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Title: Resolution Ratifying the Submission by the City Attorney to the Circuit Court of the City of Hampton of a Petition Requesting that a Special Election be Ordered to Fill a Vacancy in the Office of City Council Member Resulting from the Resignation of Councilmember Christine Snead

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Resolution Ratifying the Submission by the City Attorney to the Circuit Court of the City of Hampton of a Petition Requesting that a Special Election be Ordered to Fill a Vacancy in the Office of City Council Member Resulting from the Resignation of Councilmember Christine Snead

PURPOSE/BACKGROUND:

Councilmember Christine (“Chris”) O. Snead was duly elected to the City Council of the City of Hampton, Virginia, with a four-year term beginning on July 1, 2020 and continuing until December 31, 2024. Due to her election to the office of Treasurer with a term beginning January 1, 2022, Councilmember Snead resigned her City Council seat on December 31, 2021. Pursuant to section 24.2-226 of the Code of Virginia, the City Council of the City of Hampton is required, within 15 days of the occurrence of the vacancy of the office, to petition the Circuit Court to issue a writ of election to fill the vacancy. Accordingly, the City Attorney filed the petition in Circuit Court on behalf of the City Council the week of January 3, 2022. Council is being asked to ratify the City Attorney's submission of the petition and to authorize future acts as may be necessary to accomplish the holding of a special election in November 2022.

Recommendation:

It is recommended that Council approve this resolution.

WHEREAS, Councilmember Christine (“Chris”) O. Snead was duly elected to the City Council of the City of Hampton, Virginia, with a four-year term beginning on July 1, 2020 and continuing until December 31, 2024;

WHEREAS, Councilmember Snead was then duly elected to the office of Treasurer of the City of Hampton, with a term beginning on January 1, 2022;

WHEREAS, accordingly, Councilmember Snead resigned from the City Council effective December 31, 2021 in order to assume her duties as Treasurer;

WHEREAS, pursuant to Section 24.2-226 of the Code of Virginia, the City Council of the City of Hampton was required, within 15 days of the occurrence of the vacancy of the office of City Council, to petition the Circuit Court to issue a writ of election to fill the vacancy;

WHEREAS, the Code of Virginia further provides that a special election to fill a vacancy in local office shall be held on the date of the next general election in November, which will be November 8, 2022, unless an earlier date is requested by the City Council;

WHEREAS, holding the special election on the same date as the upcoming general election will save the taxpayers the cost and expense required to conduct a special election on an earlier date;

WHEREAS, in accordance with section 3.02 of the City Charter, the City Council has made an interim appointment to temporarily fill the vacated City Council seat, with such individual holding the office until Hampton voters fill the seat by election on November 8, 2022 and such elected individual takes office on January 1, 2023;

WHEREAS, on behalf of the City Council and pursuant to the Code of Virginia, the City Attorney filed a petition requesting that the Circuit Court order a special election be held on the same date as the next general election, which is scheduled for November 8, 2022; and

WHEREAS, the City Council desires to ratify the action of the City Attorney in filing the above-described petition with the Circuit Court requesting a special election be ordered as described.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the actions taken by the City Attorney to file the petition for writ of special election in response to the vacancy in the City Council seat formerly held by Chris Snead are hereby ratified and approved by the City Council with the same effect as if the City Council had authorized such actions in advance.
2. That the City Attorney and City Manager are authorized to execute and deliver all documents necessary to request that the special election be held on the same day as the next general election scheduled for November 8, 2022, to execute any other related documents, and to perform such other acts as may be necessary and appropriate pursuant to this resolution, including those not specifically recited.