



CITY COUNCIL MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 23, 2017

SUBJECT: Action pursuant to Article V, Section 7 of the City Charter to fill vacancy on City Council.

PRESENTER: Alicia Richardson, City Secretary

SUMMARY:

To consider action regarding appointment to unexpired term of City Council, Place 5.

GENERAL DESCRIPTION:

Article V, Section 7 of the City Charter, provides that "In case of a vacancy from any cause in the office of mayor or councilmen, the city council shall order a special election to fill such vacancy; provided, however, in the case of only one (1) vacancy when there remains one hundred eighty (180) days or less until the expiration of the office to be filled, the mayor, with the approval of a majority of the council, may appoint a person to fill such vacancy."

Pursuant to Title 12, Chapter 201, Section 201.023 of the Texas Election Code, if a public officer submits a resignation, whether to be effective immediately or at a future date, a vacancy occurs on the date the resignation is accepted by the appropriate authority or on the eighth (8th) day after the date of its receipt by the authority, whichever is earlier. A resignation letter from David Whitson, was dated and submitted on January 4, 2017, and is on file with the City Secretary. This creates a vacancy in Place 5 with an unexpired term through May 6, 2017, or until a successor has been duly qualified.

RECOMMENDATION:

To consider action regarding appointment to unexpired term of City Council, Place 5.