

AN ORDINANCE **2010-05-06-0375**

**ESTABLISHING PROCEDURES FOR APPOINTMENT OF
REPLACEMENT COUNCIL MEMBER IN THE EVENT OF A VACANCY.**

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WHEREAS, a vacancy on City Council leaves a district without adequate representation; and

WHEREAS, under the City Charter, Section 8, a vacancy in the council other than in the last place (mayor) is to be filled by a majority vote of the remaining members; and

WHEREAS, Mayor Julián Castro requested that the Council establish a formal procedure for the appointment of the replacement council member; and

WHEREAS, the Governance Committee has reviewed and recommended the following procedure to fill vacancies; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1: The City Code of San Antonio, Texas is amended by adding a section, to be numbered 2-36, to read as follows:

2-36 Appointment of Replacement Council Member in the Event of a Vacancy

In the event of a City Council Member vacancy for any reason other than in the last place (Mayor) which occurs more than sixty (60) days prior to the next regular city election date, City Council shall follow these procedures. If the vacancy occurs sixty (60) or fewer days prior to the next regular election then the seat shall remain vacant until the next regular election.

- a. At the first scheduled City Council meeting immediately following the occurrence of a Council Member's temporary absence due to military service or for vacancy for any reason, the City Council shall accept the resignation or acknowledge the vacancy and initiate the process to fill the vacancy.
- b. The City Clerk shall post notice on the City website no later than the end of the next business day and publish notice in the local newspaper as soon as possible inviting qualified residents of the district with the vacancy to submit applications, letters of interest, resumes and disclosure statements to the City Clerk. The closing date for applicants to submit applications, letters of interest, resumes and disclosure statements will be ten (10) business days after publication.
- c. A Council Member who enters active duty in the armed forces of the United States as a result of being called to duty, drafted, or activated and

for a period of longer than thirty (30) days may recommend to Council the name of a person to temporarily fill the office. This person must also submit an application, a letter of interest, resume and disclosure statement to the City Clerk within the ten (10) business days after publication as set out above and will be considered among the other applicants who submitted applications, letters of interest, resumes and disclosure statements.

- d. The City Clerk shall review the applications, letters of interest, resumes and disclosure statements and confirm the eligibility of each applicant.
- e. At the next scheduled Council "B" Session, City Council will review the applications, letters of interest, resumes and disclosure statements and select up to three of the applicants to be interviewed at the next scheduled City Council meeting.
- f. At the next scheduled Council Meeting and in open public meeting, City Council will interview the selected applicants followed immediately by a vote to appoint the replacement ("the appointee"). In the event no candidate gets a majority vote, the City Council will vote again on the two (2) candidates with the most votes.
- g. The appointee will be immediately sworn in to office and will serve until the expiration of the unexpired term, or in the event of a temporary vacancy due to military service, until the elected Council Member returns or the expiration of the elected Council Member's unexpired term, whichever is shorter.

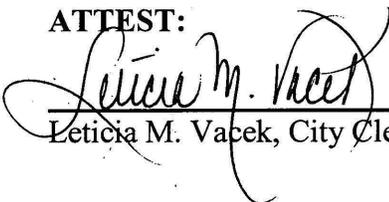
SECTION 2: This ordinance supersedes and replaces any previous ordinance, resolution or policy addressing procedures to fill vacant positions on the City Council.

SECTION 3: This ordinance shall be effective immediately upon passage by eight affirmative votes; otherwise it shall be effective on the tenth day after passage.

PASSED and APPROVED this 6th day of May, 2010.


M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Michael Bernard, City Attorney

Agenda Item:	4						
Date:	05/06/2010						
Time:	09:23:13 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance establishing procedures for appointing replacements for City Council vacancies. [Leticia Vacek, City Clerk]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Leticia Cantu	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x			x	
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				