

ARTICLE II. - THE COUNCIL

Section 1. - Number, Selection, and Term of Office.

The Council shall be composed of a Mayor and eight Councilmembers. One Councilmember shall be nominated and elected by the voters in each of six Council Districts, and two Councilmembers shall be nominated and elected by the voters of the entire City. The Mayor shall be elected by the qualified voters of the entire City. The Mayor, unless sooner removed under the provisions of the Charter, shall serve for four-year (4) terms, from the first (1st) day of July four (4) years later or until his successor has been elected and duly qualified. Each Councilmember, unless sooner removed under the provisions of the Charter, shall serve for two year (2) terms, from the first day of July following his/her election until the first day of July two years later, or until his/her successor has been elected and duly qualified.

No person shall be elected to more than two consecutive regular four year terms as Mayor. No person shall be elected to more than four consecutive regular two year terms as a Councilmember. Any reference to Councilmember in this Charter shall mean Council/men/women.

(Ord. No. 13-126, § 1(Exh. A-Prop. I), 8-22-13/11-5-13)

NOTE: Pursuant to the United States District Court's Final Judgment and Order of Injunction in *Patino v. City of Pasadena*, Civil No. H-14-3241 (S.D. Tex.) (Jan 16, 2017) the City of Pasadena City Council consists of a Mayor elected at large and eight Councilmembers elected from single-member districts rather than from a combination of single-member districts and at-large positions as set out in Sections 1, 2, 3 and 4 of Article II of the Charter.

Section 2. - Qualifications and Eligibility.

At the time of his/her election to office and during his/her tenure of office, each member of the Council shall be a citizen, resident, and qualified voter of the State of Texas and the City of Pasadena. Council members elected to represent districts must physically reside within the District he/she represents for a period of twelve months immediately preceding the day of the election at which he/she is elected. The Mayor and Council Members elected at-large must have been residents of and have physically resided within the City for twelve months immediately preceding their election. No member of the Council shall hold any other office or employment under the City government while he/she is a member of the Council, nor shall he/she hold any paid employment under the City government within two years thereafter. A member of the Council ceasing to possess any of the foregoing qualifications shall immediately forfeit his/her office.

(Ord. No. 13-126, § 1(Exh. A-Props. I, IV), 8-22-13/11-5-13)

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Councilmembers elected from single-member districts rather than from a combination of single-member districts and at-large positions as set out in Sections 1, 2, 3 and 4 of Article II of the Charter.

Section 2(a). - Proof of Physical Residency.

Requirements for proof of physical residence:

- (a) As part of the application for election to office, as well as upon election to office, and, if requested by the City Secretary, Mayor, or Council as a body, during their term in office, each candidate or Councilmember shall submit to the City Elections Official proof of their physical residence, as described in sections (b) and (c) herein, sufficient for the City Elections Official and/or Council to determine the candidate's compliance with Article II, Section 2.
- (b) If the candidate seeks to establish residency and physical residence at a property they own, a copy of the deed and copies of the candidate's utility bills for the applicable period, showing service to such property must be provided, upon request, as proof of compliance with Article II, Section 2.
- (c) If the candidate seeks to establish residency and physical residence at a property they do not own, a sworn affidavit by the owner of such property must be provided, upon request, to confirm the candidate's compliance with Article II, Section 2. If the residence is leased to the candidate, a copy of the lease and copies of utility bills for the applicable period must accompany the affidavit of the property owner.
- (d) Additional proof as determined by Council may be required such as valid driver's license and voters registration card. etc.
- (e) If a candidate fails to provide proof of residency and physical residence as required by Article II, Section 2 such that the City Elections Official may make a clear and final determination of the candidate's compliance with Article II, Section 2, the City Elections Official shall not approve the application for office. Should a majority of the Council, after notice and hearing find that a Councilmember has failed to comply, or continue to comply with the requirements of this Article, they may, in addition to the other reasons permitted by any law, remove the Councilmember from Council.
- (f) The City Elections Official shall not accept for filing any candidate application without proof of residency and physical residence as required by Article II, Section 2.
- (g) The City Elections Official shall not accept election to office any candidate without proof of residency and physical residence pursuant to Article II, Section 2.

(h) The decisions of the City Elections Official or Council, as applicable under this Article, are final subject to any judicial review that may be available by law.

(Ord. No. 13-126, § 1(Exh. A-Prop. IV), 8-22-13/11-5-13)

Section 2(b). - Financial Disclosures Sources of Income.

Each Candidate for office and each elected office holder, shall be required to place on file with the City Secretary a Financial Disclosure list showing all sources of their income. The Financial Disclosure list shall be updated by the tenth day of January of each succeeding year. Any violation of this section shall constitute malfeasance in office and immediate forfeiture of said office.

Section 3. - Designation of Members of Council.

The eight Councilmembers shall be designated as:

Single-Member Districts

Councilmember Place A

Councilmember Place B

Councilmember Place C

Councilmember Place D

Councilmember Place E

Councilmember Place F

At-Large Positions

Councilmember Place G

Councilmember Place H

(Ord. No. 13-126, § 1(Exh. A-Prop. I), 8-22-13/11-5-13)

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Section 4. - City Divided into Districts.

The City shall be divided into six single-member Districts to be known and designated as Districts A, B, C, D, E, and F. The Councilmembers for Districts A-F shall be elected by the voters of their respective Districts. Within six months of the date this

provision of the Charter is adopted, the Council shall divide the City into six Districts to be denominated as Districts A-F. Each District shall contain relatively equal numbers of persons so that the total deviation between the largest and smallest Districts does not exceed ten percent. As soon as practicable following the publication of each federal decennial census, the Council shall determine if the Districts are materially imbalanced and, if so, shall redraw the Districts to achieve relative population equality.

The Councilmembers for Places G and H shall be elected from the City at large.

Such redistricting ordinances and the six Districts defined therein shall apply to the next succeeding City general election and to all City general and special elections and appointments thereafter until enactment and application of the next redistricting ordinance.

In the event the limits of the City are extended, annexed territory shall become a part of the District to which it adjoins until changed by the next redistricting ordinance; and in the event any annexed territory adjoins two or more Districts, the Council shall designate to which District or Districts the area is to be assigned.

The Council is authorized to pass all ordinances necessary to effectuate the division of the City into Districts in accordance with law.

(Ord. No. 13-126, § 1(Exh. A-Prop. I), 8-22-13/11-5-13)

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Section 5. - Investigative Body.

The Council shall have the power to inquire into the official conduct of any department, agency, office, officer, or employee of the City, and for that purpose shall have the power to administer oaths, subpoena witnesses, compel the production of books, papers, and other evidence material to the inquiry. The Council shall provide by ordinance penalties for contempt in failing or refusing to obey any such subpoena or to produce any such books, papers, or other evidence, and shall have the power to punish any such contempt in the manner provided by such ordinance. No member of the Council shall ever vote upon any matter involving the consideration of his own official conduct.

Section 6. - City Secretary.

The Council, upon recommendation of the Mayor, shall appoint the City Secretary, who shall serve at the pleasure of the Council. The City Secretary shall keep the records of the Council, and shall have such other duties and responsibilities as may be assigned to him/her by this Charter or by the Council. The City Secretary shall appoint such assistants

to him/her as may be authorized by the Council. The City Secretary shall furnish two copies of the minutes of all council meetings to the City Library within thirty days after their approval; such copies of minutes of the Council shall become and be maintained as permanent public records.

Section 7. - Meetings of the Council.

There shall be regular meetings of the Council on the first and third Tuesday of each month unless said Tuesday is a holiday; in which case the meeting shall be rescheduled within the next three business days. Council may hold as many additional meetings during the month as may be necessary. Special meetings may be called at any time by the Mayor as necessary. Procedures for meetings shall be governed by the laws of the State of Texas for open meetings, and as provided by the Charter and City ordinances not in conflict therewith. All meetings of the Council, regular or special, shall be open to the public and shall be held at the City Hall of the City.

(Ord. No. 13-126, § 1(Exh. A-Prop. II), 8-22-13/11-5-13)

Section 8. - Rules of Procedure.

The Council shall by ordinance determine its own rules and order of business. A majority of the Council qualified and serving shall constitute a quorum for all meetings for the transaction of all business, but no action of the Council shall be of any force and effect unless it is adopted by the favorable vote of a majority of the members of the Council qualified and serving, unless otherwise provided by this Charter. Minutes of all meetings of the Council shall be taken and recorded, and such minutes shall constitute a public record.

Section 9. - Each Member Present Must Vote on All Matters.

Except as otherwise herein provided, each member of the Council in attendance at the council meeting shall vote upon every issue upon which a vote is called. Any member present who fails or refuses to vote under such circumstances shall be recorded as having cast a negative vote.

Section 10. - Powers of the Council.

All powers and authority which are expressly or impliedly conferred on or possessed by the City shall be vested in and exercised by the Council; provided, that the Council shall have no power to exercise those powers which are expressly conferred on other city officers by this Charter.

Section 11. - Override of Mayor's Veto.

At any meeting of the Council held not less than seven nor more than thirty days after the Mayor has vetoed any ordinance or resolution of the Council, the Councilmembers may, by the affirmative vote of a majority of its members qualified and

serving, override such veto, in which event such ordinance or resolution shall be considered finally passed and approved and shall not be subject to further veto.

Section 12. - Removal of Appointed, Salaried Officers and Employees.

Subject only to such limitations as may be imposed by the Laws of the State of Texas or by this Charter, two-thirds of the Councilmembers qualified and serving may suspend without pay any appointed, salaried officer or employee of the City. Provided, however, such suspension must be made at a meeting of the Council. Such suspension shall permanently terminate such officer's or employee's appointment or employment with the City without recourse to the officer or employee unless he files a petition with the Council requesting a hearing on such suspension in the time and manner provided for in this Charter.

Section 13. - Reinstatement of Appointed, Salaried Officers or Employees Suspended Without Pay.

In the event two-thirds of the Councilmembers qualified and serving, the Mayor, or the City Controller suspends without pay any appointed, salaried officer or employee of the City in the manner authorized by this Charter, such suspended officer or employee may within fifteen days after the date of his/her suspension, file a written petition with the Suspension Appeals Board of the City of Pasadena requesting a hearing on such suspension. Said Board shall be a standing board consisting of five members appointed by the Mayor and subject to confirmation and approval by the Council to hear petitions for reinstatement made by City of Pasadena employees. Said petition shall be signed by the officer or employee, shall contain his/her home address, and shall state whether he/she desires a public or private hearing. If the petition is timely and properly filed, the Suspension Appeals Board shall, within ten days thereafter, set a time for hearing such petition within not less than six nor more than twenty days thereafter.

The suspended officer or employee may request either a public or private hearing. The City Secretary shall give written notice of the time of such hearing to the suspended officer or employee at the address shown in the petition by depositing the same, postage paid by registered or certified mail, return receipt requested in the United State mail at least five days prior to the date of such hearing. All such hearings shall be held at City Hall. At the hearing, the Councilmembers, the Mayor, or the City Controller, as the case may be, and the suspended officer or employee shall be given the right to be heard. Within ten days following such hearing, the Suspension Appeals Board shall make a recommendation to the Councilmembers either upholding or rejecting the suspension. The Councilmembers shall then consider the recommendation of the Suspension Appeals Board and rule on said recommendation.

If the recommendation of the Suspension Appeals Board is to affirm reinstatement and if the Councilmembers uphold such recommendation and removes said suspension, then the officer or employee is to be reinstated to his/her office or position of employment and further, shall be entitled to receive all wages and benefits lost during the period of

his/her suspension. However, if the petition is not timely or properly filed or if a majority of the Councilmembers qualified and serving do not remove the suspension and reinstate such officer or employee, his/her removal and discharge shall be effective as of the date of his/her suspension by the majority of Councilmembers, by the Mayor, or by the City Controller. The action of the Councilmembers on the question of the removal of such suspension and reinstatement shall be final. Any procedures necessary to effectuate this Charter provision shall be adopted by ordinance of the governing body.

Section 14. - Procedure to Enact Legislation.

The Council shall legislate by ordinance, and the enacting clause of every ordinance shall be, "Be it ordained by the City Council of the City of Pasadena." The City Attorney shall approve as to legality all ordinances adopted by the Council, or shall file with the City Secretary his written legal objections thereto. Evidence of approval of an ordinance by the City Attorney may be made by notation on the ordinance itself or by separate paper or instrument. Each ordinance finally enacted by the Council shall be signed by the Mayor, subject only to his right to veto, and shall be filed with and recorded by the City Secretary. In the event the Mayor fails or refuses to sign an ordinance after the period in which he may veto the same has expired or in the event he fails or refuses to sign an ordinance passed over his veto, such ordinance shall be signed by the Mayor Pro Tem or by two Councilmembers. The reading aloud of the title and caption of the ordinance or resolution shall suffice as a reading, provided printed copies of the ordinance, in the form required for adoption, are in front of all members of council and a reasonable number of additional copies are available to citizens present at the meeting. Ordinances or resolutions may be read in their entirety at the discretion of a majority of the City Council. All ordinances, unless otherwise provided by or by the terms of such ordinance, shall take effect immediately upon final passage thereof. The requirements for reading ordinances on two separate days may be dispensed with respect to ordinances authorizing the issuance of obligation of the City or where an ordinance relating to the immediate preservation of the public peace, health, safety, or welfare is adopted by the favorable vote of two-thirds of all members of council qualified and serving, and contains a statement of the nature of the emergency.

Section 15. - Publication of Ordinances.

Except as otherwise provided by law or by this Charter, the City Secretary shall give notice of the enactment of every ordinance imposing any penalty, fine, or forfeiture for any violation of any of its provisions, and every other ordinance required by law or by this Charter to be published, by causing the ordinance, or its descriptive caption and penalty, to be published at least one time within twenty days after final passage thereof in the official newspaper of the City. The affidavit of such publication by the publisher of such newspaper taken before any officer authorized to administer oaths and filed with the City Secretary shall be conclusive proof of the legal publication and promulgation of such ordinance in all courts. Such ordinance shall take effect ten days after the date of such publication, provided that any penal ordinance passed as an emergency measure shall take effect immediately upon publication.

Section 16. - Code of Ordinances.

The Council shall have the power to cause all general ordinances of the City to be compiled and printed in code form. Every general ordinance enacted subsequent to such codification shall be enacted as an amendment to the code. The Council shall cause all general ordinances to be codified, recodified, and reprinted whenever in its discretion such is deemed desirable, or when such codification or recodification is required by law. When adopted by the Council, the printed code of general ordinances contemplated by this section shall be in full force and effect without the necessity of such code or any part thereof being published in any newspaper. The caption, descriptive clause, and other formal parts of the ordinances of the City may be omitted without affecting the validity of such ordinances when they are published as a code.

Section 17. - Limitation of Number of Terms of Councilmembers.

No person shall be elected to more than four (4) consecutive regular two (2) year terms as a Councilmember. Term limitations provided for in the previous Charter are carried forward with the adoption of this Charter.

Section 18. - Compensation of Councilmembers.

Each Councilmember shall receive a monthly salary of Three Hundred (\$300.00) Dollars. Provided, in the event a Councilmember is absent from any regular meeting of the Council, Twenty-Five Dollars shall be deducted from his/her salary for that month for each regular meeting from which he/she was absent during such month, except on city business; also, a Councilmember may be excused from two meetings per year for either vacation, sickness or death in the family.

Section 19. - Vacancies in Office of Councilmember.

Vacancies in the office of Councilmember arising from any cause shall be filled by a majority vote of the remaining members of the Council for the unexpired term. However, if two or more vacancies exist at the same time, a special election shall be called in the manner provided for City general elections to elect successors to fill such vacancies for the unexpired terms, unless such vacancies shall exist within ninety days of the next City general election, in which event such vacancy shall be filled by appointment as in other cases. Any person elected or appointed to fill a vacancy in the office of Councilmember shall possess all of the qualifications herein required for the office.

Section 20. - Forfeiture of Office of Councilmember Because of Absence.

Any Councilmember who is absent from four consecutive regular meetings of the Council, unless such absences are the result of his/her illness or the conduct of official city business, shall be deemed to have forfeited his office and the Council shall fill such vacancy in the manner prescribed by this Charter.

ARTICLE III. - THE MAYOR

Section 1. - Head of City Government.

The Mayor shall be the chief administrator and executive officer of the City; he shall devote his full time and efforts to and shall be responsible for the proper administration of its affairs. The Mayor shall preside at all meetings of the Council and shall be recognized as the head of the city government for all ceremonial purposes, for the purpose of receiving civil process, for emergency purposes, and for military purposes.

Section 2. - Mayor Pro Tem.

At the first meeting following each general City election, the Council shall by election designate a member(s) as Mayor Pro Tem. The Mayor Pro Tem may conduct Council meetings in the absence of the Mayor and may act as Mayor upon the disability or disqualification of the Mayor. Upon vacancy of the position of the Mayor Pro Tem, the position may be filled as needed.

(Ord. No. 13-126, § 1(Exh. A-Prop. III), 8-22-13/11-5-13)

Section 3. - Acting Mayor.

In the event of the absence, disability, or disqualification of both the Mayor and Mayor Pro Tem at any particular meeting of the Council, the remaining members of the Council shall by election designate one of their members as Acting Mayor and he/she shall act as Mayor for such particular meeting and shall have power to perform every act, except the power to remove or suspend officers and employees and the power of veto, the Mayor could perform if present.

Section 4. - Vacancy.

In the event of a vacancy in the office of Mayor arising from any cause, the Mayor Pro Tem shall become Mayor for the completion of the unexpired term if one year or less of such unexpired term remains. However, if more than one year of such unexpired term remains, the Council shall within ten days following such vacancy call a special election to be held within not less than forty nor more than sixty days thereafter to fill such vacancy for the unexpired term. The Mayor Pro Tem shall act as Mayor until a successor to the office of Mayor has been elected and duly qualified and, during such time as he/she acts as Mayor under such circumstances, but only under such circumstances, the Mayor Pro Tem shall be entitled to receive the compensation of Mayor.

Section 5. - General Powers of the Mayor.

The Mayor shall have and exercise such powers, prerogatives, and authorities as are expressly or impliedly conferred on him by this Charter or by the Council.

Section 6. - Privilege of Vote and Veto.

The Mayor, as a member of the Council, shall be entitled to vote upon all matters considered by the Council, except in those instances where such privilege of vote is specifically denied him/her by this Charter. He/she shall have the power to veto any ordinance or resolution enacted or adopted by the Council, except those ordinances or resolutions which are not subject to the initiative or referendum process under the provisions of this Charter. To be effective, such veto must be accomplished within ten days after the final passage or adoption of the ordinance or resolution and must be accompanied by a veto message setting forth in writing the Mayor's reason for such veto, which such veto and veto message must be filed with the City Secretary within such ten day period. The City Secretary shall deliver the Mayor's veto and veto message to the Council at its next regular meeting.

Section 7. - Removal of Appointed, Non-Paid Persons.

Except as may be otherwise provided by the Laws of the State of Texas or by this Charter, the Mayor shall have the exclusive authority to remove from office or position all persons appointed by him/her to serve on boards, commissions, committees, or agencies of the City or to serve in any similar non-paid offices or positions of the City. The action of the Mayor shall be final.

Section 8. - Suspension Without Pay of Appointed, Salaried Officers and Employees.

The Mayor shall have the authority to suspend without pay any appointed, salaried officer or employee of the City, except officers and employees of the Department of Finance. Provided, however, notice of such suspension shall be given by the Mayor to the Council at a regular meeting of the Council held within ten working days after the effective date of such suspension. Such suspension shall permanently terminate such officer's or employee's appointment or employment with the City without recourse to the officer or employee unless he files a petition with the Council requesting a hearing on such suspension in the time and manner provided for in this Charter.

Section 9. - Other Duties and Powers.

Unless otherwise provided by law or by this Charter, the powers and responsibilities of the Mayor shall include, but shall not be limited by, the following:

- (a) To appoint, subject to confirmation and approval by the Council, all officers and employees of the City and the members of all boards, commissions, committees, and agencies of the City.
- (b) To exercise control and direction over all departments and divisions of the City and to supervise and direct all officers and employees of the City appointed by him/her.

- (c) To recommend to the Council such measures, resolutions, and ordinances as he/she may deem proper and necessary.
- (d) To advise the City Council as to the financial status of the City. The Mayor may appoint subject to confirmation and approval by the Council and supervise a Budget and Financial Planning Officer who will work with the Mayor and the City Controller to ascertain the needs of the City and prepare an annual budget and a multi-year plan based on the present and projected financial revenues of the City.
- (e) To perform such other duties as may be prescribed by this Charter or required of him/her by the Council.

Section 10. - Compensation of Mayor.

Effective May 1, 1975, the Mayor shall receive a minimum annual salary of Twenty-Five Thousand Dollars, with an annual cost-of-living adjustment at the 100% recovery rate, the amount of which will be determined by the cost-of-living index figure as found in the current Consumer Price Index as determined by the United States Government.

Such annual salary shall be paid in twelve equal monthly installments and the annual cost-of-living adjustment shall become effective from and after each May 1, beginning 1976. Each incoming Mayor shall receive the salary of his/her predecessor with the cost-of-living adjustments effective May 1 of each succeeding year.

Section 11. - Limitation on Number of Terms of Mayor.

No person shall be elected to more than two (2) consecutive regular four (4) year terms as Mayor. Term limitations provided for in the previous City Charter are carried forward with the adoption of this Charter.

ARTICLE IV. - ELECTION

Section 1. - General Elections.

The first regular City general election for Mayor and Councilmember shall be held on the first Saturday in May, 1993. Regular City general elections shall be held on the first Saturday in May in each odd numbered year thereafter, all Councilmembers to be elected every two years and a Mayor to be elected every four years. In each such election, each qualified voter shall vote for not more than one candidate for Mayor, if such position is to be filled at such election, and for not more than one candidate for Councilmember. Said election shall be ordered by the Mayor or, in the event he/she fails to do so, by the Council. The City Secretary shall give notice of such election by causing said notice to be published at least forty days prior to the date of such election in the official newspaper of the City.

Section 2. - Run-off Elections.

In the event any candidate for Mayor for Councilmember fails to receive a majority of all votes cast for his/her particular office at any regular or special election, the Mayor or, if he/she fails to do so, the Council shall on the first day following the completion of the official count of ballots cast at the first election order a second election to held on the last Saturday in May following the date of such order, at which election the two candidates receiving the highest number of votes cast for such particular office in the first election at which no one was elected to such office by receiving a majority of all votes cast for all candidates for such particular office shall again be voted for, and the one receiving the highest number of votes cast shall be elected to such office. The City Secretary shall give notice of such run-off election by causing said notice to be published at least ten days prior to the date of such election in the official newspaper of the City.

Section 3. - Order of Names on Ballot.

In all elections, regular or special, first or run-off, the order of names of candidates for a particular office on the ballot shall be determined by the drawing of lots.

Section 4. - Regulation of Elections.

All election procedures for the City of Pasadena shall be governed by the laws of the State of Texas for municipal elections, and as provided by the Charter and City Ordinances not in conflict therewith. The Council shall appoint the Election Judges and other election officials and shall provide for the compensation of all election officials in city elections and for all other expenses of holding such elections.

Section 5. - Filing of Candidates.

Any qualified person who desires to become a candidate for election to the office of Mayor or Councilmember shall file an application for his/her name to appear on the ballot with Mayor or, if designated by the Mayor, the City Secretary, at least thirty days prior to the date of election or at such earlier time as may be required by state law. Such application shall clearly designate the office and, if a candidate for Councilmember, the Place for which the candidate seeks election and shall contain proof of physical residence as well as a sworn statement by the candidate that he/she is fully qualified under the Laws of the State of Texas and the provisions of this Charter to hold the office he/she seeks.

(Ord. No. 13-126, § 1(Exh. A-Prop. I), 8-22-13/11-5-13)

Section 6. - Method of Filing.

An application to become a candidate for Mayor or for the office of Councilmember must be accompanied by any one of the following means of qualification:

- (a) A filing fee of Three Hundred (\$300.00) Dollars to become a candidate for the office of Mayor. A filing fee of One Hundred (\$100.00) Dollars to become a candidate for the office of Councilmember. The payment of such filing fees shall be in cash or by cashier's check or certified check made payable to the order of the City of Pasadena.
- (b) A nominating petition requesting that his/her name be placed on the ballot bearing signatures of qualified electors who are residents of the City of Pasadena equal in number to the greater of 25 voters or ½ of one (1%) percent of the total vote cast for the office of Mayor at the last preceding City General Election. The petition shall show the address of each signer, the number of his/her voter registration certificate, and the county of its issuance.

Section 7. - Canvassing Election and Declaring Results.

The returns of every municipal election shall be delivered forthwith by the Election Judges to the City Secretary. The Council shall canvass the returns, investigate the qualifications of the candidates, and declare the official results of the election not later than the first regular meeting following the delivery of the votes to the City Secretary. The returns of every municipal election shall be recorded in the minutes of the Council by precinct totals. At each first election the qualified person receiving a majority of all votes cast for the office he/she seeks shall thereupon be declared by the Council elected. In each run-off election, the qualified person receiving the highest number of votes cast for the office he/she seeks shall thereupon be declared by said Council elected. The decision of the Council as to qualifications of candidates shall be conclusive and final for all purposes.

Section 8. - Notification and Qualification of City Officials.

It shall be the duty of the City Secretary to notify all persons elected or appointed to office of their election or appointment. All officials newly elected at a City general election may enter upon their duties on the first day of July next following the date of their election. All other newly elected or appointed officials may enter upon their duties immediately. Any official elected at a City general election must qualify by taking and subscribing his/her oath of office not later than the thirty-first day of July next following the date of his/her election; otherwise, the office shall be deemed vacant. All other elected or appointed officials must qualify by taking and subscribing their oath of office within thirty days; otherwise, the office shall be deemed vacant.

Section 9. - Special Elections.

The Council may by ordinance or resolution call such special elections as are authorized by the Laws of the State of Texas and by this Charter, fix the time and place of holding same, and provide all means for holding such special elections, provided that every special election shall be called and held as nearly as practicable according to the provisions governing City general elections. It is specifically provided, however, that if the

Laws of the State of Texas specify a different period or method of notice of any special election, the time and method provided for therein shall prevail over the general provisions of this Charter.