

# Regular Meeting

<b>Agenda Item #</b>	2
<b>Meeting Date</b>	June 22, 2009
<b>Prepared By</b>	Jessie Carpenter City Clerk
<b>Approved By</b>	Barbara B. Matthews City Manager

<b>Discussion Item</b>	Resolution Appointing a Ward 6 City Councilmember to Fill the Unexpired Term of Doug Barry
<b>Background</b>	<p>Councilmember Doug Barry resigned from the City Council on May 27, 2009 as his family relocated to the District of Columbia. Since the vacancy on the Council has occurred less than 240 days before the next election, the City Council will appoint a qualified individual to fill the vacancy for the remainder of the term.</p> <p>The Council directed the City Clerk to advertise the vacancy, noting that the Council was seeking qualified candidates who were not interested in running for office in the November 3, 2009 election. The vacancy was advertised in the Takoma Park Newsletter and on the City's website. The deadline for applications was June 12, 2009.</p> <p>Applications were received from two qualified candidates: Barrie Lee Howard and Donna Victoria. Both candidates were interviewed by the City Council on June 15.</p> <p>The Council is scheduled to make the appointment by resolution on June 22.</p>
<b>Policy</b>	<p><b>City Charter, Section 308 Vacancies on the Council</b></p> <p>(a) Method of Filling Vacancies. Should a vacancy on the Council occur more than two hundred and forty (240) days before the next regularly scheduled City election, a special election shall be held to fill the vacancy. If the vacancy occurs less than two hundred and forty (240) days before the next regularly scheduled City election, the remaining members of the Council by a majority vote shall, within sixty (60) days, appoint a person who is qualified in accordance with Section 302 or Section 304, as applicable, to fill such vacancy for the remainder of the unexpired term.</p> <p><b>City Charter, Section 304 Qualifications and Salary of the Councilmembers</b></p> <p>(a) The Councilmembers shall have resided in the City (and ward from which they are elected) for at least six (6) months immediately preceding their election and shall be qualified voters of the City. The Councilmembers shall maintain their principal residence in the City and in their ward during their term of office. If a Councilmember changes his/her principal residence from the City or from the ward from which the Councilmember was elected, the Councilmember's term shall be immediately terminated and the vacancy shall be filled as provided in Section 308 of this Charter. The Councilmembers are prohibited from holding other publicly elected offices during their term of office, and are prohibited from serving on any City board, commission, or other body that has authority to adjudicate or otherwise resolve disputes.</p>

<b>Fiscal Impact</b>	None at this time.
<b>Attachments</b>	Resolution Appointing a Ward 6 City Councilmember to Fill the Unexpired Term of Doug Barry
<b>Recommendation</b>	Council to adopt the resolution.
<b>Special Consideration</b>	

Introduced by:

**CITY OF TAKOMA PARK, MARYLAND**

**Resolution 2009-  
Appointing a City Councilmember to Ward 6 of Takoma Park  
to Serve from July 6, 2009 to November 16, 2009**

WHEREAS, Ward 6 City Councilmember Doug Barry has resigned from his position on the Council, effective May 27, 2009, due to his relocation from Takoma Park; and

WHEREAS, in accordance with Section 308 of the City Charter, if a vacancy occurs less than two hundred and forty (240) days before the next regularly scheduled City election, the remaining members of the Council by a majority vote shall, within sixty (60) days, appoint a person who is qualified in accordance with Section 302 or Section 304, as applicable, to fill such vacancy for the remainder of the unexpired term; and

WHEREAS, qualified Ward 6 residents interested in being considered for appointment to the unexpired term were invited to submit their applications to the City Clerk by Friday, June 12, 2009; and

WHEREAS, the City Clerk certified to the Council that two Ward 6 residents – Barrie Lee Howard and Donna Victoria – submitted applications for the office of Councilmember; and

WHEREAS, the City Clerk certified that Barrie Lee Howard and Donna Victoria are qualified voters who have resided in Ward 6 of the City for at least six months, as required by Section 304 of the Charter; and

WHEREAS, the City Council interviewed the applicants and reviewed their qualifications.

NOW, THEREFORE, BE IT RESOLVED, THAT the City Council does hereby appoint the following duly qualified resident to serve as Councilmember for Ward 6:

BE IT FURTHER RESOLVED THAT this appointment shall become effective on Monday, July 6, 2009, when the appointee will take the oath of office, and shall expire on Monday, November 16, 2009, the second Monday in November following the City Election.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2005, by majority vote of the City Council:

AYE:

NAY:

ABSTAIN:

ABSENT: