

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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

1. **TIME.** An election shall be held between the hours of 7:00 A.M. and 7:00 P.M. on *Saturday, May 13, 2006*, in the City.

2. **JOINT ELECTION.** The City, the Victoria Independent School District and the Victoria County Junior College District shall jointly participate in this election pursuant to an agreement to be entered into between these entities under Texas Election Code § 271.002 for the purposes declared by each of the respective entities.

3. **PRECINCTS AND POLLING PLACES.** This election shall be conducted and held at the precincts and the respective polling places designated on Exhibit "A" and Exhibit "B", and the persons listed on the attached Exhibit "B" are hereby appointed officers to conduct this election at the respective election precincts and polling places listed in the attached Exhibit "B" that are located in the territorial limits of the City.

5. **ELECTION CLERKS.** Each Presiding Judge in Exhibit B shall appoint no more than three qualified election clerks to serve and assist in conducting said election in said precinct; provided that if the Presiding Judge actually serves as expected, the Alternate Presiding Judge shall be one of such clerks.

6. **EARLY VOTING.** Electors may cast their early votes by mail or by personal appearance at the times and places shown on Exhibit "C", attached hereto. The Victoria County Elections Administrator, George Matthews, is hereby appointed administrator and early voting clerk for this election. The Victoria County Elections Administrator will conduct the election, including early voting, handle the administrative details, and provide the returns of the city election for canvassing by the City Council, all in accordance with the City Charter and the Constitution and laws of the State of Texas.

7. **EARLY VOTING BALLOT BOARD.** An Early Voting Ballot Board will be created by the Victoria County Elections Administrator to process early voting results. The Presiding Judge of said Board shall be Gary C. Prai. The Presiding Judge shall appoint at least two other members of said Board.

8. **ELECTORS.** All resident, qualified electors of the City shall be entitled to vote at said election.

9. **OFFICIAL PROPOSITION.** At said election the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

"Shall the Board of Directors of the Victoria Sales Tax Development Corporation be authorized to utilize the sales and use tax currently collected within the City pursuant to the Development Corporation Act of 1979, Article 5190.6, V.A.T.C.S., as amended, for the payment of principal and interest on bonds issued by the Corporation, in one or more series, in the maximum principal amount of \$8,400,000, for the purpose of constructing, acquiring and equipping a sports venue project, including related infrastructure, to wit: a maximum of seven baseball fields and a maximum of five softball fields, at or next to the Victoria Community Center, which is located at 2905 E. North Street, Victoria, Texas, which sports venue project will be primarily used or is planned for primary use for one or more professional or amateur sports or athletics events and for which a fee for admission to the sports or athletics events, other than occasional civic, charitable, or promotional events, is charged or is planned to be charged?"

10. **FORM OF BALLOT.** The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

- FOR AUTHORIZING THE SALES AND USE TAX CURRENTLY COLLECTED WITHIN THE CITY PURSUANT TO SECTION 4B, ARTICLE 5190.6, V.T.C.S., AS AMENDED, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS TO BE ISSUED BY THE VICTORIA SALES TAX DEVELOPMENT CORPORATION, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,400,000, TO CONSTRUCT, ACQUIRE AND EQUIP A SPORTS VENUE PROJECT AND RELATED INFRASTRUCTURE, TO WIT: CONSTRUCTION OF A MAXIMUM OF SEVEN BASEBALL FIELDS AND A MAXIMUM OF FIVE SOFTBALL FIELDS, AT OR NEXT TO THE VICTORIA COMMUNITY CENTER, WHICH SPORTS VENUE PROJECT WILL BE PRIMARILY USED FOR ONE OR MORE PROFESSIONAL OR AMATEUR SPORTS OR ATHLETICS EVENTS AND FOR WHICH A FEE FOR ADMISSION TO THE SPORTS OR ATHLETICS EVENTS
- AGAINST WILL BE CHARGED

11. **ELECTION CODE.** In all respects, the election shall be conducted in accordance with the Texas Election Code (the "Code"). Pursuant to the federal Help America Vote Act ("HAVA") and the Code, at each polling place there shall be at least one voting system that is equipped for disabled individuals, and each such voting system shall be a system that has been certified by the Texas Secretary of State as compliant with HAVA and the Code.

12. **BILINGUAL ELECTION MATERIALS.** All election materials (including notice of the election, ballots, instruction cards, affidavits, and other forms which voters may be required to sign) and all early voting materials shall be printed in both English and Spanish, or Spanish translations thereof, and/or other assistance shall be provided, as required by the Texas Election Code and the Federal Voting Rights Act of 1965, each as amended.

13. **NOTICE.** Notice of Election shall be given by (i) *publishing* a copy of such notice, in substantially the form attached hereto as Exhibit D, both in English and in Spanish, on the same day in each of two successive weeks, in the *The Victoria Advocate*, with the first publication being not more than 30 days and not less than 14 days prior to the date set for said election, and (ii) *posting* a substantial copy of such notice, both in English and in Spanish, at three public places in the City and at the City Hall on the bulletin board used for posting notices of the meetings of the City Council of the City not later than the 21st day before the election. It is hereby found and declared that the *The Victoria Advocate* is a newspaper of general circulation within the City.

14. **EXPENSES.** All expenses of this joint election shall be prorated among the political subdivisions named herein in the manner to be provided by a Joint Election Agreement to be executed by them, and the City Manager is authorized to execute said election agreement, in a form to be approved by the City Attorney.

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The provisions of this ordinance shall become effective immediately upon final passage and approval by the City Council of the City of Victoria.

PASSED FIRST READING, this the 7TH day of MARCH, 2006.

AYES: 6

NAYS: 1

ABSTENTIONS: 0

PASSED SECOND READING, this the 9TH day of MARCH, 2006.

AYES: 5

NAYS: 2

ABSTENTIONS: 0

PASSED THIRD READING, this the 9TH day of MARCH, 2006.

AYES: 5

NAYS: 2

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 9TH day of MARCH, 2006.



Mayor, City of Victoria, Texas

ATTEST:



City Secretary, City of Victoria, Texas

(CITY SEAL)



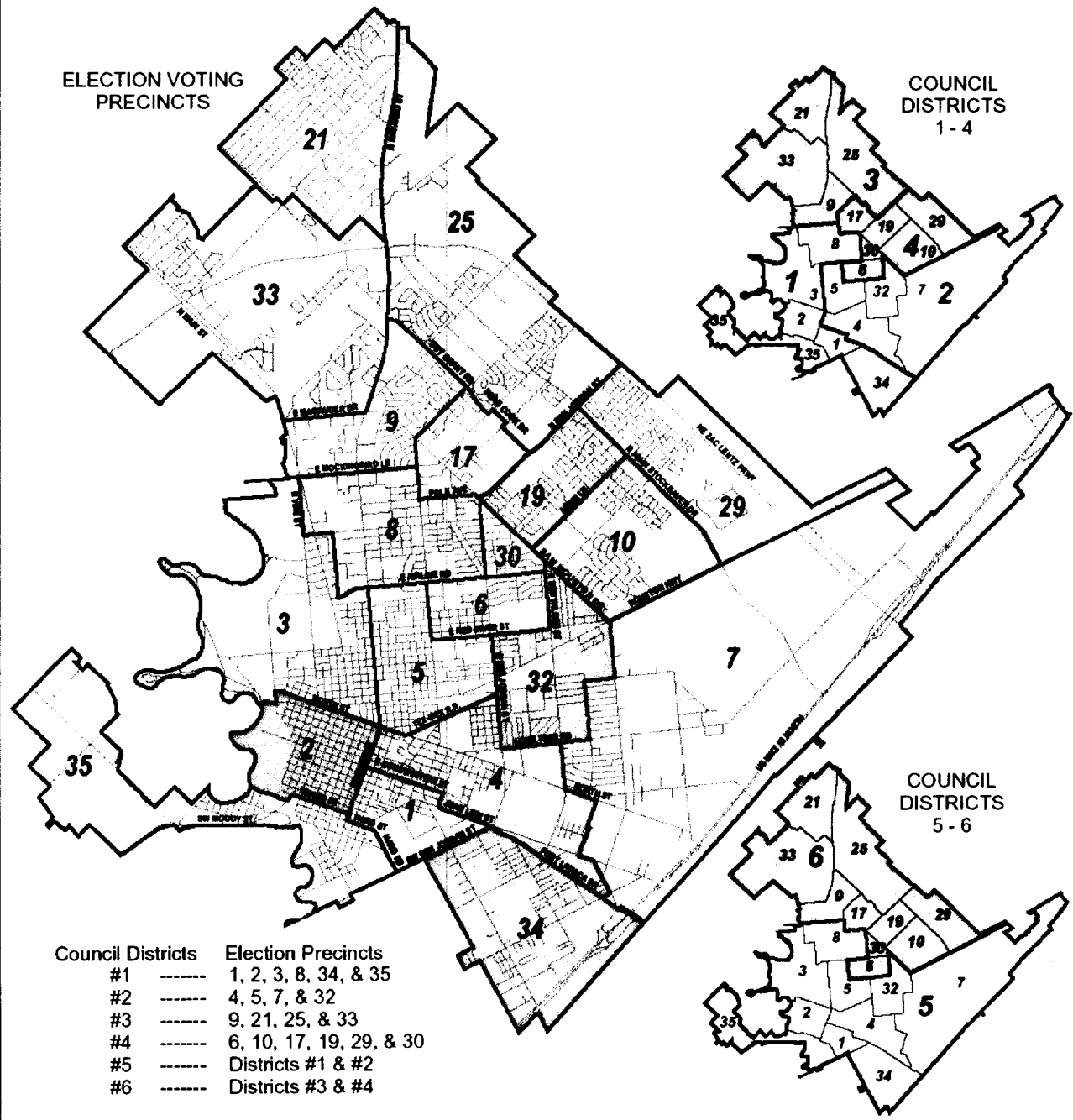
APPROVED AS TO FORM:

By: _____

City Attorney



CITY OF VICTORIA VICTORIA COUNTY, TEXAS



FOR UNOFFICIAL USE ONLY

Election Voting Precincts and City Council Districts

DATA SOURCE: Victoria City Planning Department

P:\GIS\Projects\Victoria\04.mxd 8/29/01 dt

VICTORIA
GEOGRAPHIC INFORMATION
SYSTEMS

700 MAIN CENTER, SUITE 201
702 N. MAIN STREET
VICTORIA, TEXAS 77901
361-485-3300

CITY OF VICTORIA
PLANNING DEPARTMENT
P.O. BOX 1758
VICTORIA, TEXAS 77922-1758

Exhibit "A"

ELECTION JUDGES AND ALTERNATES

Polling Place	Precinct	Polling Place Address (all in Victoria, Texas)	Polling Place Zip	Judges First Name	Judges Last Name	Judge Type
Hopkins Academy	1	110 Hopkins Road	77901	Margaret	Dean	Presiding
Hopkins Academy	1	110 Hopkins Road	77901-	Barbara	Brooks	Alternate
Victoria County Courthouse	2	115 N. Bridge	77901-	Karon	Barton	Presiding
Victoria County Courthouse	2	115 N. Bridge	77901-	James	Wearden	Alternate
Trinity Episcopal Church	3	1501 N. Glass	77901-	Nancy	Baass	Presiding
Patti Welder Middle School	4	1604 E. North St.	77901-	Nickolasa	Alvarado	Presiding
Patti Welder Middle School	4	1604 E. North St.	77901-	Aurora	Zepeda	Alternate
Juan Linn Magnet School	5	601 Colorado	77901-	Philip	Vahalik	Presiding
Juan Linn Magnet School	5	601 Colorado	77901-	Annie	Vahalik	Alternate
Crain Middle School	6	2706 N. Azalea	77901-	Beverly	Bright	Presiding
Crain Middle School	6	2706 N. Azalea	77901-	Joan	Conaway	Alternate
O'Connor Magnet School	7	3402 Bobolink St.	77901-	Boyd	Deters	Presiding
O'Connor Magnet School	7	3402 Bobolink St.	77901-	Susie	Simmons	Alternate
Shields Magnet School	8	3400 Bluebonnet	77901-	Clara	Pilsner	Presiding
Shields Magnet School	8	3400 Bluebonnet	77901-	Rose	Kloesel	Alternate
Chandler Elementary School	9	5105 Guy Grant Rd	77901-	George	Elmer	Presiding
Chandler Elementary School	9	5105 Guy Grant Rd	77901-	John	Salas, Jr.	Alternate
Memorial High School, Senior Campus	10	1110 Sam Houston Drive	77901-	Mary Ann	Kinion	Presiding
Memorial High School, Senior Campus	10	1110 Sam Houston Drive	77901-	Lauda	Gregory	Alternate
Howell Middle School	17	2502 Fannin Drive	77904-	Edyth	Peschel	Presiding
Howell Middle School	17	2502 Fannin Drive	77904-	Sara	Tomko	Alternate
Smith Elementary School	19	2901 Erwin	77901-	Marene	Delaney	Presiding
Smith Elementary School	19	2901 Erwin	77901-	Anna	Kuehl	Alternate
Vickers Elementary School	21	708 Glasgow	77904-	Evelyn	Nicholson	Presiding
Vickers Elementary School	21	708 Glasgow	77904-	Lou Vann	Shaw	Alternate
Rowland Elementary School	25	2706 Leary Lane	77901-	Carolyn	Bullock	Presiding
Rowland Elementary School	25	2706 Leary Lane	77901-	Berenda	Donald	Alternate
DeLeon Elementary School	29	1002 Santa Barbara	77904-	Susana	Moya	Presiding
DeLeon Elementary School	29	1002 Santa Barbara	77904-	Dawn	Dowden	Alternate
Our Saviour's Lutheran Church	30	4102 N. Ben Jordan	77904-	Patricia	Spurlin	Presiding
Our Saviour's Lutheran Church	30	4102 N. Ben Jordan	77904-	Delphine	Krause	Alternate
V.I.S.D. Administration Building	32	102 Profit Drive	77901-	Diana	Perez	Presiding
V.I.S.D. Administration Building	32	102 Profit Drive	77901-	Fernando	Perez	Alternate
Holy Family Catholic Church	33	704 Mallette Drive	77904-	JoAnn	Lau	Presiding
Holy Family Catholic Church	33	704 Mallette Drive	77904-	Clifton	Lau	Alternate
Dudley Magnet School	34	3307 Callis Street	77901-	Mary	Buitron	Presiding
Dudley Magnet School	34	3307 Callis Street	77901-	Earnestine	Hill	Alternate
F.W. Gross Montessori School	35	1208 S. Navarro	77901-	Pete	Moralez, Sr	Presiding
F.W. Gross Montessori School	35	1208 S. Navarro	77901-	Margaret	Cantu	Alternate

Exhibit "B"

EARLY VOTING LOCATIONS

Early voting by personal appearance will be conducted each weekday at

Elections Administrator's Office
111 N. Glass
Victoria, Texas 77901

between the hours of 8:00 a.m. and 5:00 p.m. beginning on Monday, May 1, 2006 and ending on Tuesday, May 9, 2006.

Additional hours of early voting will be held on the following days and times:

Friday, May 5, 2006 from 7:00 am to 7:00 pm
Tuesday, May 9, 2006 from 7:00 am to 7:00 pm.

EXHIBIT D

NOTICE OF ELECTION TO BE HELD BY THE CITY OF VICTORIA

TIME AND PLACE OF ELECTION. The City Council of the City of Victoria, Texas (the "City") hereby gives notice of an election to be held between the hours of **7:00 A.M. and 7:00 P.M.** on **Saturday, May 13, 2006** in the City for the purposes of authorizing the use of the sales and use tax currently collected within the City pursuant to the Development Corporation Act of 1979, Article 5190.6, V.A.T.C.S., as amended, for a sports venue project, including the payment of debt service for bonds issued by the Victoria Sales Tax Development Corporation to finance such sports venue project.

PLACE OF ELECTION. Voters may cast their ballots on the election day (May 13, 2006) at the respective polling place which corresponds to their election precinct, as follows:

<u>Precinct</u>	<u>Polling Place</u>	<u>Address</u>
1	Hopkins Magnet School	Hopkins Road
2	Victoria County Courthouse	115 N. Bridge
3	Trinity Episcopal Church	1501 N. Glass
4	Patti Welder Middle School	1603 E. North
5	Juan Linn Magnet School	1500 N. Depot
6	Crain Middle School	2706 N. Azalea
7	O'Connor Magnet School	3402 Bobolink
8	Shields Magnet School	3400 Bluebonnet
9	Chandler Elementary School	5105 Guy Grant Road
10	Memorial High School, Senior Campus	1110 Sam Houston Drive
11	Precinct No. 4 Portable Building <i>(includes Victoria Independent School District voters from election precinct 27)</i>	14721 J-2 Ranch Road
14	Guadalupe School	1952 Guadalupe Road
17	Howell Middle School	2502 Fannin Drive
18	Aloe Elementary School <i>(includes Victoria Independent School District voters from election precincts 15 & 16)</i>	US Hwy 59 South
19	Smith Elementary School	2901 Erwin
20	Wilson Residence	4543 FM 236, Victoria
21	Vickers Elementary School <i>(includes Victoria Independent School District voters from election precincts 23 & 24)</i>	708 Glasgow
22	Mission Valley Volunteer Fire Department	34 Reinecke Road
23	Precinct No. 2 Service Center <i>(includes Nursery School District voters within from election precincts 23 & 24)</i>	13323 Nursery Drive
25	Rowland Elementary School	2607 Leary Lane
26	Telferner Methodist Church Meeting Hall Telferner	81 Old Highway Road,
27	Inez Elementary School <i>(includes Industrial Independent School District voters from election precinct 27)</i>	599 FM 444 South, Inez
28	William Wood Elementary School <i>(includes Victoria Independent School District voters from election precincts 27 & 12)</i>	183 WoodHi School Road
29	DeLeon Elementary School	1002 Santa Barbara
30	Our Saviour's Lutheran Church	4102 N. Ben Jordan

31	Ruby Diebel Residence	6539 FM 1685, Victoria
32	VISD Administration Building	102 Profit Drive
33	Holy Family Catholic Church	704 Mallette Drive
34	Dudley Gifted & Talented Magnet School	3307 Callis
35	F.W. Gross Montessori Magnet School	1208 S. Navarro

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OFFICIAL PROPOSITION. At said election, the following PROPOSITION shall be submitted in accordance with law:

PROPOSITION

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FORM OF BALLOT. The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the aforesaid PROPOSITION with the ballots to contain such provisions, markings, and language as required by law, and with such PROPOSITION to be expressed substantially as follows:

PROPOSITION

- FOR** AUTHORIZING THE SALES AND USE TAX CURRENTLY COLLECTED WITHIN THE CITY PURSUANT TO SECTION 4B, ARTICLE 5190.6, V.T.C.S., AS AMENDED, FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS TO BE ISSUED BY THE VICTORIA SALES TAX DEVELOPMENT CORPORATION, IN THE MAXIMUM PRINCIPAL AMOUNT OF \$8,400,000, TO CONSTRUCT, ACQUIRE AND EQUIP A SPORTS VENUE PROJECT AND RELATED INFRASTRUCTURE, TO WIT: CONSTRUCTION OF A MAXIMUM OF SEVEN BASEBALL FIELDS AND A MAXIMUM OF FIVE SOFTBALL FIELDS, AT OR NEXT TO THE VICTORIA COMMUNITY CENTER, WHICH SPORTS VENUE PROJECT WILL BE PRIMARILY USED FOR ONE OR MORE PROFESSIONAL OR AMATEUR SPORTS OR ATHLETICS EVENTS AND FOR WHICH A FEE FOR ADMISSION TO THE SPORTS OR ATHLETICS EVENTS WILL BE CHARGED
- AGAINST**

ELECTORS. All resident, qualified electors of the City shall be entitled to vote at said election.

Exhibit "D"

2. A true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Ordinance has been duly recorded in said Council's minutes of said Meeting; the above and foregoing paragraph is a true, full and correct excerpt from said Council's minutes of said Meeting pertaining to the passage of said Ordinance; the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said Council as indicated therein; each of the officers and members of said Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose; and said Meeting was open to the public and public notice of the time, place and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

4. That the Ordinance has not been modified, amended or repealed and is in full force and effect on and as of the date hereof.

SIGNED AND SEALED THIS 9th day of March, 2006.

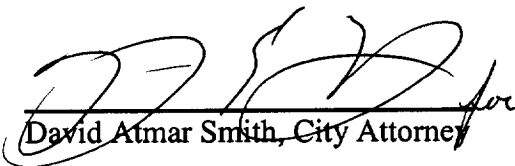

City Secretary


Mayor

[CITY SEAL]



APPROVED AS TO LEGAL FORM:


David Atmar Smith, City Attorney