

**AGENDA**  
**MEETING OF THE IRVING CITY COUNCIL**  
**THURSDAY, MARCH 19, 2015**  
**COUNCIL CHAMBER - CIVIC CENTER COMPLEX**  
**825 WEST IRVING BOULEVARD**  
**IRVING, TEXAS**

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1:00 P.M. -- CITY COUNCIL WORK SESSION -- WEDNESDAY, MARCH 18, 2015 -- FIRST FLOOR CITY COUNCIL CONFERENCE ROOM -- CIVIC CENTER COMPLEX -- 825 WEST IRVING BOULEVARD -- IRVING, TEXAS

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6:15 P.M. -----Pre-Council Briefing (If Necessary) 1st Floor  
City Council Conference Room Or City Council  
Chamber Conference Room, Civic Center  
Complex

7:00 P.M.----- Organizational Service Announcements

Invocation

Rabbi Frank Joseph, Congregation Irving Havurah

Pledge Of Allegiance

Proclamations, Announcements, and Special Recognitions

Citizens' Forum

Citizens are invited to speak for three (3) minutes on matters relating to City government and on items not listed on the regular agenda.

Public Hearing: Items 1 through 21

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.

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This facility is wheelchair accessible and handicap-parking spaces are available. Requests for interpretation services or assistive hearing devices must be made 48 hours prior to the meeting. Contact the City Secretary's Office at (972) 721-2493 or (TDD) 1-800-RELAY TX (1-800-735-2989) for assistance.

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# CITY COUNCIL AGENDA

- 1 City Operations Update
- 2 Heritage Crossing Update

## CONSENT AGENDA

- 3 Approving Strategic Planning Session Minutes for Wednesday, February 18, 2015
- 4 Approving Work Session Minutes for Wednesday, March 04, 2015
- 5 Approving Regular Meeting Minutes for Thursday, March 05, 2015
- 6 Resolution - Authorizing Reimbursement Agreement in an Amount Not to Exceed \$1,900,000 with the Irving Independent School District (IISD) for Public Infrastructure Improvements Within the Tax Increment Reinvestment Zone No. One

### Administrative Comments

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** Approval of this agreement will allow the IISD to construct an outdoor learning center with pedestrian trails that will connect Northlake College and the Singley Academy.
3. The property being developed is the 49.9-acre tract of open space, owned by the Dallas County Community College District (DCCCD), at the Southeast corner of MacArthur Blvd., North of the Singley Academy.
4. The proposed public improvements include a 4,050 square foot outdoor learning center, crushed gravel nature trails, sidewalks between the two campuses, shade structures and a bridge across Cottonwood Creek and existing wetland areas.
5. The maximum amount of the reimbursement will be \$1,900,000
6. The project was included in the TIF Project Plan approved in 1999.
7. A memo describing the IISD-TIF project was provided to the Council in the December 12, 2014 read file.
8. The TIF Board approved this agreement at their December 16, 2014 meeting. The IISD approved the agreement at their December 15, 2014 meeting. The DCCCD approved the agreement at their February 17, 2015 meeting.

### Recommendation

The resolution be approved.

**7 Resolution - Authorizing Funding to Bracewell & Giuliani LLP in the Amount of \$100,000.00 for Legal Services in Connection with the Entertainment Venue**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The firm will continue to provide legal services related to the entertainment venue as needed.
3. This is the annual authorization for legal services related to developing the entertainment center. Attorneys from Bracewell & Giuliani LLP will assist on legal matters related to the Lease and Development Agreement.
4. The Entertainment Venue [Brimer] Fund budget for this fiscal year includes \$200,000.00 for legal fees. This resolution authorizes \$100,000.00 for the Bracewell & Giuliani engagement.
5. Funding is available in the Entertainment Venue Fund.

**Recommendation**

The resolution be approved.

**8 Resolution - Selecting MEP Consulting Engineers, Inc., as the Most Highly Qualified Provider for Professional Services for the Design and Construction Administration of Emergency Generator Installations at Fire Station 3, Fire Station 4, Fire Administration Building and Authorizing Staff to Negotiate an Agreement with Said Provider**

**Administrative Comments**

1. This item supports Strategic Goal No. 4: Safe and Secure City.
2. **Impact:** The contract provides professional engineering services for the design and construction administration of Emergency Generator Installations. Professional engineering services for emergency generators are a specialized skill set that is not available within existing staff.
3. Fire Station 3 and Fire Station 4 currently do not have emergency generators. Having emergency generator power available at these stations will enhance Fire Department response to emergency calls during utility power outages.
4. The Fire Administration Building has an existing generator with a natural gas fuel supply. This project will either replace or supplement the existing generator with a new diesel fueled generator. Having an on-site supply of diesel fuel for the new generator will enhance reliability of this mission critical facility by eliminating the potential interruption of natural gas supply from the utility company infrastructure.

5. Requests for qualifications were solicited for these services. Qualifications were received from six firms. Three firms were chosen to be interviewed. MEP Consulting Engineers, Inc., was determined to be the most highly qualified provider for the services solicited.
6. Staff recommends selecting MEP Consulting Engineers, Inc., based on experience, submittal content and a face-to-face interview. MEP Consulting Engineers, Inc., has an experienced base of engineering staff for the project.
7. Minority- and/or Women-owned Business (M/WBE) participation in this award is 100%.

**Recommendation**

The resolution be approved.

**9 Resolution - Authorizing the Mayor to Sign a Sponsorship Agreement Between the City of Irving on Behalf of the Irving Convention and Visitors Bureau (ICVB) and the Salesmanship Club Charitable Golf of Dallas in the Amount of \$196,500 for the 2015 AT&T Byron Nelson, May 27-31, 2015**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The sponsorship agreement will provide the ICVB specific opportunities to interact with clients/customers to promote tourism and the convention and hotel industry.
3. The agreement includes the Host City Sponsorship, Media Center Sponsorship, Social Media Sponsorship, participation in the Executive Women's Day events, and amenities as outlined in the sponsorship agreement. Through its sponsorship, the City has a very visible part in the tournament including having ICVB staff on-site in the media room throughout the tournament, plus the continued participation by City dignitaries at the opening and closing ceremonies.
4. The tournament generates significant visitor impact for Irving. More than 20% of the tournament's attendees come from outside of the Irving/Dallas/Fort Worth area, generating 25,240 room nights annually.
5. Funding in the amount of \$196,500.00 is available in the ICVB General Fund.

**Recommendation**

The resolution be approved.

**10 Resolution - Authorizing Mayor to Sign an Agreement Between the City of Irving on Behalf of the Irving Convention and Visitors Bureau (ICVB) and the Four Seasons Resort and Club to Provide Food/Beverage/Entertainment Services in the Amount of \$65,500.00 for Customers/Clients During the AT&T Byron Nelson, May 27-31, 2015**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** The agreement will enable the ICVB to entertain customers/clients during the 2015 AT&T Byron Nelson.
3. The AT&T Byron Nelson provides a unique opportunity for the ICVB to showcase Irving to a variety of different customers/clients (meeting professionals, tour operators, travel professionals, travel writers, media, etc.).
4. The agreement enables the ICVB to maximize its sponsorship of the 2015 AT&T Byron Nelson by hosting a series of activities (i.e., food/beverage/entertainment services for an average of 200 daily customers/clients at the Four Seasons Resort and Club during the tournament.
5. The Four Seasons Resort and Club is the exclusive food and beverage provider for the tournament's hospitality villas and the media room, and is therefore a single source for these activities.
6. Funding in the amount of \$65,500.00 is available in the ICVB General Fund.

**Recommendation**

The resolution be approved.

**Bids & Purchasing Items  
Items 11-16**

**11 Resolution - Renewing the Contract with Securus Technologies, Inc., for the Jail Inmate Phone System**

**Administrative Comments**

1. This item supports Strategic Goal No. 4: Safe and Secure City.
2. This item has been recommended by Police.
3. **Impact:** Inmates' use of the jail phone system and purchase of pre-paid phone cards provides a source of revenue for the city.
4. The renewal establishes the continuation of a two-year contract for a jail inmate phone system. Revenue received is deposited in the General Fund and averages approximately \$60,000.00 per year.

**Recommendation**

The resolution be approved.

**12 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Bond Equipment Company, Inc., through The State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)**

**Administrative Comments**

1. This item supports Strategic Goal No. 8: Sound Governance.
2. This item has been requested by Solid Waste Services.
3. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Bond Equipment Company, Inc., for the purchase of vehicles, heavy duty trucks and options through BuyBoard contract #430-13 which expires on November 30, 2015, will allow the city to procure these items under the best possible terms and conditions for the city.
4. Approval of this contract supports the purchase of four 2015 Crane Carrier cab and chassis with a 66,000 GVWR equipped with four 27-yard Heil Formula 5000 rear load refuse collection bodies as presented in the following item on this agenda as well as any future purchases from this vendor through the designated BuyBoard contract for the specified contract term.

**Recommendation**

The resolution be approved.

**13 Resolution - Approving the Purchase from Bond Equipment Company, Inc., for Four 2015 Crane Carrier Cab and Chassis Equipped with 27-Yard Heil Formula 5000 Rear Load Refuse Collection Bodies in the Total Estimated Amount of \$1,389,133.00 through The State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)**

**Administrative Comments**

1. This item supports Strategic Goal No. 10: Environmental Stewardship.
2. This item has been recommended by Solid Waste Services and approved by Building and Equipment Services – Fleet Services division.
3. **Impact:** Purchase of this CNG-powered equipment will provide vehicles that run cleaner and with less emissions than their diesel counterparts and will ensure that Solid Waste Services is able to maintain a high level of customer service for Irving residents.

4. This equipment purchase is supported by the Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement which is presented as the previous item on this agenda.
5. Two of the rear load refuse vehicles being purchased are budgeted replacements in accordance with the city's equipment replacement policy for city tag #06170 and #06175 and a portion of their purchase price will be reimbursed through the Texas Natural Gas Vehicle Grant. The two additional vehicles represent expansion of the Solid Waste Services fleet in order to better serve the city's residents.

Vendor	Item Description	Total Expenditure	Fund
Bond Equipment Company, Inc.	Crane Carrier Cab and Chassis with 27-yard Heil Formula 500 Rear Load Refuse Bodies	\$1,389,133.00	Equipment Replacement, Solid Waste Enterprise

**Recommendation**

The resolution be approved.

**14 Resolution - Approving the Purchase from Silsbee Ford for a 2015 Ford F-150 Regular Cab Pickup with Lift Gate in the Total Estimated Amount of \$22,905.00 through the State of Texas Cooperative Purchasing Program**

**Administrative Comments**

1. This item supports Strategic Goal No. 8: Sound Governance.
2. This item has been recommended and approved by Building and Equipment Services – Fleet Services division.
3. **Impact:** This replacement vehicle with lift gate will help the parts room perform their daily pick up and deliveries more efficiently.
4. This purchase is a budgeted replacement in accordance with the city's equipment replacement policy for city vehicle tag #40018-4 which is a 1997 Ford F-250 that will be retired.
5. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Silsbee Ford utilizing State of Texas Term Contract 071-072 A1 which expires on August 31, 2016. This contract was approved by Council on January 15, 2015 as part of the purchase of vehicles for the Police department. Approved purchases to date under this contract including the vehicle shown below total \$78,693.75.

Vendor	Item Description	Total Estimated Expenditure	Fund
Silsbee Ford	2015 Ford F-150 Regular Cab with Lift Gate	\$22,905.00	Equipment Replacement

**Recommendation**

The resolution be approved.

**15 Resolution - Approving the Purchase from Freedom Auto Group for a 2015 Dodge Charger Police Pursuit Vehicle with Street Package in the Total Estimated Amount of \$24,550.00 through the Tarrant County Interlocal Cooperative Purchasing Program**

**Administrative Comments**

1. This item supports Strategic Goal No. 4: Safe and Secure City.
2. This item has been recommended by Municipal Court Services and approved by Building and Equipment Services – Fleet Services.
3. **Impact:** This vehicle is utilized for law enforcement purposes and the safe transportation of prisoners. The Irving Police Department has access to these vehicles to serve as critical reserves.
4. This purchase is a budgeted replacement in accordance with the city’s equipment replacement policy for city vehicle tag #13012 which is a 2006 model with over 115,000 miles.
5. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Freedom Auto Group utilizing Tarrant County Contract #2014-165 which expires on September 23, 2015. The contract was approved by Council on January 15, 2015 as part of the purchase of vehicles for the Police department. Approved purchases to date under this contract including the vehicle shown below total \$967,597.00.

Vendor	Item Description	Total Expenditure	Fund
Freedom Auto Group	2015 Dodge Charger Police Pursuit Vehicle with Street Package	\$24,550.00	Equipment Replacement

**Recommendation**

The resolution be approved.



**16 Resolution - Approving Vendor/Member Contracts Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Texas Highway Products and between the City of Irving and Paradigm Traffic Systems, Inc., in the Total Estimated Amount of \$155,000.00 for Fiscal Year 2014-15 for As-Needed Purchases of Public Safety & Fire House Supplies & Equipment through the State of Texas Local Government Statewide Cooperative Purchasing Program Administered by the Texas Association of School Boards (The BuyBoard Program)**

**Administrative Comments**

1. This item supports Strategic Goal No. 8: Sound Governance.
2. This item has been recommended by the Traffic and Transportation department.
3. **Impact:** Establishment of Vendor/Member Contracts between the City of Irving and Texas Highway Products and between the City of Irving and Paradigm Traffic Systems, Inc., for the purchase of Public Safety & Fire House Supplies & Equipment through BuyBoard Contract #432-13, whose current term expires on March 31, 2016, will allow the city to procure these items under the best possible terms and conditions for the city.
4. Approval of these contracts, which run through March 30, 2016, supports the as-needed purchase of parts and equipment for installing and maintaining traffic signals within the City of Irving from this vendor through the designated BuyBoard contract for the specified contract term. Spending amounts below reflect purchases to be made in fiscal year 2014-15 only.

<b>Vendor</b>	<b>Spending Term</b>	<b>Total Estimated Expenditure</b>	<b>Fund</b>	<b>Fiscal Year(s)</b>
Texas Highway Products	3/20/15 – 9/30/15	\$80,000.00	Street Improvement Bond	FY 2014-15
Paradigm Traffic Systems, Inc.		\$75,000.00		
<b>TOTAL</b>		<b>\$155,000.00</b>		

**Recommendation**

The resolution be approved.

**End of Bids**

## INDIVIDUAL CONSIDERATION

### 17 Resolution - Approving an Economic Development Agreement with Niemco Properties, LLC and Dan Niemeier in the Amount of \$25,000 for Façade Enhancements to the Big State Building Lease Spaces Located at 108, 114, and 118 East Irving Boulevard in Downtown Irving

#### Administrative Comments

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** Approval of this agreement, along with the separate companion item for the sign enhancement incentive request, will complement the façade enhancement made to the main portion of the Big State building in August 2014 and complete the exterior refurbishing of this downtown icon. All in total, the applicant will have completed over \$475,000 in improvements to the interior and exterior of the Big State building.
3. The façade enhancement work covered by this agreement consists of a new plaster finish, aluminum storefront/doors and molding/trim in keeping with the appearance of the front portion of the building. The total estimated cost of the work is \$63,000.
4. For this particular project, the work has been completed in advance of the signed 380 agreement. Staff approved the application for the program inclusion last summer in anticipation of renewed program funding on October 1, 2014. Program funding was delayed from the anticipated October 1 date until a Council budget adjustment on January 15, 2015. Although staff advised the applicant not to proceed until a signed contract was in place (standard procedure), the applicant informed staff in January that he had to commence the work to satisfy contractual obligations with the building lessees and to bring to a timely completion the exterior refurbishing of the entire Big State building.
5. The grant is being made to the building owner who is an appointed officer of the city. The property owner of 108 E. Irving Blvd. is Niemco Properties, LLC. (Dan Niemeier is president of Niemco.) The property owner of 114 and 118 E. Irving Blvd. is Dan Niemeier, an appointed Planning and Zoning Commission member.
6. Funding in the amount not to exceed \$25,000 through the Downtown Façade Enhancement Incentive program is available in the Economic Development Fund.

#### Recommendation

The resolution be approved.

**18 Resolution - Approving an Economic Development Agreement with Niemco Properties, LLC and Dan Niemeier in the Amount of \$5,000 for Sign Enhancements to the Big State Building Lease Spaces Located at 108, 114, and 118 East Irving Boulevard in Downtown Irving**

**Administrative Comments**

1. This item supports Strategic Goal No. 3: Economic Development.
2. **Impact:** Approval of this agreement, along with the separate companion item for the facade enhancement incentive request, will complement the façade enhancement made to the main portion of the Big State building in August 2014 and complete the exterior refurbishing of this downtown icon. All in total, the owner will have made over \$475,000 in improvements to the interior and exterior of the Big State building.
3. All new signage will be reviewed and approved in advance by staff to be in conformance to city standards and in line with the vision for Heritage Crossing. The estimated cost of the work is approximately \$15,000.
4. The grant is being made to the building owner who is an appointed officer of the city. The property owner of 108 E. Irving Blvd. is Niemco Properties, LLC. (Dan Niemeier is president of Niemco.) The property owner of 114 and 118 E. Irving Blvd. is Dan Niemeier, an appointed Planning and Zoning Commission member.
5. Funding in the amount not to exceed \$5,000 through the Downtown Sign Enhancement Incentive program is available in the Economic Development Fund.

**Recommendation**

The resolution be approved.

**19 Resolution - Supporting Passage of State Legislation (HB 562) Relating to the Application of Foreign Laws and Foreign Forum Selection in a Proceeding Involving Marriage, a Suit for Dissolution of a Marriage, or a Suit Affecting the Parent-Child Relationship in This State (Requested by Council Member LaMorgese, Mayor Van Duyne, and Council Member Ward)**

**Administrative Comments**

1. This item supports Strategic Goal No. 8: Sound Governance.
2. **Impact:** Approval of this resolution will show support for amending the Texas Family Code to prevent the application of foreign laws that would violate a fundamental right guaranteed by the United States Constitution or the constitution or a statute of the State of Texas in matters involving marriage or the parent-child relationship.

## APPOINTMENTS AND REPORTS

### 20 Resolution - Appointments to Boards, Commissions, and Committees, to Fill Unexpired Terms to the Board of Health, Green Advisory Board, Housing & Human Services Board, Museum Board, and Tax Increment Reinvestment Zone No. 1

#### Administrative Comments

1. This item supports Strategic Goal No. 8: Sound Governance.
2. **Impact:** Appointment of Irving residents to boards, commissions, and committees assures that our residents have a voice in city government.
3. The vacant positions under consideration are Board of Health-Place 1, Place 2 and Place 9; Green Advisory Board-Place 11; Housing & Human Services Board-Place 7; Museum Board-Place 2 and Place 7; and one vacancy on the Tax Increment Reinvestment Zone No. 1 Board.

#### Recommendation

The resolution be approved.

### 21 Mayor's Report

#### Adjournment