

Lufkin Mayor and City Council

ARTICLE III. THE COUNCIL

Sec. 1. Composition.

The council shall consist of a mayor, who may reside in any portion of the city; a councilman from ward no. 1, who shall be a resident of ward no. 1 at the time of his/her election and for a period of six months prior thereto; councilman from ward no. 2, who shall be a resident of ward no. 2 at the time of his/her election and for a period of six months prior thereto; councilman from ward no. 3, who shall be a resident of ward no. 3 at the time of his/her election and for a period of six months prior thereto; and a councilman from ward no. 4, who shall be a resident of ward no. 4 at the time of his/her election and for a period of six months prior thereto; a councilman from ward no. 5, who shall be a resident of ward no. 5 at the time of his/her election and for a period six months prior thereto; and a councilman from ward no. 6, who shall be a resident of ward no. 6 at the time of his/her election and for a period of six months prior thereto.

(Amended by the electorate, 5-7-94)

Sec. 2. Term of office.

Each member of the council shall be elected for a term of three years or until his/her successor shall be elected and qualified.

(Amended by the electorate, 5-7-94)

Sec. 3. Qualifications.

Each member of the council shall at the time of his/her election to office, be at least twenty-five years of age and shall be a qualified voter of the State of Texas and a citizen of and taxpayer of the city for a period of time not less than two years next preceding his/her 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 reside in the city or who shall be convicted of a crime involving moral turpitude shall immediately and ipso facto forfeit his/her office.

(Amended by the electorate, 5-7-94)

Sec. 4. Vacancies.

If only one seat on the council becomes vacant, it shall be filled by a majority vote of the remaining members until the next regular city election. If two or more seats on the council become vacant at any time a special election shall be called to fill such vacancies unless the next regular city election is to be held within a 90 day period and in that event the seats shall remain vacant until filled at such regular election; provided, however, if at any time as many as four vacancies exist on the council, a special election shall be immediately ordered to fill all such vacancies. Such special election shall be ordered by the city council and, in case of its failure to order the same, such special election shall be ordered as provided in section 1 of article II of this Charter.

(Amended by the electorate, 5-7-94)

Sec. 5. 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 except those expressly conferred upon other city officers, commissions, or boards by this Charter or by state law.

(Amended by the electorate, 5-7-94)

Sec. 6. 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 for failure to obey any such subpoena or for failure to produce any such papers, books or other evidence and shall have the power to punish any such contempt in the manner provided by such ordinance.

(Amended by the electorate, 5-7-94)

Sec. 7. Interference in personnel matters.

Neither the council nor any of its members shall instruct or request the city manager or any of his/her subordinates to appoint to or remove from office or employment any person except with respect to those offices which are to be filled by appointment by the council under the provision of this Charter. Except for the purpose of inquiry and investigation, the council and its members shall deal with the administrative service of the city solely through the city manager and shall not give orders to any of the city manager's subordinates either publicly or privately.

(Amended by the electorate, 5-7-94)

Sec. 8. Mayor and mayor pro tem.

The council shall by election designate one of its members as mayor pro tem who shall serve in such capacity during the pleasure of the council. The mayor pro tem shall act as mayor during the absence or disability of the mayor and shall have power to perform every act the mayor could perform.

(Amended by the electorate, 5-7-94)

Sec. 9. Compensation.

Each councilman shall receive the sum of ten and no/100 dollars (\$10.00) and the mayor the sum of fifteen and no/100 dollars (\$15.00) for each meeting of the council; provided that neither the mayor nor any councilman shall receive pay for more than two meetings in any one month; and provide[d] further that neither the mayor nor any councilman shall receive pay for any meeting at which he/she was not present.

(Amended by the electorate, 5-7-94)