



CITY COUNCIL ACTION ITEM

Date July 30, 2009

TO: Mayor and City Council

FROM: John Szerlag, Acting City Manager
Lori Grigg Bluhm, City Attorney
Tonni L. Bartholomew, City Clerk

SUBJECT: Charter Section 6.2 (g) Recommendation

Background:

At their Regular meeting on Monday, July 20, 2009, the City Council requested that City Administration review the proposed amendment to Section 6.2(g), specifically the effective date provision placed on the amendment by the Attorney General.

City Administration has reviewed the amendment and removed the effective date of the amendment provision and inserted the filing deadline of 120 days to eliminate the call of a Special Election.

In addition, due to the City Council approving the placement of multiple amendments on the November 3, 2009 ballot, it is requested that the City Council determine the ballot placement order of the amendments. It would be recommended that the placement order be numerical by Charter Section number.

EXISTING CHARTER LANGUAGE:

Section 6.2 - Vacancies in Elective Office:

- (g) Any City Council member desiring to become a candidate for any City elective office, except to succeed oneself, shall resign from the Council prior to the filing deadline of the municipal election.

PROPOSED REVISED CHARTER LANGUAGE:

Section 6.2 - Vacancies in Elective Office:

- (g) Any member of City Council who wants to run for a City office different from the office currently held shall file an irrevocable letter of resignation effective no later than the date and time the successor takes office. The letter of irrevocable resignation shall be filed with the City Clerk prior to July 1st to allow for the future vacancy created to be placed on the next Regular Election ballot.

The recommended Charter Amendment ballot language is as follows:

RECOMMENDED MOTIONS:

- A. Resolution #2009-08-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** as to form the following proposed Charter Amendment for the November 3, 2009 City General Election:

**A PROPOSAL TO AMEND THE TROY CITY CHARTER SECTION 6.2(g)
– VACANCIES IN ELECTIVE OFFICE TO ALLOW FOR CONTINUED
SERVICE FOR SITTING COUNCIL MEMBERS SEEKING ANOTHER
ELECTED CITY OFFICE UNTIL THE SEATING OF THE NEW COUNCIL**

Shall Section 6.2(g) be amended by deleting the requirement for a City Council member seeking to be a candidate for any other City elective office resign from the Council prior to the filing deadline for the municipal election and substituting in its place a requirement that a City Council member shall file with the City Clerk, prior to July 1st an irrevocable letter of resignation to allow for the future vacancy created to be placed on the next Regular Election Ballot?

YES ___ NO ___

Yes:
No:

- B. Resolution #2009-08-
Moved by
Seconded by

RESOLVED, That Troy City Council hereby **APPROVES** that the Charter Amendments be placed on the November 3, 2009 ballot in numerical order by Charter Section number.

Yes:
No: