

ORDINANCE NO. ORD-2019-10188

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, EACH 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 General 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 Municipal and Special Election returns were 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 | 350 |
| <u>Council Member Place 2 - At Large</u> | |
| Shayan Elahi | 785 |
| Dinesh Mali | 361 |
| Rodwaan M. Saleh | 1190 |
| Jesse Koehler | 937 |
| Allan E. Meagher | 3966 |
| <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 | 2211 | 2331 |
| ELECTION DAY | 1507 | 1269 |
| TOTAL | 3718 | 3600 |

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

SECTION 1. That the General Municipal 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 the majority of the qualified voters of said City, voting at the 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 Municipal and Special Elections, 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.

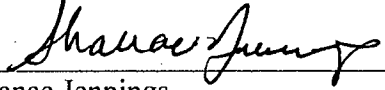
SECTION 6. It is officially found, determined, and declared that the meeting at which this ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting was given.

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



Run Date:05/10/19 11:49 AM

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| | TOTAL VOTES | % | EV_In Person | EV_Mail | Election Day | EV-ED_Prov | ED_ADA |
|--------------------------------------|-------------|--------|--------------|---------|--------------|------------|--------|
| PRECINCTS COUNTED (OF 99) | 99 | 100.00 | | | | | |
| REGISTERED VOTERS - TOTALS | 99,206 | | | | | | |
| BALLOTS CAST - TOTALS | 7,469 | | 4,261 | 384 | 2,820 | 2 | 2 |
| VOTER TURNOUT - TOTALS | | 7.53 | | | | | |
| City of Irving-Council Pl 2 At-Lg | | | | | | | |
| VOTE FOR 1 | | | | | | | |
| (WITH 99 OF 99 PRECINCTS COUNTED) | | | | | | | |
| Shayan Elahi | 785 | 10.84 | 366 | 17 | 401 | 0 | 1 |
| Dinesh Mali | 361 | 4.99 | 198 | 10 | 153 | 0 | 0 |
| Rodwaan M. Saleh | 1,190 | 16.44 | 822 | 2 | 364 | 1 | 1 |
| Jesse Koehler | 937 | 12.94 | 551 | 48 | 338 | 0 | 0 |
| Allan E. Meagher | 3,966 | 54.79 | 2,198 | 294 | 1,473 | 1 | 0 |
| Total | 7,239 | | 4,135 | 371 | 2,729 | 2 | 2 |
| City of Irving-Council Member Dist 1 | | | | | | | |
| VOTE FOR 1 | | | | | | | |
| (WITH 16 OF 16 PRECINCTS COUNTED) | | | | | | | |
| John Danish | 350 | 100.00 | 199 | 41 | 110 | 0 | 0 |
| Total | 350 | | 199 | 41 | 110 | 0 | 0 |
| City of Irving-Council Member Dist 7 | | | | | | | |
| VOTE FOR 1 | | | | | | | |
| (WITH 27 OF 27 PRECINCTS COUNTED) | | | | | | | |
| Kyle Taylor | 817 | 100.00 | 451 | 70 | 296 | 0 | 0 |
| Total | 817 | | 451 | 70 | 296 | 0 | 0 |
| City of Irving Prop | | | | | | | |
| VOTE FOR 1 | | | | | | | |
| (WITH 99 OF 99 PRECINCTS COUNTED) | | | | | | | |
| For (A Favor) | 3,718 | 50.81 | 2,029 | 182 | 1,505 | 1 | 1 |
| Against (En Contra) | 3,600 | 49.19 | 2,137 | 194 | 1,268 | 0 | 1 |
| Total | 7,318 | | 4,166 | 376 | 2,773 | 1 | 2 |