

ORDINANCE NO. 2006- 10

An ordinance canvassing the returns and declaring the results of the Runoff Election of the City of Victoria for City Council Member District 3, held June 10, 2006, approving said election and the results thereof, declaring an emergency, and providing 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 NV-92-0006, U.S. District Court, Southern District of Texas, Victoria Division), Chapter 2, Section 2-1 of the Victoria City Code, and the laws of the State of Texas, by Ordinance No. 2006-8 a Runoff Election was called for the purpose filling the vacancy on the City Council for District 3 on June 10, 2006. It is necessary that the City Council officially canvass the votes and declare the results of said election within the time required by the laws of the State of Texas and Article VII of the City Charter.

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

1.

The City Council finds the results of the runoff election of the City of Victoria held June 10, 2006 are 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 following person was elected by the qualified voters of the City of Victoria, Texas for a three-year term as set out in Article II, Section 3 of the City Charter, as follows:

City Council Member District 3 Paul Edward Polasek

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.

In order that the results of the runoff 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 immediately upon passage and approval by the City Council of the City of Victoria, Texas.

PASSED, this the 20th day of June, 2006.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 20th day of June, 2006.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Will Armstrong
WILL ARMSTRONG, Mayor of the
City of Victoria

APPROVED AS TO LEGAL FORM:

David Atmar Smith
DAVID ATMAR SMITH, City Attorney

Distribution: Legal Department

Sent: JUNE 21, 2006

City of Victoria Runoff Election June 10, 2006

Precincts>	9	21	25	33	Early Voting	Total Vote	
Chandler	65	165	95	119	567	1,011	
Voters	2,111	3,291	3,244	2,838		11,484	
Registered	3.1%	5.0%	2.9%	4.2%	4.9%	8.8%	
Voting %							
Council Member District No. 3							
Brick Wall	18	63	31	43	171	326	32.2%
Paul Edward Polasek	47	102	64	76	396	685	67.8%

I, George Matthews, Elections Administrator for Victoria County, Texas do hereby certify that the above precinct by precinct results represent the true and correct number of votes cast in the City of Victoria Runoff Election held on June 10, 2006 for Council Member District No. 3.

Given under my hand and seal this 15th day of June, 2006.

George Matthews

