

ORDINANCE NO. 2005- 24

An ordinance canvassing the returns and declaring the results of a Joint Special Election of the City of Victoria, Victoria County, County of Victoria Junior College District, and Victoria County Groundwater District held on November 8, 2005; approving said election and the results thereof, delegating authority, declaring an emergency, and providing an effective date.

In accordance with the laws of the State of Texas and the Charter of the City of Victoria, Texas, and the laws of the State of Texas, by Ordinance No. 2005-15 a special election was called for the purpose of submitting to the qualified voters of the City a proposition on authorizing the City of Victoria, Texas to establish a limitation on the amount of ad valorem taxes imposed on the homestead of a person who is disabled or is 65 years of age or older and receives a residence homestead exemption, as authorized by Article VIII, Section 1-b(h) of the Texas Constitution formerly known as Proposition 13 on November 8, 2005.

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

1.

The City Council finds the results of the special election of the City of Victoria held November 8, 2005 is as set out in the election results attached hereto as **Exhibit "A"** and made a part hereof for all purposes as though copied herein verbatim; said election was duly called and notice thereof was duly given; said election was held under and in strict conformity with applicable laws; only duly qualified voters of the City voted at the election; and due returns of the election have been made by the proper officers.

2.

In accordance with the election results, the City of Victoria, Texas is authorized to establish a limitation on the amount of ad valorem taxes imposed on the homestead of a person who is disabled or is sixty-five (65) years of age or older and receives a residence homestead exemption, as authorized by Article VIII, Section 1-b(h) of the Texas Constitution formerly known as Proposition 13.

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.

The City delegates authority to Victoria County to perform any necessary acts to canvass and/or validate the results of this election.

5.

In order that the results of this election be made official within the time required by law, 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 on November 16, 2005.

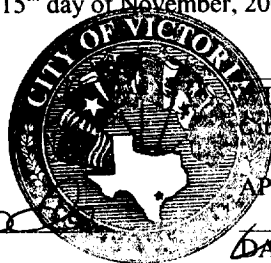
PASSED, this the 15th day of November, 2005.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 15th day of November, 2005.



Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria

ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Distribution: Legal Department

APPROVED AS TO LEGAL FORM:

David Atmar Smith
DAVID ATMAR SMITH, City Attorney

Sent: **NOVEMBER 16, 2005**