

Ordinance No. 2025-17

An ordinance of the City of Victoria, Texas ordering a special election for designating a venue project to be financed with short-term motor vehicle tax and hotel occupancy taxes within the City in accordance with the provisions of Chapter 334, Texas Local Government Code; making provision for the conduct of the election; and resolving other matters incident to such election

WHEREAS, on January 15, 2025, the City Council (the *Council*) of the City of Victoria, Texas (the *City*) adopted Resolution No.2025-8 (the *Venue Designation Resolution*) to provide for the planning, acquisition, establishment, development, construction, renovation, and financing of a sports and community venue project, together with related infrastructure and other related improvements (the *Venue Project*, as further defined in the Venue Designation Resolution); and

WHEREAS, the Venue Designation Resolution describes the financing for the Venue Project as imposition of two taxes within the City, provided they are approved by the City's qualified voters: (1) an additional hotel occupancy tax at a maximum rate of two percent (2%) and (2) a new short-term motor vehicle rental tax at a maximum rate of five percent (5%) in the City; and

WHEREAS, the Council followed the procedures prescribed by Chapter 334 of the Texas Local Government Code, as amended (the *Act*) and obtained a determination from the Comptroller of Public Accounts for the State of Texas that implementation of the Venue Designation Resolution will not have a significant negative fiscal impact on revenues of the State of Texas; and

WHEREAS, the Council desires that the City's qualified voters consider approval and implementation of the Venue Designation Resolution at an election to be held on May 3, 2025 (the *Election*); and

WHEREAS, the City will contract with the Elections Administrator (the *Administrator*) of Victoria County, Texas (the *County*) to conduct all aspects of the Election; and

WHEREAS, the Election may be held jointly with other political subdivisions (collectively, the *Participants*) for whom the County is also conducting elections; and

WHEREAS, the Council hereby finds and determines that this action is in the best interests of the residents of the City;

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

SECTION 1. Election Ordered; Purpose. The Election will be held on May 3, 2025 (*Election Day*), a uniform election date in the City, which date is seventy-eight (78) or more days from the date of the adoption of this Ordinance, for the purpose of submitting the following measure to the qualified voters of the City:

City of Victoria, Texas Measure A

Will the City Council of the City of Victoria, Texas be authorized to provide for the planning, acquisition, establishment, development, construction, renovation, and financing of the Victoria Community Center, together with related infrastructure and other related improvements (collectively, a Venue Project of the type described and defined in Chapter 334 of the Texas Local Government Code, as amended (the *Act*), and to impose the following two taxes within the City to pay the costs of the Venue Project, the proceeds of which are to be deposited into a venue project fund created under, and to be used for any purposes authorized by the Act: (1) the imposition of a short-term motor vehicle rental tax at a maximum rate of five percent (5%) as authorized by law; and (2) the imposition of an additional hotel occupancy tax at a maximum rate of two percent (2%) of the price paid for a room in a hotel as authorized by law, which, if approved, would bring the total hotel occupancy tax rate imposed from all sources in the City to fifteen percent (15%), 9% from the City if this measure is approved and 6% from the State.

SECTION 2. Ballots. The official ballots will permit voters to vote “FOR” or “AGAINST” the measure above with the following ballot language:

City of Victoria, Texas Proposition A

Authorizing the City of Victoria to establish the Victoria Community Center, a sports and community venue project, and to impose a new short-term motor vehicle rental tax at a rate of 5% in the City and an additional hotel occupancy tax at a rate of 2% in the City for the purpose of financing the venue project. If approved, the maximum hotel occupancy tax rate imposed from all sources in the City would be 15% of the price paid for a room in a hotel (9% from the City if this proposition is approved and 6% from the State).

SECTION 3. Polling Details.

A. One or more City election precincts are established for Election Day from 7:00 a.m. to 7:00 p.m. with one or more corresponding polling places as identified on Exhibit A to this Ordinance. As permitted by the Code, polling places may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election.

B. Exhibit A also includes the places, dates, and hours for early voting in person. As permitted by the Election Code (the *Code*), these details may be changed without further Council action; any changes will not affect this Ordinance or subsequent notice of election. Applications for voting by mail should be received no later than the close of business on April 22, 2025. Applications should be sent to the Early Voting Clerk named below. If an application for ballot by mail is faxed or emailed (or if a federal postcard application is faxed), the applicant must also mail the original.

SECTION 4. Election Officials. To the extent required by the Code or other applicable law, the appointment of election officials at polling locations will include a person fluent in the Spanish language.

A. The Administrator will appoint Presiding Judges, Alternate Presiding Judges, and Election Clerks.

B. The Early Voting Clerk is: Margetta Hill; mailing and physical address: 2805 N. Navarro St., Ste 500, Victoria, Texas 77901-3947; phone: (361) 576-0124; fax: (361) 582-5940; and email: elections@vctx.org.

C. The Administrator is authorized to establish an Early Voting Ballot Board and to designate the Presiding Judge of the Early Voting Ballot Board and, if needed, the members of Signature Verification Committee.

D. The Administrator is authorized to use a Central Counting Station (the *Station*) if needed. The Administrator or the Administrator's designee is appointed as the Manager of the Station with the authority to appoint the Tabulation Supervisor, the Programmer, and any Clerks.

SECTION 5. Qualified Voters. The City's qualified voters (as defined by the Code) will be entitled to vote in the Election at the dates, times, and places reflected on Exhibit A.

SECTION 6. Legal Compliance. The Election and notice of Election will be held and conducted according to the Code and other applicable law. To the extent required by law, materials relating to the Election will be printed in English, Spanish, and any other required language.

SECTION 7. Contracting Authority. The Council authorizes the Mayor, the City Manager, or their designees to negotiate and enter into one or more joint election agreements, election services contracts, or similar contracts with the County, acting by and through the Administrator, and any Participants if desired or if required to comply with applicable law.

SECTION 8. Modifications. The Council acknowledges that information required to complete Exhibit A to this Ordinance may not be available when the Election is ordered, and the Council therefore authorizes the City Secretary, the City Manager, or their designees to correct, modify, or change the Exhibit to the extent permitted by applicable law. Additionally, the Council authorizes these individuals to make technical modifications to this Ordinance that are necessary for compliance with applicable law or to carry out the intent of the Council as evidenced in this Ordinance.

SECTION 9. Findings. The recitals contained in the preamble of this Ordinance are found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 10. Conflicts. All Ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance will be and remain controlling as to the matters ordered herein.

SECTION 11. Controlling Law. This Ordinance will be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 12. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstance is held invalid, then the remainder of this Ordinance remains effective.

SECTION 13. Open Meetings. It is officially found that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551 of the Texas Government Code, as amended.

SECTION 14. Effective Date. This ordinance is being called on an emergency basis at the recommendation of the Texas Secretary of State's office because a city must order its election not later than the 78th day before election day according to Election Code section 3.005(c). This ordinance shall become effective immediately upon passage by this City Council by a favorable vote of five or more members of the City Council.

[The remainder of this page intentionally left blank.]

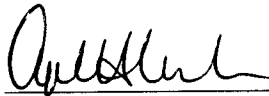
PASSED AND APPROVED on February 4, 2025.

CITY OF VICTORIA, TEXAS



Duane Crocker
Mayor

ATTEST:



April Hilbrich
City Secretary

(CITY SEAL)



[Signature page to the Election Ordinance]