

RESOLUTION NO. 538-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA, APPOINTING Paul Rasch TO FILL THE VACANCY IN SEAT #05 ON THE CITY COUNCIL OF THE CITY OF ORANGE CITY; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Council Member Donald Sandford resigned from his position on the City Council effective February 24, 2009, thus creating a vacancy in Seat #5; and

WHEREAS, Section 2.11(a) of the Charter requires that notice shall be given of such vacancy requesting applicants for consideration; and

WHEREAS, Said vacancy was advertised in three local newspapers and on the City's website and four responses were received; and

WHEREAS, Section 2.11 of the City Charter requires that the vacancy be filled within 45 days by a majority vote of the Council Members remaining; and

WHEREAS, In order to meet the forty-five day requirement, a special meeting was called by the City Council on March 31, 2009 for the purpose of making an appointment to fill Seat #5 on the Council; and

WHEREAS, In accordance with Charter Section 2.11 (a), the appointment shall run until the next City election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ORANGE CITY, FLORIDA:

SECTION 1. Upon nomination and election by a majority of the City Council members remaining, Paul Rasch is hereby appointed to Seat #5 of the Orange City Council for a term to end when a replacement is elected by the citizens of Orange City at the 2009 regular municipal election.

SECTION 2. That the individual named above shall have all of the powers, duties and responsibilities as set forth in the Charter, Ordinances, and Resolutions of the City of Orange City, and the laws of the State of Florida.

SECTION 3. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

ROLL CALL VOTE AS FOLLOWS (Resolution No. 538-09):

Jim Mahoney

yes

Donald C. Sherrill

yes

Vacant

Tom Abraham

yes

Thomas Laputka

yes

Jeff H. Allebach, Vice Mayor

yes

Harley Strickland, Mayor

yes

ADOPTED THIS 31st DAY OF March, 2009.

ATTEST:

Deborah J. Renner
Deborah J. Renner, CMC, City Clerk

AUTHENTICATED:

Harley Strickland
Harley Strickland, Mayor

Approved as to form and legal sufficiency:

W. E. Reischmann
W. E. Reischmann, City Attorney



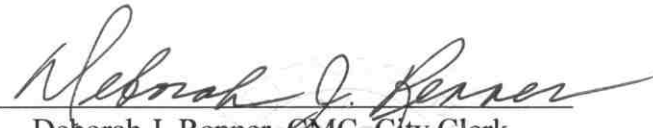
OATH OF OFFICE

I, Paul Rasch, a resident of the City of Orange City, Florida and a citizen of the United States of America, and having been appointed as Council Member SEAT #5, of the City of Orange City, do hereby solemnly swear and affirm that I will support the Constitution of the United States and of the State of Florida; that I will faithfully support the provisions of the Orange City Charter and Ordinances passed in accordance thereof, and that I will faithfully discharge the duties of my Office.


R. Paul Rasch

**STATE OF FLORIDA
COUNTY OF VOLUSIA**

BEFORE ME, personally appeared Paul Rasch to me well known, who being first duly sworn and says that he is the person described in the foregoing Oath of Office and executed the same this 31st day of March, 2009.


Deborah J. Renner, CMC, City Clerk

(CITY SEAL)