

*"A Historic Past"*



*"A Bright Future"*

**CITY OF DELAWARE CITY**

407 Clinton Street - P.O. Box 4159

Delaware City, Delaware 19706

302-834-4573

**RESOLUTION No. 20-0217-01**

**RESOLUTION REQUESTING THAT THE DELAWARE GENERAL ASSEMBLY AMEND THE CHARTER OF THE CITY OF DELAWARE CITY REGARDING RESIGNATIONS BY COUNCIL MEMBERS**

**WHEREAS**, the City Charter of the City of Delaware City (the "City") requires the Mayor and Councilpersons (collectively, the "Council"), upon submitting resignation, to remain in elected office unless or until his or her successor is appointed; and

**WHEREAS**, the Council has determined that finality in resignations by its members is important to administering City business, reaching quorums, and identifying new members to serve.

**WHEREAS**, the Council has determined that Article III, Section 3-09 of the City Charter (Vacancies and Forfeiture of Office) should be amended to expressly provide that all resignations are effective immediately; and

**WHEREAS**, the Council believes that it is in the best interest of the City and its citizens if Article III, Section 3-09 of the City Charter (Vacancies and Forfeiture of Office) be amended, which shall read as follows:

A. Vacancies. The office of Mayor or Councilperson shall become vacant upon death, removal from the City, resignation, removal from office in any manner authorized by law, or forfeiture of office. Notwithstanding any other provision in this Charter, a

## **EXHIBIT A**

### **Sec. 3-09. Vacancies and Forfeiture of Office.**

A. Vacancies. The office of Mayor or Councilperson shall become vacant upon death, removal from the City, resignation, removal from office in any manner authorized by law, or forfeiture of office. Notwithstanding any other provision in this Charter, a resignation submitted by the Mayor or a Councilperson shall be deemed effective immediately.

## **EXHIBIT B**

### **Sec. 3-09. Vacancies and Forfeiture of Office.**

A. Vacancies. The office of Mayor or Councilperson shall become vacant upon death, removal from the City, resignation, removal from office in any manner authorized by law, or forfeiture of office. Notwithstanding any other provision in this Charter, a resignation submitted by the Mayor or a Councilperson shall be deemed effective immediately.

Verbal or written

resignation submitted by the Mayor or a Councilperson shall be deemed effective immediately.

**WHEREAS**, a draft underlining the proposed revisions to the existing Charter is attached hereto as Exhibit A and a clean copy of the proposed revision to the Charter is attached hereto as Exhibit B;

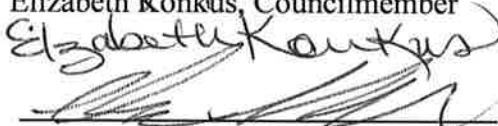
**NOW, THEREFORE**, the Mayor and Council of the City of Delaware City hereby resolve and request that the General Assembly of the State of Delaware adopt the revised Charter attached hereto as Exhibit B forthwith and further resolve that adoption of the revised Charter is in the best interests of the City and its citizens.

This Resolution is passed by the Mayor and Council of the City of Delaware City on this 17<sup>th</sup> day of February, 2020.

Paul H. Johnson, Sr, Mayor



Elizabeth Konkus, Councilmember



Chase E. Renoll, Councilmember



Britney Loveland, Secretary

John P. Buchheit, III, Councilmember



Robert Malinowski, Councilmember



Margaret C. Titus Councilmember