

## **Step 1**

**I MOVE TO** formally accept the resignation of Assembly Member Rebecca Himschoot and determine the procedure for filling the vacant seat.

## **Step 2**

### **Possible Motion**

**I MOVE TO** request the Municipal Clerk, through the Municipal Administrator, to:

1. advertise for letters of interest November 23 through noon on December 12, and
2. place an item on the December 13 agenda to appoint an Assembly Member to fill the vacant seat until the next regular election.

**Excerpts from Sitka Home Rule Charter and Sitka General Code regarding vacancies.**

### **Sitka Home Rule Charter**

#### **Section 2.04 Qualifications**

Only a qualified voter of the municipality who has been a resident of the municipality for a least one year immediately preceding his/her election or appointment to office shall be qualified for elective municipal office. A district assembly member shall be a resident of the district from which he/she is elected at the time of his/her election and during his/her term.

The assembly shall be the judge of the election and qualifications of its members and of the grounds for forfeiture of their office and for that purpose shall have power to subpoena witness, administer oaths and require production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand. Decisions made by the assembly under this section shall be subject to review by the courts.

### **Section 2.05 Vacancies and Forfeiture of Office**

The office of an elected municipal official shall become vacant upon death, resignation, removal from office in any manner authorized by law or by this charter, or by forfeiture of his/her office.

An elected municipal official shall forfeit his/her office if he/she:

1. Is convicted of a felony or crime involving moral turpitude.
2. Fails to comply with all qualifications prescribed by this Charter.
3. Knowingly violates any prohibitions of this charter.
4. Fails to attend three consecutive regular meetings of the assembly without being excused by the assembly.

The assembly shall by ordinance provide the procedures for filling of vacancies.

A vacancy shall be filled by the assembly which shall elect a qualified person within 20 days after the vacancy occurs to be acting Assembly member until the next regular election and until a successor is elected and qualified to fill the remainder of the unexpired term.

## **Sitka General Code**

### **2.04.200 Vacancies.**

---

The assembly shall, within twenty days after a vacancy occurs, select a qualified person to be an acting assembly member until the next regular election when a successor is elected and qualified to fill the remainder of the term. The qualifications shall be those set out in Section 2.04 of the Charter and in state law. (Ord. 04-55 § 4, 2004: Ord. 96-1379 § 4, 1996.)