

ORDINANCE NO 2003- 6

AN ORDINANCE DECLARING UNOPPOSED CANDIDATES ELECTED TO THE OFFICES OF CITY COUNCIL FOR DISTRICTS 1, 2, 3, AND 4, CANCELING THE ELECTION OF MAY 3, 2003 FOR THOSE DISTRICTS, PROVIDING FOR SEVERABILITY, DECLARING AN EMERGENCY, AND DECLARING AN EFFECTIVE DATE.

In accordance with Article II, Section 3 of the City Charter as amended by Agreed Order Nunc Pro Tunc entered in the Voting Rights Acts lawsuit (Civil Action N. V-92-0006, U.S. District Court for the Southern District of Texas, Victoria Division), and Chapter 2, Section 2-1 of the City Code of the City of Victoria, Texas, and the laws of the State of Texas, by Ordinance No. 2003-3, a joint general election was called for May 3, 2003 for the purpose of electing Councilmembers to City Council Districts 1, 2, 3, and 4;

Sections 2.051 through 2.053 of the Texas Election Code permit a political subdivision to declare candidates elected to office and cancel the election if no candidates in the election are opposed; and the City Secretary has certified that no candidates have filed for the offices of Councilmembers for City Council Districts 1, 2, 3, and 4 other than the persons who currently hold office in each of the aforesaid districts.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTORIA:

1.

The following unopposed candidates are declared elected to the following offices for three-year terms:

Councilmember, District 1	Philip Guittard
Councilmember, District 2	Lewis Neitsch
Councilmember, District 3	Bill W. Russell
Councilmember, District 4	Shirley Buckert

2.

Pursuant to Texas Election Code § 2.053, the election scheduled for May 3, 2003 for the aforementioned positions are cancelled because those candidates are unopposed.

3.

If any provision of this Ordinance, or the application thereof to any person or circumstances, shall be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the other provisions, or application thereof, of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

4.

Early voting is scheduled to begin on April 16, 2003; therefore, an emergency is declared and the requirement of Article II, § 9 of the City Charter that no ordinance shall be passed finally on the date of its first reading is suspended, and this Ordinance shall become effective immediately upon passage and approval by the City Council of the City of Victoria, Texas.

PASSED EMERGENCY READING, this the 1ST day of April, 2003.


AYES: 7

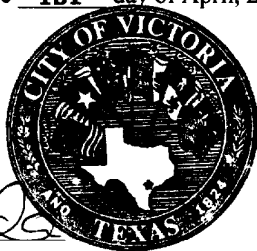
NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 1ST day of April, 2003.

ATTEST:


SCARLET SWOBODA, City Secretary
Distribution: Legal Department
City Secretary




GARY MIDDLETON, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:


DAVID ATMAR SMITH, City Attorney
Sent: APRIL 2, 2003