



# City of Homer

[www.cityofhomer-ak.gov](http://www.cityofhomer-ak.gov)

Office of the City Clerk

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## MEMORANDUM 21-119

TO: MAYOR CASTNER AND HOMER CITY COUNCIL

FROM: RENEE KRAUSE, MMC, DEPUTY CITY CLERK

DATE: JULY 26, 2021

SUBJECT: LETTER OF RESIGNATION AND DECLARATION OF VACANCY

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Councilmember Evensen submitted his letter of resignation via email to the City Manager and Mayor on July 8, 2021. He then submitted a handwritten resignation to the City Clerk's office on July 9, 2021 (see attached).

In accordance with Homer City Code 2.08.040 (I) Vacancies. An elected municipal office is vacated under the following conditions and upon the declaration of vacancy by the Council. The Council shall declare an elective office vacant when the person elected:

1. Fails to qualify or take office within 30 days after his election or appointment;
2. Resigns and his resignation is accepted;
3. Is physically or mentally unable to perform the duties of the office as determined by two-thirds vote of the Council;
4. Is convicted of a felony or misdemeanor described in AS [15.56](#) and two-thirds of the members of the Council concur in expelling the person elected;
5. Misses three consecutive regular meetings unless excused;
6. Is convicted of a felony or of an offense involving a violation of the oath of office;
7. Is convicted of a violation of AS [15.13](#) concerning Alaska Public Offices Commission reporting requirements;
8. No longer physically resides in the municipality and the City Council by two-thirds vote declares the seat vacant; and
9. Is physically absent from the municipality for 90 consecutive days unless excused by the City Council.

Homer City Code 2.08.050 Filling a Vacancy addresses the requirements to fill that vacancy as follows:

- a. If a vacancy occurs in the City Council the remaining members shall, within 30 days, appoint a qualified person to fill the vacancy. If less than 30 days remain in a term, a vacancy may not be filled.
- b. Notwithstanding subsection (a) of this section, if the membership is reduced to fewer than the number required to constitute a quorum, the remaining members shall, within seven days, appoint a number of qualified persons to constitute a quorum.
- c. A simple majority, not a quorum, vote of the remaining Council members is required to select and appoint persons to fill Council vacancies.

- d. A person appointed under this section serves until the next regular election, when a successor shall be elected to serve the balance of the term.

**Requested Action:**

Formally accept Councilmember Evensen resignation and declare a vacancy on the Council.