

AGENDA
Irving City Council Special Meeting
Wednesday, May 15, 2019 at 8:30 AM
Westin Irving Convention Center at Las Colinas, Melody Room
400 West Las Colinas Blvd., Irving, TX 75039

INDIVIDUAL CONSIDERATION

- 1 Ordinance -- Canvassing the Returns and Declaring the Results of the General Municipal Election Held on May 4, 2019; for the Purpose of Electing Three Council Members for Irving City Council, Places 1, 2 and 7 for a Term of Three (3) Years; and Canvassing the Returns and Declaring the Results of a Special Election Held on May 4, 2019 Regarding a Local Option Election for "The Legal Sale of All Alcoholic Beverages for Off-Premise Consumption Only"

- 2 Administer Statement of Elected Officer and Oath of Office to Re-elected Council Members Places 1, 2 and 7

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the Kiosk at the City Hall of the City of Irving, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by the following date and time: **Friday, May 10, 2019 at 5:00 p.m.**, and remained so posted at least 72 hours before said meeting convened.

Shanae Jennings, City Secretary

Date Notice Removed

This meeting can be adjourned and reconvened, if necessary, the following regular business day.

Any item on this posted agenda could be discussed in executive session as long as it is within one of the permitted categories under sections 551.071 through 551.076 and section 551.087 of the Texas Government Code.

This facility is physically accessible and parking spaces for the disabled are available. Accommodations for people with disabilities are available upon request. Requests for accommodations must be made 48 hours prior to the meeting. Contact the City Secretary's Office at 972-721-2493 or Relay Texas at 7-1-1 or 1-800-735-2988.

AGENDA ITEM SUMMARY

Meeting: 5/15/2019

DOC ID: 10149

Recommending Department: City Secretary's Office

LSR No: Na

Ordinance -- Canvassing the Returns and Declaring the Results of the General Municipal Election Held on May 4, 2019; for the Purpose of Electing Three Council Members for Irving City Council, Places 1, 2 and 7 for a Term of Three (3) Years; and Canvassing the Returns and Declaring the Results of a Special Election Held on May 4, 2019 Regarding a Local Option Election for “The Legal Sale of All Alcoholic Beverages for Off-Premise Consumption Only”

Administrative Comments

1. This item has been recommended by the City Secretary's Office.
2. **Impact:** It is required that the Council approve the canvass after the Ballot Board has certified the election results.

Recommendation

The ordinance be adopted.

ADDITIONAL COMMENTS:

Contract Required: No

Review Completed By: NA

Previous Action: Ordinance No. 2019-10149- ordering election

Council Action: Ordinance adopted

Ordinance No. 2019-10160- ordering special election

Ordinance adopted

Discretionary Contract Disclosure Form Required: No

Certificate of Interested Parties (Form 1295) Required: No

Updated elections totals will be provided once they have been received from Dallas County Elections.

ATTACHMENTS:

- Unofficial election results, 5-6-19 (PDF)

CURRENT YEAR FINANCIAL IMPACT:

NONE

REVISION INFORMATION:

Prepared: 5/2/2019 04:42 PM by Jennifer Phillips

Last Updated: 5/6/2019 12:31 PM by Jennifer Phillips

ORDINANCE NO. (ID # 10149)

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON MAY 4, 2019; FOR THE PURPOSE OF ELECTING THREE COUNCIL MEMBERS FOR IRVING CITY COUNCIL, PLACES 1, 2 AND 7 FOR A TERM OF THREE (3) YEARS; AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL ELECTION REGARDING A LOCAL OPTION ELECTION FOR THE PURPOSE OF LEGALIZING THE SALE OF ALCOHOLIC BEVERAGES, SPECIFICALLY TO ALLOW VOTERS TO CONSIDER VOTING FOR OR AGAINST THE FOLLOWING PROPOSITION: “THE LEGAL SALE OF ALL ALCOHOLIC BEVERAGES FOR OFF-PREMISE CONSUMPTION ONLY”

WHEREAS, the City of Irving, Texas, held a General Municipal Election on the 4th day of May, 2019 for the purpose of electing Council Members to Places 1, 2 and 7 for a term of three (3) years; and

WHEREAS, the City of Irving, Texas, held a Special Election on the 4th day of May, 2019 for the purpose of submitting to the qualified voters of the city of Irving, Texas, a local option election for the purpose of legalizing the sale of alcoholic beverages, specifically to allow voters to consider voting for or against the following proposition: “the legal sale of all alcoholic beverages for off-premise consumption only;” and

WHEREAS, public notice of the Municipal and Special Elections were duly given, and such elections were duly and properly held and administered in accordance with the laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act of 1965; and

WHEREAS, a canvass of the General and Special Election returns was conducted on May 15, 2019; and

WHEREAS, it was found that the persons herein named received the following votes for said term of office on the Irving City Council of the City of Irving, Texas:

<u>OFFICE</u>	<u>NUMBER OF VOTES</u>
<u>Council member Place 1, District 1 – Single Member</u>	
John Danish	349
<u>Council member Place 2 - At Large</u>	
Shayan Elahi	785
Dinesh Mali	361
Rodwaan M. Saleh	1187
Jesse Koehler	936
Allan E. Meagher	3964
<u>Council member Place 7, District 7 – Single Member</u>	
Kyle Taylor	817

WHEREAS, it was found that the following proposition was submitted to all residents and qualified electors of the City for the purpose of legalizing the sale of alcoholic beverages, specifically

to allow voters to consider voting for or against the following proposition: “the legal sale of all alcoholic beverages for off-premise consumption only” and the following votes were cast:

	FOR	AGAINST
EARLY VOTES	2209	2327
ELECTION DAY	1506	1269
TOTAL	3715	3596

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

SECTION 1. That the General and Special Elections held on May 4, 2019 were duly and legally called and notice thereof given in accordance with the laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act of 1965 and the ordinances calling said elections; that said elections were held in strict conformity with the Constitution and laws of the State of Texas, the Charter of the City of Irving, and the Federal Voting Rights Act of 1965, and the returns thereof have been properly made to the officials of the City of Irving entitled to receive the same, and that said elections properly represent the desires of the voters of the City of Irving.

SECTION 2. That the following named candidates were duly elected at said general municipal election to the respective named offices of the City of Irving:

John Danish – Council Member Place 1, District 1 – Single Member

Allan E. Meagher – Council Member Place 2, At Large

Kyle Taylor – Council Member Place 7, District 7 – Single Member

SECTION 3. That majority of the qualified voters of said City, voting at said special election, voted “for” the following proposition: “the legal sale of all alcoholic beverages for off-premise consumption only” at said election held on the 4th day of May, 2019.

SECTION 4. It is hereby declared that the City of Irving approves and accepts the results of the General and Special Election, as set forth in the Election Returns Sheet attached herein as “Exhibit A”.

SECTION 5. Should any court of competent jurisdiction declare any section, subsection, clause, or phrase of this ordinance unconstitutional or invalid, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause and phrase, without the inclusion of any unconstitutional or invalid provisions.

SECTION 6. It is officially found, determined, and declared 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 was given.

SECTION 7. This ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on May 15, 2019.

RICHARD H. STOPFER
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney

City Council - Place 2

Updated 5-6-19

Attachment: Unofficial election results, 5-6-19 (10149 : 02 Canvass 5/4/19 Election)

Pct.		Shayan Elahi	Dinesh Mali	Rodwaan M. Saleh	Jesse Koehler	Allan E. Meagher
2604	Cimarron Rec	123	34	64	18	131
4601	Sally B. Elliott	15	7	8	21	128
4602	Lee Britain	11	12	7	26	64
4605	Otis Brown	16	5	4	26	69
4608	J.O. Davis	20	9	13	11	57
4610	LB Barton	11	4	1	13	56
4613	Irving High School	22	8	27	30	130
4616	JR Good	17	11	9	42	62
4628	Thomas Haley	27	18	135	44	132
4623	AS Johnston	22	15	27	22	92
4625	MacArthur High	29	14	26	38	134
4627	Fire Station 8	23	3	17	29	103
4647	Mustang Park Rec	65	13	26	18	315
	Early Voting	383	208	822	598	2482
	Early voting + Election Day	784	361	1186	936	3955
	Total number of votes	7222	7222	7222	7222	7222
	Percentage	10.86	5.00	16.42	12.96	54.76

Proposition

The legal sale of all alcoholic beverages for off-premise consumption only.

Pct.		For	Against
2604	Cimarron Rec	190	178
4601	Sally B. Elliott	90	93
4602	Lee Britain	51	75
4605	Otis Brown	60	61
4608	J.O. Davis	62	50
4610	LB Barton	46	40
4613	Irving High School	114	112
4616	JR Good	75	72
4628	Thomas Haley	139	217
4623	AS Johnston	77	107
4625	MacArthur High	137	105
4627	Fire Station 8	130	58
4647	Mustang Park Rec	334	100
	Early Voting	2205	2320
	Early Voting + Election Day	3710	3588
	Total number of votes	7298	7298
	Percentage	50.84	49.16

Attachment: Unofficial election results, 5-6-19 (10149 : 02 Canvass 5/4/19 Election)