

ORDINANCE NO. ORD-2020-10392

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE REGULAR MUNICIPAL ELECTION HELD ON NOVEMBER 3, 2020; FOR THE PURPOSE OF ELECTING THE OFFICE OF MAYOR AND TWO (2) COUNCIL MEMBERS TO PLACES 3 AND 5, EACH FOR A TERM OF THREE (3) YEARS; PROVIDING FOR A SEVERABILITY CLAUSE

WHEREAS, on January 16, 2020, the Irving City Council, by Ordinance No. ORD-2020-10300, called a Regular Municipal Election to be held on Saturday, May 2, 2020 for the purpose of electing the position of Mayor and City Council Places 3 and 5; and

WHEREAS, on March 13, 2020, the Governor declared a state of emergency in Texas in response to the COVID-19 (Coronavirus) pandemic; and

WHEREAS, on March 18, 2020, the Governor issued a proclamation that suspended Section 41.0052(a) and (b) of the Texas Election Code and Section 49.103 of the Texas Water Code to the extent necessary to allow political subdivisions that would otherwise hold elections on May 2, 2020, to move their general and special elections for 2020 only to the next uniform election date, occurring on November 3, 2020, without otherwise adjusting the term of office, and suspending Sections 31.093 and 42.0621(c) of the Texas Election Code to the extent necessary to require all county election officers, if requested by an affected political subdivision, to enter into a contract to furnish election services with any political subdivision who postponed their election to November 3, 2020; and

WHEREAS, the Elections Division of the Texas Secretary of State's Office, pursuant to Election Advisory 2020-12, has advised that the candidate filings for the election will remain valid for the election held on November 3, 2020 and that the filing period will not be re-opened for the November 2020 election date; and

WHEREAS, the Elections Division of the Texas Secretary of State's Office, pursuant to Election Advisory 2020-12, has further advised that all Applications for Ballot by Mail (ABBM) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the postponed elections, and that ABBMs for voters who submitted ABBMs based on expected absence from the county would not be valid for the postponed election; and

WHEREAS, on March 31, 2020, the Irving City Council, by Ordinance No. ORD-2020-10323, postponed the Regular Municipal Election from May 2, 2020 to November 3, 2020; and

WHEREAS, public notice of the Regular Municipal Election was duly given, and such election was 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 Regular Municipal Election returns was conducted on November 12, 2020; 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>Mayor</u>	
Rick Stopfer	35,532
Olivia Novelo Abreu	30,424
<u>Council Member Place 3, District 3 – Single Member</u>	
Mark Zeske	4,825
Abdul Khabeer	3,394
Mohammed Akbar	2,159
<u>Council Member Place 5, District 5 – Single Member</u>	
J. Oscar Ward	14,594

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

SECTION 1. That the Regular Municipal Election held on November 3, 2020 was 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 and postponing said election; that said election was 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 election properly represent the desires of the voters of the City of Irving.

SECTION 2. That the following named candidates were duly elected at said Regular Municipal Election to the respective named offices of the City of Irving:

Rick Stopfer – Mayor

J. Oscar Ward – Council Member Place 5, District 5 – Single Member

SECTION 3. That a runoff election will be held on December 8, 2020, between Mark Zeske and Abdul Khabeer to determine who will be elected as Council Member, Single Member District Place 3.

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

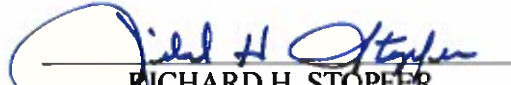
SECTION 5. Should any court of competent jurisdiction declare any section, subsection, clause, or phrase of this ordinance unconstitutional or invalid, it is expressly provided that any and all remaining portions of this ordinance shall remain in full force and effect. The City Council hereby declares 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.

SECTION 8. This ordinance shall become effective from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS,
on November 12, 2020.


RICHARD H. STOPFER
MAYOR

ATTEST:


Shanae Jennings
City Secretary

APPROVED AS TO FORM:


Kuruvilla Oommen
City Attorney



**Irving Final Canvass Reports
General and Joint Election
November 3, 2020**

**UNOFFICIAL RESULTS
Final Cum Totals
Dallas County**

STATISTICS

	TOTAL	EV In- Person	EV Mail	Election Day	EV-ED Provisional
Registered Voters - Total	109,127				
Ballots Cast - Total	71,329	57,319	4,854	9,089	67
Voter Turnout - Total	65.36%				

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**UNOFFICIAL RESULTS
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**Irving Mayor
Vote For 1**

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Rick Stopfer	35,532	53.87%	28,568	2,850	4,084	30
Olivia Novelo Abreu	30,424	46.13%	24,681	1,469	4,241	33
Total Votes Cast	65,956	100.00%	53,249	4,319	8,325	63

**Irving Member of Council, Single Member District, PI 3
Vote For 1**

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
Mark Zeske	4,825	46.49%	3,848	352	619	6
Abdul Khabeer	3,394	32.70%	2,705	127	559	3
Mohammed Akbar	2,159	20.80%	1,762	92	301	4
Total Votes Cast	10,378	100.00%	8,315	571	1,479	13

**Irving Member of Council, Single Member District, PI 5
Vote For 1**

	TOTAL	VOTE %	EV In-Person	EV Mail	Election Day	EV-ED Provisional
J. Oscar Ward	14,594	100.00%	12,096	832	1,642	24
Total Votes Cast	14,594	100.00%	12,096	832	1,642	24