

A RESOLUTION

SETTING FORTH THE PROCESS TO FILL THE VACANCY IN THE OFFICE OF THE MAYOR FOLLOWING HIS CONFIRMATION BY THE U.S. SENATE AS SECRETARY OF THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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WHEREAS, President Barack Obama nominated Mayor Julián Castro for the office of Secretary of the Department of Housing and Urban Development on Friday, May 23, 2014; and

WHEREAS, Mayor Castro will resign from the office of Mayor of the City of San Antonio effective upon the receipt by the City Clerk of a resignation letter from Julián Castro or upon his taking the oath of office as Secretary, whichever occurs first; and

WHEREAS, the City Charter provides that in the event a vacancy occurs in the office of the Mayor, the remaining Council Members shall elect from among themselves, by majority vote, a person to fill the vacancy for the remainder of the unexpired term; and

WHEREAS, the City Council wishes to adopt a more detailed policy to guide them through this special circumstance; **NOW THEREFORE:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Council agrees that it shall follow the process below to fill the vacancy created by Mayor Castro becoming Secretary of the Department of Housing and Urban Development. Mayor Castro may preside over the meeting to fill this vacancy, but shall not vote on the matter.

- 1) Within seven business days following confirmation by the United States Senate of the Mayor's nomination to be Secretary for Housing and Urban Development, the City Clerk will notify the City Council that Council Members who want to be considered for selection as Mayor are to submit a letter of interest to the City Clerk within three business days from the date of notice;
- 2) At the next scheduled, or special council meeting, the City Council shall deliberate and vote upon the Council Members who submitted letters of interest to fill the vacancy created by Mayor Castro becoming Secretary of Housing and Urban Development:
 - a) the vote shall be conducted as follows:
 - i) the City Clerk shall conduct a roll-call vote, in ascending numerical order;
 - ii) no Council Member may vote for himself or herself during the selection process, as stipulated by the Texas Local Government Code; and

- iii) a Council Member being considered to fill the office of Mayor may abstain from casting a vote.
- b) if one Council Member receives a majority of the votes (at least six votes), that Council Member shall become the Mayor;
- c) if no majority exists between the candidates for the position, the City Council shall vote again until one Council Member receives a majority of votes, and that Council Member shall become the Mayor; and
- d) the Council Member shall be sworn in by the City Clerk as the Mayor, upon the passage of an ordinance confirming the election results, and shall assume the office of Mayor upon the receipt by the City Clerk of a resignation letter from Julián Castro or upon his taking the oath of office as Secretary, whichever occurs first.

SECTION 2. The City Council finds that this process is in compliance with the requirements of the Texas Local Government Code and the City Charter.

SECTION 3. The process outlined above may be modified upon a vote by the majority of the City Council as necessary to fill the office of Mayor consistent with the City Charter and state law.

SECTION 4. This resolution is effective immediately, if approved by eight or more affirmative votes.

PASSED AND APPROVED on this ____ day of _____, 2014.

M A Y O R
Julián Castro

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Robert F. Greenblum, City Attorney