

AGENDA
Irving City Council Special Meeting
Monday, August 19, 2019 at 3:00 PM
City Hall, First Floor, Council Chambers
825 West Irving Boulevard, Irving, TX 75060

INDIVIDUAL CONSIDERATION

- 1 Ordinance -- Calling the City of Irving, Texas, Special Election for the Purpose of a Home Rule Charter Amendment(s) to be Held on November 5, 2019

EXECUTIVE SESSION

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, August 16, 2019 at 9:00 a.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: 8/19/2019

DOC ID: 10336

Recommending Department: City Secretary's Office

LSR No:

Ordinance -- Calling the City of Irving, Texas, Special Election for the Purpose of a Home Rule Charter Amendment(s) to be Held on November 5, 2019

Administrative Comments

1. This item supports Strategic Goal No. 8: Sound Governance.
2. **Impact:** The City Council would like to consider proposing a home rule charter amendment to modify the limitations on contributions for retirement benefits to be placed before City of Irving registered voters on November 5, 2019.
3. The City Council discussed the limitations on contributions for retirement benefits as provided in Article IX, Sec. 8 of the Irving City Charter at its July 17, 2019 and July 31, 2019 Work Session meetings.

ADDITIONAL COMMENTS:

Contract Required: No
Previous Action:

Review Completed By: Janet Spugnardi
Council Action:

ATTACHMENTS:

- EXHIBIT A (PDF)
- EXHIBIT B (PDF)
- Charter Cap Increase (PDF)
- Exhibit C - Charter with Cap Increase (PDF)
- Charter Cap Removed (PDF)
- Exhibit C - Marked Through - Charter(PDF)

CURRENT YEAR FINANCIAL IMPACT:

Dallas County Elections Department invoices the city.

REVISION INFORMATION:

Prepared: 7/15/2019 03:18 PM by Jennifer Phillips
Last Updated: 8/16/2019 08:19 AM by Jennifer Phillips

ORDINANCE NO. (ID # 10336)

Two draft ordinances, one to increase the cap and one to repeal the cap, are attached. The final draft will be provided after Council discussion.

2019 Constitutional Joint Election
City of Irving

LOCATION	ADDRESS	CITY	ZIP
A S JOHNSTON ELEM SCHOOL	2801 RUTGERS DR	IRVING	75062
BARBARA CARDWELL CAREER PREP	101 E UNION BOWER RD	IRVING	75061
BEAR CREEK COMMUNITY CHURCH	2700 FINLEY RD	IRVING	75062
BRANDENBURG ELEM	2800 HILLCREST DR	IRVING	75062
BRITAIN ELEMENTARY SCHOOL	631 EDMONDSON DR	IRVING	75060
CIMARRON RECREATION CENTER	201 RED RIVER TRL	IRVING	75063
DAVID CROCKETT MIDDLE SCHOOL	2431 HANCOCK ST	IRVING	75061
FREEMAN ELEM SCHOOL-CFBISD	8757 W VALLEY RANCH PKWY	IRVING	75063
GOOD ELEMENTARY SCHOOL-IRISD	1200 E UNION BOWER RD	IRVING	75061
HOUSTON MIDDLE SCHOOL-IRISD	3033 W COUNTRY CLUB RD	IRVING	75038
IRVING ARTS CENTER	3333 N MACARTHUR BLVD	IRVING	75062
IRVING CITY HALL	825 W IRVING BLVD	IRVING	75060
IRVING FIRE STATION # 8	650 E LAS COLINAS BLVD	IRVING	75039
IRVING FIRE STATION #2	1306 N STORY RD	IRVING	75061
IRVING HIGH SCHOOL	900 N O'CONNOR RD	IRVING	75061
J O DAVIS ELEM SCHOOL	310 DAVIS DR	IRVING	75061
KIRKWOOD UNITED METH CHUR	2232 W 5TH ST	IRVING	75060
L B BARTON ELEM SCHOOL	2931 CONFLANS RD	IRVING	75061
LIVELY ELEM SCHOOL	1800 PLYMOUTH DR W	IRVING	75061
MACARTHUR HIGH SCHOOL	3700 N MACARTHUR BLVD	IRVING	75062
MUSTANG PARK REC CENTER	2223 KINWEST PKWY	IRVING	75063
NIMITZ HIGH SCHOOL	100 W OAKDALE RD	IRVING	75060
NORTHLAKE COLLEGE-LIBRARY, L BLDG	5001 N MACARTHUR BLVD	IRVING	75038
OAK HAVEN UNITED METHODIST CHURCH	1600 N IRVING HEIGHTS DR	IRVING	75061
OTIS BROWN ELEM SCHOOL	2501 W TENTH ST	IRVING	75060
SALLY B ELLIOTT ELEM SCHOOL	1900 S STORY RD	IRVING	75060
T J LEE ELEM SCHOOL	1600 CARLISLE ST	IRVING	75062
THE SINGLEY ACADEMY OF IRVING	4601 N MCARTHUR BLVD	IRVING	75038
THOMAS HALEY ELEM SCHOOL	3601 CHEYENNE ST	IRVING	75062
TRAVIS MIDDLE SCHOOL	1600 FINLEY RD	IRVING	75062
UNIVERSITY OF TEXAS- SB HALL	2925 GORMAN DR	IRVING	75062
VALLEY RANCH BRANCH LIBRARY	401 CIMARRON TRL	IRVING	75063
VALLEY RANCH ELEM SCHOOL	9800 RODEO DR	IRVING	75063
W T HANES ELEM SCHOOL	2730 CHEYENNE ST	IRVING	75062

Attachment: EXHIBIT A (10336 : 02 Calling Special Election 11/5/19)

EXHIBIT B

NOTE: PENDING DOCUMENTS

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, IN THE CITY OF IRVING, TEXAS FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF IRVING FOR THE ADOPTION OR REJECTION OF A PROPOSED AMENDMENT TO THE EXISTING CITY CHARTER CONCERNING THE CAP ON RETIREMENT CONTRIBUTIONS; CONDUCTING THE ELECTION IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL LAWS; ORDERING THAT THE DALLAS COUNTY VOTING SYSTEM BE USED FOR THE ELECTION AND SETTING THE FORM OF THE BALLOT; ADOPTING FINDINGS; DESIGNATING THE COUNTYWIDE POLLING PLACES AT WHICH SAID ELECTION SHALL BE HELD; PROVIDING FOR ELECTION OFFICIALS AND THE TIMES AND PLACES FOR EARLY VOTING; PRESCRIBING THE PROCEDURE FOR HANDLING THE BALLOTS CAST IN EARLY VOTING; PROVIDING THE ELECTION MATERIAL WILL BE IN BOTH ENGLISH AND SPANISH; PROVIDING THE LOCATION FOR TABULATING VOTES; PROVIDING FOR NOTICE OF SAID ELECTION; AND PROVIDING A SEVERABILITY CLAUSE.

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

WHEREAS, the Irving City Council has determined on its own motion that an amendment and change should be made to the Irving City Charter which was originally adopted by the citizens of Irving in October 1952; and

WHEREAS, the Irving City Charter has not been amended within two years following the last charter amendment election held on May 11, 2013; and

WHEREAS, Irving City Council now deems it proper to submit a proposed amendment to the Irving City Charter to the qualified voters of the City of Irving for adoption or rejection at an election to be held on November 5, 2019.

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

SECTION 1. That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

SECTION 2. That the following ballot proposition shall be submitted to the voters to amend the existing Charter of the City of Irving:

Proposition No. 1

The change relates to limitations on contributions for retirement benefits.

Art. IX, Sec. 8, the total annual amount of the City of Irving contribution for retirement benefits is raised from 16.75% to ____% of annual salaries.

If you are in favor of the changes, deletions or substitutions, vote FOR the Proposition. If you are against the changes, deletions or substitutions, vote AGAINST the Proposition.

_____ FOR the Proposition

_____ AGAINST the Proposition

SECTION 3. That the City election precincts for this election shall consist of the territory located within the corporate limits of the City, and the polling places at said election shall be countywide polling places (commonly referred to as “Countywide Vote Centers”) located in Dallas County. Exhibit “A”, attached hereto, includes the countywide polling places located in the City. A complete list of election day countywide polling places is attached as Exhibit “B”. Exhibits will be determined in the Joint Election Services Contract between Dallas County and the City and are subject to change by Dallas County.

SECTION 4. Early voting shall be conducted by the Dallas County Elections Administrator, Toni Pippins-Poole, who is hereby appointed as the Early Voting Clerk and Laura Granado, Early Voting Manager of the Dallas County Elections Department, is hereby appointed as Chief Deputy Early Voting Clerk, said voting to be conducted by the Office of the Elections Department. The main early voting countywide polling place is George L. Allen Sr. Courts Building, Main Lobby, 600 Commerce Street, Dallas, Texas 75202. Toni Pippins-Poole, Dallas County Elections Administrator, is hereby appointed as Manager of the Central Count Station. Early voting in the City of Irving will be conducted in the lobby of the City Hall Building, 825 West Irving Boulevard; Irving Arts Center, 3333 North MacArthur Boulevard; Valley Ranch Public Library, 401 Cimarron Trail; and all other locations in Dallas County as designated by the Dallas County Elections Administrator. The required early voting period of said election as well as additional times established by the City Council is as follows:

Monday – Friday	October 21 – 25, 2019	8:00 a.m. to 5:00 p.m.
Saturday	October 26, 2019	8:00 a.m. to 5:00 p.m.
Sunday	October 27, 2019	1:00 p.m. to 6:00 p.m.
Monday-Wednesday	October 28 – 30, 2019	8:00 a.m. to 5:00 p.m.
Thursday - Friday	October 31 – November 1, 2019	7:00 a.m. to 7:00 p.m.

SECTION 5. All requests for early voting ballots by mail shall be sent to and received by the Dallas County Elections Department, 8th Floor, Suite 820, Health and Human Service Building, 2377 North Stemmons Freeway, Dallas, Texas 75207, 214-819-6300, or via email to evapplications@dallascounty.org for processing. Persons voting by mail will send their voted ballots to the Dallas County Elections Department.

SECTION 6. That all resident qualified voters of the City shall be permitted to vote in said election at any countywide polling place. In addition, the election material enumerated in the Texas Election Code shall be printed in both English and Spanish for use at the polling place and for early voting in said election.

SECTION 7. The Office of the Elections Department, 2377 North Stemmons Freeway, Suite 820, Dallas, Texas 75207, is hereby established as the Central Count Station to receive and tabulate

votes for said election, and the Irving City Hall Building, 825 West Irving Boulevard, Irving, Texas 75060 shall be established as a regional counting station.

SECTION 8. The notice of the election on the proposed Charter amendment shall be given by publication of the Proposition on the same day of two successive weeks in a newspaper of general circulation published in the City of Irving, the date of the first publication to be not less than fourteen (14) days before the election date set herein. Such notice must include a substantial copy of the proposed amendment.

SECTION 9. The rest of the Irving City Charter, containing the proposed revision, shall be kept in the office of the City Secretary of the City of Irving, and a copy will be made available to any person upon request for inspection. The notices required in Section 8 above shall state that the proposed text of the City of Irving Charter will be available to all interested persons at the office of the City Secretary of the City of Irving. A copy of the proposed revision is attached hereto as Exhibit "C" and shall be posted on the City's website and available at the City Secretary's Office.

SECTION 10. Notice of this election shall be given by posting and publication, as required by law.

SECTION 11. That the terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

SECTION 12. That this ordinance shall become effective from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on August 19, 2019.

RICHARD H. STOPFER
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney

Attachment: Charter Cap Increase (10336 : 02 Calling Special Election 11/5/19)

EXHIBIT C
REDLINES TO GO BEFORE VOTERS

Sec. 8. - Employee retirement plan limitations.

For employees participating in the Irving Firemen's Relief and Retirement Fund or the Texas Municipal Retirement System, the total annual amount of the City of Irving contribution for retirement benefits for such employees shall not exceed ~~46.75%~~ _____ of the total annual salaries of such employees. This section shall not limit any federal or state mandated contributions to any retirement benefit provision over which the city has no discretion to provide the required benefit.

Retirement benefits shall include a contribution to or for the Firemen's Relief and Retirement Fund and the Texas Municipal Retirement System, City of Irving Supplemental Benefit Plan, disability benefits, and medical insurance for retired employees.

(Ord. No. 4754, § 8, 8-15-85; Ord. No. 7196, Amd. 15, 1-22-98; Ord. No. 8575, Amd. 5, 11-8-05; Ord. No. 2013-9464, Amd. 25, 5-22-13)

AN ORDINANCE CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 5, 2019, IN THE CITY OF IRVING, TEXAS FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF IRVING FOR THE ADOPTION OR REJECTION OF A PROPOSED AMENDMENT TO THE EXISTING CITY CHARTER CONCERNING THE CAP ON RETIREMENT CONTRIBUTIONS; CONDUCTING THE ELECTION IN ACCORDANCE WITH LOCAL, STATE, AND FEDERAL LAWS; ORDERING THAT THE DALLAS COUNTY VOTING SYSTEM BE USED FOR THE ELECTION AND SETTING THE FORM OF THE BALLOT; ADOPTING FINDINGS; DESIGNATING THE COUNTYWIDE POLLING PLACES AT WHICH SAID ELECTION SHALL BE HELD; PROVIDING FOR ELECTION OFFICIALS AND THE TIMES AND PLACES FOR EARLY VOTING; PRESCRIBING THE PROCEDURE FOR HANDLING THE BALLOTS CAST IN EARLY VOTING; PROVIDING THE ELECTION MATERIAL WILL BE IN BOTH ENGLISH AND SPANISH; PROVIDING THE LOCATION FOR TABULATING VOTES; PROVIDING FOR NOTICE OF SAID ELECTION; AND PROVIDING A SEVERABILITY CLAUSE.

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WHEREAS, the Irving City Charter has not been amended within two years following the last charter amendment election held on May 11, 2013; and

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SECTION 2. That the following ballot proposition shall be submitted to the voters to amend the existing Charter of the City of Irving:

Proposition No. 1

The change relates to removal of limitations on contributions for retirement benefits.

Art. IX, Sec. 8, the total annual amount of the City of Irving contribution for employee retirement benefits is removed.

If you are in favor of the changes, deletions or substitutions, vote FOR the Proposition. If you are against the changes, deletions or substitutions, vote AGAINST the Proposition.

_____ FOR the Proposition

_____ AGAINST the Proposition

SECTION 3. That the City election precincts for this election shall consist of the territory located within the corporate limits of the City, and the polling places at said election shall be countywide polling places (commonly referred to as “Countywide Vote Centers”) located in Dallas County. Exhibit “A”, attached hereto, includes the countywide polling places located in the City. A complete list of election day countywide polling places is attached as Exhibit “B”. Exhibits will be determined in the Joint Election Services Contract between Dallas County and the City and are subject to change by Dallas County.

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Attachment: Charter Cap Removed (10336 : 02 Calling Special Election 11/5/19)

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on August 19, 2019.

RICHARD H. STOPFER
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Kuruvilla Oommen
City Attorney

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~~Retirement benefits shall include a contribution to or for the Firemen's Relief and Retirement Fund and the Texas Municipal Retirement System, City of Irving Supplemental Benefit Plan, disability benefits, and medical insurance for retired employees.~~

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