



## Legislation Details (With Text)

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**Title:** Recognition of Councilmember Zack Matheny upon his Resignation from City Council and Selection of His Replacement for the District 3 Council Seat

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6/16/2015	1	City Council	adopt	Pass
6/16/2015	1	City Council	adopt	Pass

Recognition of Councilmember Zack Matheny upon his Resignation from City Council and Selection of His Replacement for the District 3 Council Seat

Department: Executive

Council District: All

Public Hearing: No

Advertising Date/By: N/A

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Contact 2 and Phone: Jennifer Schneier, Assistant City Attorney, 373-2320

### PURPOSE:

To recognize Councilmember Zack Matheny upon his resignation from city council and to select his replacement for the District 3 council seat.

### BACKGROUND:

At the June 16, 2015 city council meeting, Councilmember Zack Matheny has indicated his intention to resign his District 3 council seat, and his replacement will be appointed.

Pursuant to Section 3.02(c) of the Greensboro City Charter, if there is a vacancy in the office of city council, “the council shall choose some person for the unexpired term, to act as councilman; councilmen so selected shall have all authority and powers given under this charter to regularly elected councilmen . . . .” Additionally, Section 3.02(b) of the City Charter states that the person chosen by council must be a qualified voter and resident of the city and of the district where the vacancy occurred.

The Office of the City Attorney recommends the following procedure:

1. The councilmember who has decided to resign will tender his resignation at the council meeting. The councilmember remains eligible to serve until his replacement is selected.
2. The mayor will open the floor to receive nominations by councilmembers to fill the seat. Each councilmember may nominate one candidate. These nominations by councilmembers will not require a second.
3. Candidates may take the podium to speak. The mayor may set a time limit for each candidate to speak.
4. The candidate must receive five votes to win the open seat. If there is more than one candidate, the council will vote upon the slate of candidates. If one candidate receives five votes, that person is selected. If not, the top two candidates are voted upon again, and the one receiving five votes is selected. Votes are cast in open session.
5. After the selection of the candidate, the council will then consider and accept the resignation of the councilmember.
6. The candidate will take the oath of office to be administered by the City Clerk.

**BUDGET IMPACT:**

There will be no budget impact.

**RECOMMENDATION / ACTION REQUESTED:**

It is recommended that City Council follow the procedure outlined above to select the new councilmember for the District 3 council seat.