

## ARTICLE I. HOME RULE GOVERNMENT

### **Sec. 1. Incorporation.**

The inhabitants of the City of Corpus Christi, Texas, within its corporate limits as established by Chapter 33, pages 304-351, Special Laws of Texas, 1909, 31st Legislature, Regular Session, and as established or extended by the Charter of the City of Corpus Christi, Texas, as amended, and as extended by ordinances of the City of Corpus Christi, Texas, are hereby constituted a body politic and corporate, in perpetuity, under the name "City of Corpus Christi," hereinafter referred to as the "city," with such powers, privileges, rights, duties and immunities as are herein provided.

### **Sec. 2. Annexation.**

The city shall have the power by ordinance to fix the boundary limits of the city and to provide for the alteration and extension of the boundary limits.

### **Sec. 3. Form of Government and Council.**

The municipal government provided by this charter shall be known as the "Council Manager Government." Pursuant to its provisions and subject only to the limitations imposed by the state constitution and by this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as the "the council," which shall enact local legislation, determine policies, appoint the city manager, and which council and city manager shall execute the laws and administer the government of the city.

### **Sec. 4. Initiative and Referendum.**

(a) The legislative power of the city is vested in the city council, but the people of the city reserve unto themselves the powers of initiative and referendum which shall be exercised in the manner prescribed in this charter.

(1) Initiative. The registered voters of the city shall have the power to propose ordinances to the city council and, if the council fails to adopt the ordinance in substantially the form in which it was presented, to adopt or reject the ordinance proposed at an election as provided herein.

(2) Referendum. The registered voters of the city shall have the power to require reconsideration by the city council of any adopted ordinance or part thereof and, if the council fails to repeal the ordinance, or the disputed part thereof, to approve or reject it at an election as provided herein.

(b) The power of initiative and referendum reserved herein shall not extend to specific items contained in the operating or capital budgets of the city, contracts, appropriations already made, the levy of taxes or the individual salaries of city officials or employees. The powers of initiative and referendum contained herein are not in lieu of the referendum powers and procedures provided elsewhere in this charter and under state law; therefore, the powers of initiative and referendum provided in this section shall not apply when another referendum procedure is available under this Charter or state law.

(c) Any fifty registered voters may commence initiative proceedings and any five registered voters may commence referendum proceedings by filing with the city secretary a statement that they intend to circulate petitions calling for an initiative or referendum. The statement shall include the following:

- (1) the names and addresses of the registered voters commencing the proceedings;
- (2) the full text of the ordinance being proposed by initiative or the full text of the ordinance to be reconsidered by referendum; and
- (3) the name and address of the registered voter who is designated to receive all communications from the city secretary and city attorney under this section.

(d) In the case of an initiative, the city attorney shall draft an ordinance in legal form, consistent with the laws of the State and the United States, incorporating in substance the text submitted. The city secretary shall present the initiative or the request for referendum to the city council at its next regular meeting. Forty-five days from the date of presentment shall be allotted to the city council to consider the adoption of such ordinance by initiative. In the case of referendum, the statement commencing the referendum proceedings must be filed no later than the tenth day after the city council adopts the ordinance and the city council shall have until the adjournment of

the next regular city council meeting following receipt of the statement to reconsider such ordinance.

(e) In the event the council fails to take the proposed action within the time allotted, the city secretary shall furnish to the proponents petition pages for circulation among the registered voters of the city. Each petition page shall contain the following:

(1) a summary not to exceed 100 words stating in substance the initiative or referendum measure to be considered by the voters and the notation that the full text of the ordinance is available for inspection at the office of the city secretary;

(2) the printed name, address and registration number of each voter signing the petition;

(3) the signature of each signer in ink and the date of signing;

(4) the date of issuance of the petition by the city secretary and, in the case of a referendum petition, the names and addresses of the five persons who initiated the procedure.

(f) All petition pages comprising an initiative or referendum petition shall be assembled and filed with the city secretary as one instrument within ninety days from date of issuance of the forms for such purposes by the City Secretary. Within twenty days, the city secretary shall determine whether the same is signed by at least five percent of the registered voters of the city. If the certificate of the city secretary shows the initiative or referendum petition to have total signatures of registered voters in number that is less than the required five percent, the city secretary shall notify the person filing the petition, and it may be supplemented within ten days from the date of the city secretary's notice by filing supplementary petition pages as provided by the city secretary bearing signatures of other registered voters. Within ten days after such supplementary pages are filed, the city secretary shall again examine the original petition, as supplemented, and shall certify the results thereof to the council at its next regular meeting.

(g) In the case of referendum, if all necessary petition pages comprising the referendum petition have been assembled and filed with the city secretary within sixty days from the deadline for action by the city council to reconsider the ordinance, the effectiveness of the disputed provisions shall be suspended pending the outcome of these referendum proceedings. Nothing herein shall be construed to prevent the city council from repealing the disputed provisions to be reconsidered during such period.

(h) Whenever an initiative or referendum petition is certified by the city secretary to have valid signatures at least equal to five percent of the registered voters of the city and the city council does not adopt the ordinance proposed by initiative or repeal the disputed provisions sought to be reconsidered by referendum, the council shall include the proposition on the ballot at an election to be held as follows:

(1) in the case of an initiative, at the next regular city council elections;

(2) in the case of a referendum for which the necessary petition pages have been filed within sixty days from the deadline for action by the city council to reconsider the ordinance, at the next available uniform election date under state law; or

(3) in the case of any other referendum, at the next regular city council elections.

(i) Not later than the next regular meeting of the city council following the election, the council shall canvass the election returns, and if a majority of the registered voters voting on the issue approve of the ordinance submitted by initiative or the referendum, such action shall become effective as of the date the returns are canvassed or as of any later effective date as may be provided.

(j) Any ordinance adopted by initiative shall not be subject to repeal or substantial modification by action of the council for a period of four years from the date of the election, except by referendum election called by the council or by petition as herein provided. Any ordinance repealed by referendum shall not be reinstated in whole or substantial part by action of the council for a period of four years from the date of the election, except by referendum election called by the council or by petition as herein provided.