sup>th</sup> PASSED, ADOPTED AND APPROVED IN REGULAR SESSION ON THIS  
DAY OF March, 2009.

TOWN OF ST. LEO FLORIDA

By: James Hallett, O.S.B.  
James Hallett, O.S.B. - Mayor

ATTEST:

By: Joan Miller  
Joan Miller, C.M.C. - Town Clerk

APPROVED AS TO LEGAL FORM AND  
SUFFICIENCY:

Patricia A. Petruff  
Patricia A. Petruff, Esq. - Town Attorney