



# CITY OF SALEM

585 Liberty St SE  
Salem, OR 97301

## Staff Report

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File #: 16-403

Version: 1

Date: 11/28/2016

Item #: 1.b.

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**TO:** Mayor and City Council  
**THROUGH:** Steve Powers, City Manager  
**FROM:** Dan Atchison, City Attorney

**SUBJECT:**

Receiving Councilor Benjamin's letter of resignation, and declaring the council position for Ward 6 vacant.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**ISSUE:**

Shall the City Council accept the resignation of Councilor Benjamin and declare the position for Ward 6 vacant?

**RECOMMENDATION:**

See discussion below.

**SUMMARY AND BACKGROUND:**

On November 23, 2016, Councilor Daniel Benjamin submitted a letter tendering his resignation as Salem City Councilor for Ward 6 (Attachment 1). In order for the resignation to be effective, Council must accept the resignation, and declare the position for Ward 6 vacant.

**FACTS AND FINDINGS:**

A resignation from a City Councilor does not become effective until the resignation is accepted and the position is declared vacant. Section 19 of the Charter provides that the office of a member of council becomes vacant "upon declaration by the council of the vacancy in case of the incumbent's . . . resignation from the office."

Dan Atchison, City Attorney

**Attachments:**

1. Letter of Resignation.

11/23/2016