

ORDINANCE NO. 2009- 2

An ordinance releasing the outstanding Paving Assessment Liens and receivables associated therewith originally established to improve City streets between 1961 and 1983, repealing conflicting parts of existing ordinances, and declaring an effective date.

The City Council finds that the outstanding Paving Assessment Liens and receivables associated therewith, assessed by the City of Victoria between 1961 and 1983 should be released because the cost of collecting said liens and administering the paving lien program significantly exceeds the collectible proceeds therefrom.

The City Council finds that Article 11, Section 3 of the Texas Constitution, which prohibits donations to private interests, is not violated by the forgiveness of debts and liens described herein because the reduction in municipal expenditures constitutes a valid municipal public purpose.

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

1.

The City Council releases all outstanding paving liens assessed by the City of Victoria between 1961 and 1983, and the debts and receivables represented thereby are forgiven, and the City Manager is authorized to execute such documents as are determined by the Legal Department to be appropriate to document such release.

2.

All parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

3.

This ordinance shall become effective 10 days after final passage and approval by the City Council of the City of Victoria, Texas.

PASSED FIRST READING, this the 20th day of January, 2009.

AYES: **6**
NAYS: **0**
ABSTENTIONS: **0**

PASSED SECOND READING, this the 3RD day of FEBRUARY, 2009.

AYES: **7**
NAYS: **0**
ABSTENTIONS: **0**

PASSED THIRD READING, this the 3RD day of FEBRUARY, 2009.

AYES: **7**
NAYS: **0**
ABSTENTIONS: **0**

APPROVED AND ADOPTED, this the 3RD day of FEBRUARY, 2009.



WILL ARMSTRONG, Mayor of the City of Victoria, Texas

ATTEST:

SCARLET SWOBODA, City Secretary
Distribution: Legal Department
Finance Department

APPROVED AS TO LEGAL FORM:

MILES RISLEY, City Attorney

Copies Sent: **FEBRUARY 5, 2009**