

**ORDINANCE NO 2007- 6**

**An ordinance declaring unopposed candidates elected to the offices of City Council for the positions of Mayor, City Council Member Super District 5, and City Council Member Super District 6, canceling the election of May 12, 2007 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. 2007-2, a joint general election was called for May 12, 2007 for the purpose of electing a Mayor and Council members to City Council Super District 5, and City Council Member Super District 6;

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 Mayor and Council member to City Council Super District 5, and City Council Member Super District 6 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:

Mayor	Will Armstrong
Councilmember, District 5	Jim Wyatt
Councilmember, District 6	Tom Halepaska

2.

Pursuant to Texas Election Code § 2.053, the election scheduled for May 12, 2007 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 30, 2007; 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 20th day of March, 2007.

AYES: 7  
NAYS: 0  
ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 20th day of March, 2007.



ATTEST:

*Scarlet Swoboda*  
SCARLET SWOBODA, City Secretary  
Distribution: Legal Department  
City Secretary

*Will Armstrong*  
\_\_\_\_\_  
WILL ARMSTRONG, Mayor of the  
City of Victoria, Texas

*David Atmar Smith*  
\_\_\_\_\_  
APPROVED AS TO LEGAL FORM:  
DAVID ATMAR SMITH, City Attorney  
Sent: MARCH 21, 2007



## CITY OF VICTORIA

Established 1824, Founded By Congress, Republic of Texas, 1839

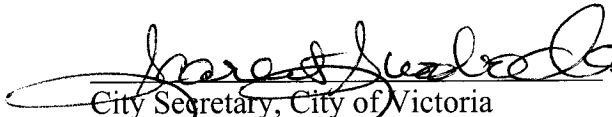
### OFFICE OF CITY SECRETARY

City Hall Square, Main at Juan Linn

### Certification of Unopposed Candidates By the City Secretary

I, Scarlet Swoboda, certify that I am the city secretary of the City of Victoria and the authority responsible for furnishing ballot information to the appointed Elections Administrator for the May 12, 2007 city election. I further certify that no person has made a declaration of write-in candidacy, no proposition is to appear on the ballot, and all of the following candidates are unopposed:

Will Armstrong, Mayor  
Jim Wyatt, City Council Super District 5  
Tom Halepaska, City Council Super District 6

  
City Secretary, City of Victoria

Dated this 20th day of March 2007.

