

## **Proposition B**

Amending the Charter of the City of Victoria by deletion and revision to require and ensure compliance with state law.

## **Measure B**

### ARTICLE I. - INCORPORATION, GENERAL POWERS, AND BOUNDARIES

#### **Section 5. - Corporate boundaries, fixing limits, adding territory.**

~~The City of Victoria shall have power to fix the boundary limits of said City, and to provide for the extension of said limits, and the annexation of additional territory lying adjacent to said City consistent with the requirements of state law. Any area of the City may be disannexed by ordinance after City Council conducts a public hearing on the matter. The ordinance disannexing the property shall contain findings, taking into consideration the hardships and concerns of the citizens who live in the area to be disannexed and the overall benefits to the entire community, that the benefits to the entire community outweighs the hardships and concerns of the citizens living in the area. Any additional territory adjacent to the boundaries of the City of Victoria from time to time may be admitted in any size or shape desired and become a part of said City on application made, or written consent given, to the City Council, either by the owner or owners of all land constituting said addition, or by a majority of the voters resident on the land sought to be added; provided that the territory so added shall be described by metes and bounds in an ordinance accepting, assenting, and adding such territory to the City. The City Council shall have power by ordinance to fix the boundary limits of the City of Victoria, and to provide for extension of said boundary limits, and the annexation of additional territory lying adjacent to the City, with or without the consent of the territory and inhabitants annexed, and with or without the consent of the owner or owners of the land embraced within said territory; and upon final passage of such an ordinance, which shall describe by metes and bounds the boundaries fixed, extensions made, or territory annexed, and after publication of adequate legal notice of such ordinance and the territory to be annexed, the boundary limits of the City shall be fixed as in such ordinance, and when any additional territory has been so annexed, the same shall be a part of the City of Victoria, and the property situated therein shall bear its pro rata part of the taxes levied by the City, and the inhabitants therein shall be entitled to all the rights and privileges of other citizens and bound by the acts, ordinances, resolutions, and regulations of the City of Victoria passed in accordance with the provisions of this Charter and Constitution and laws of the State of Texas.~~

### ARTICLE II. - THE CITY COUNCIL

#### **Section 2. - Qualifications of City Council members.**

Each member of the City Council at the time of election to office shall be at least twenty-one (21) years of age, shall be a United States citizen and qualified voter of the State of Texas, shall have resided in the City for not less than one year immediately preceding the date of the regular

filing deadline for a candidate's application for a place on the ballot election, and if elected from a district shall have resided in the district from which elected for ~~not less than~~ six months immediately preceding the date of the regular filing deadline for a candidate's application for a place on the ballot election.

If any member of the City Council shall cease to reside in the city during their term of office, or in their respective District, their term of office as a member of the City Council shall terminate immediately.

## **ARTICLE III. – EXECUTIVE AND ADMINISTRATIVE AFFAIRS**

### **Section 3. - Freedom of City Manager from interference by City Council.**

~~It shall be unlawful for~~ Neither the City Council nor any of its members ~~to~~ shall dictate to the City Manager the appointment of any person to office or employment, except with respect to those positions filled by appointment by the City Council under the provisions of this Charter, or in any manner interfere with the City Manager in the performance of the duties of that office, or prevent him or her from exercising his or her own judgment in the appointment of such officers and employees in the administrative service whose employment, appointment, and supervision are reserved by this Charter to the City Manager. Except for the purpose of inquiry, the City Council and its members not having administrative or executive functions under this Charter shall deal with the administrative service solely through the City Manager and other council appointees, as appropriate; and neither the City Council nor any members thereof not having administrative or executive functions under this Charter shall give orders to any of the subordinates of the City Manager, either publicly or privately.

## **ARTICLE V. - REVENUES AND EXPENDITURES**

### **Section 5. - Preparing budget, adoption by City Council.**

Not later than thirty days prior to the date the City Council makes its tax levy for the year, the City Manager shall submit in writing to the City Council a proposed budget for the next fiscal year, in accordance with laws of the State of Texas and in the form prescribed by this Charter. Upon receipt of the proposed budget from the City Manager, the City Council shall order a public hearing on the budget, at which all interested persons shall be given an opportunity to be heard, and shall cause to be published at least ten days prior to such hearing a notice of the time and place of such hearing. The City Council shall finally adopt the budget prior to the beginning of the fiscal year, and upon final adoption the budget shall be in effect for the next fiscal or budget year. Copies of the budget shall be filed with the City Secretary and the County Clerk of Victoria County, or as required by law, and copies shall be made available for use and guidance of all departments, offices, and agencies of the City. The City Council may make budget amendments ~~in case of grave public necessity may amend the original budget to authorize emergency expenditures to meet unusual and unforeseen conditions which could not by~~

reasonable diligence, thought and attention have been included in the original budget in a manner consistent with state law.

## **ARTICLE XI. - MUNICIPAL COURT**

### **Section 4. - Remitting fines, pardons and reprieves.**

~~The City Council shall have the power to remit fines, forfeitures, and penalties for the violation of penal ordinances of the City of Victoria and to grant reprieves and pardons for all offenses arising under the penal ordinances of the City, when the City Council deems that justice requires such action, or upon recommendation of the Judge of the Municipal Court.~~

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