

Staff Report

File #: 16-403**Version:** 1**Date:** 11/28/2016**Item #:** 1.b.

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