

**Attachment A**  
**From City Charter**

**SECTION 406. Vacancies.**

An elective office becomes vacant when the incumbent thereof dies, resigns, is removed from office under recall proceedings, is adjudged insane, convicted of a felony, or of an offense involving a violation of the Mayor or Council Member's official duties, or ceases to be a resident of the City, or has been absent from the State without leave granted by the City Council for more than sixty (60) consecutive days, or fails to attend the meetings of the Council for a like period without being excused there from by said body.

A vacancy in the Council shall be filled for the remainder of the unexpired term, if any, at the next regular municipal election following not less than seventy- two (72) days upon the occurrence of the vacancy, but the Council by a majority vote of its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term or new term takes office. If the term still has two ( 2) years until expiration at the time of the next regular municipal election, the election to that seat shall be separated from the election for the other Council candidates . If the Council fails to fill the vacancy within thirty (30) days following its occurrence, it shall call a special municipal election to fill the vacancy, to be held not sooner than ninety (90) days or not later than one hundred and fifty (150) days following the occurrence of the vacancy. The election shall be governed by the provisions of Article III.

A person elected to fill a Council vacancy for an unexpired term shall take office on the first Tuesday following his election. Notwithstanding any other provisions of this Charter, a minority of the members of the Council may fill vacancies on the Council by appointment in the event that a majority of the Council seats becomes vacant.