

AGENDA
Irving City Council Regular Meeting
Thursday, October 4, 2018 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Pastor Patrick Wooten, Grace Pointe Church of God

Pledge of Allegiance

Proclamations 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 34

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Special Meeting Minutes for Thursday, September 13, 2018

3 Approving Work Session Minutes for Wednesday, September 19, 2018

4 Approving Regular Meeting Minutes for Thursday, September 20, 2018

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.

5 Resolution - Approving an Interlocal Agreement Between the City of Irving and Irving Independent School District for Emergency Medical Services.

Administrative Comments

1. This item is recommended by the Fire Department. It supports Strategic Objective 4.1 – Safeguard public safety, security and health.
2. **Impact:** This Interlocal Agreement will allow the City of Irving Fire Department to provide better emergency medical service and coverage to the Irving Independent School District (IISD) and provide an opportunity to establish future collaboration and cooperative efforts
3. This agreement is for emergency medical services at IISD football games for the 2018 and 2019 football seasons, including any extended play and playoff games.
4. The Fire Department will provide two paramedics and an ambulance for a minimum of three hours during the high school football games. Additional hours will be worked as needed.
5. IISD will pay the City of Irving a fee of \$60 per game for the use of the ambulance, and \$60 per hour per paramedic for emergency medical services.

Recommendation

The resolution be approved.

6 Resolution - Approving Agreement Between the Irving Independent School District on Behalf of the Special Education Department and the City of Irving on Behalf of the Irving Public Library to Provide a Work Based Learning Program for Students with Disabilities.

Administrative Comments

1. This item is recommended by the Library Department.
2. **Impact:** The agreement between the Irving Independent School District Special Education Department and the City of Irving on behalf of the Irving Public Library will provide a Work Based Learning Program for students with disabilities. Students will be assigned volunteer work assignments throughout the school year where they will learn to interact and work outside the classroom. The Irving Public Library and the Irving Independent School District have been partners with the Work Based Program for approximately 16 years.
3. There will be no cost to the City.

Recommendation

The resolution be approved.

7 **Resolution - Rejecting all Bids for the Senter Park Recreation Center Renovation Project**

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department, Parks and Recreation Department and the Planning and Community Development Department. It supports Strategic Objective 4.5 – Implement enhancements to cultural and recreational facilities.
2. **Impact:** This contract will provide for the renovation of several areas inside the Senter Park Recreation Center.
3. **This item was presented to the Parks and Recreation Advisory Board on February 12, 2018 and the Community Services Committee on February 15, 2018.**
4. The project will establish a new and expanded 2nd level gym and exercise room complete with a larger, adjacent and accessible locker room facility. It will transform the current exercise and weight rooms into new activity room and storage space. Improvements will be made to both of the 1st level restroom/locker room areas so they comply with accessibility requirements.
5. The project will also create an open and inviting main reception area that improves staff visibility and expanded office space in place of the current Sports Hall of Fame.
6. Bids were received from 4 bidders. The apparent low bidder, DENCO CS Corp. has requested their bid be withdrawn due to an error with pricing on their part. Upon review of the next apparent low bid, staff identified large discrepancies in the bid numbers.
7. Staff recommends rejecting all bids due to these discrepancies and rebidding the project. Clarifications will be made to the bid tab line items prior to rebidding.

Recommendation

The resolution be approved.

8 **Resolution - Awarding a Contract to Sunbelt Pools Inc., in the Amount of \$712,057.50 for the Cimarron Family Aquatic Center Renovation Project**

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Parks and Recreation Department. It supports Strategic Objective 2.5 – Support strategic investments in city facilities.
2. **Impact:** This project will provide the renovation/replacement of the pool gutter system which includes pool wall construction, floor and deck replacement and pool interior finish work.

3. **This item was presented to the Community Services Committee on September 20, 2018.**
4. This renovation project consists of concrete replacement and finishing, demolishing and replacing of 546 linear feet of pool gutter, 1150 square feet of pool walls tile and grate, 11,300 square feet of pool interior finish, 500 square feet of pool floor, pool plumbing, pool fixtures and deck equipment.
5. Bids were received from 1 bidder. Sunbelt Pools, Inc., submitted the only responsive responsible base bid of \$777,897.00, which is \$39,897.00 (5.4%) above the project estimate. Staff recommends the following adjustments which will bring the total to \$712,057.50, which is \$25,942.50 (3.5%) below the project estimate.

	Bid Item #	Description	Base Bid \$777,897.00
Not Awarding	Base Bid #4	Pool surge tank, access lid and concrete deck	(\$65,943.00)
Including	Add Alternate #1	Add approximately 23 LF of ¾" electrical conduit	\$ 103.50
Final Total			\$712,057.50

6. Funding in the amount of \$712,057.50 is available within the Park Improvement Bond Fund.
7. Sunbelt Pools, Inc., is a 40 year-old company specializing design, construction, remodeling and repair of commercial pools. Sunbelt Pools, Inc., is actively seeking Minority and /or women-owned business (MWBE) participation.

Recommendation

The resolution be approved.

9 Resolution - Awarding a Contract to Sunbelt Pools Inc., in the Amount of \$296,462.00 for the Millennium Park Fountain Improvement Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Parks and Recreation Department. It supports Strategic Objective 2.5 – Support strategic investments in city facilities.
2. **Impact:** This project will relocate all fountain equipment currently housed inside a subsurface vault, adjacent to the fountain basin, into a new above ground fifteen foot by seventeen foot pre-fabricated mechanical building. The relocation will make the equipment more easily accessible for repair and will also prevent total submersion from flooding should a pipe or valve break.

3. **This item was presented to the Parks and Recreation Advisory Board on August 13, 2018 and to the Community Services Committee on September 20, 2018.**
4. This improvement project will provide five new fountain pumps, filtering equipment, auto-fill sensor, wind sensor, and all valves and piping with necessary equipment controls inside the pre-fabricated mechanical building. The pre-fabricated building will be purchased direct from the manufacturer via a separate contract.
5. Bids were received from 3 bidders, in which 308 Construction was the apparent low bidder. However, when line items were selected to provide the most cost effective and beneficial award possible, Sunbelt Pools, Inc., submitted the lowest responsive responsible bid of \$299,974.34, which is \$25.66 below the project estimate. Staff recommends the following adjustments, which is \$3,538.00 (1.2%) below the project estimate.

	Bid Item #	Description	Base Bid \$299,974.34
Not Awarding	Base Bid #1.6	Provide and install – 2” of topsoil with block Bermuda sod	(33.87/sy) (\$19,099.84)
Include	Add Alternate #2	Reinforced concrete foundation beam for the building	\$15,587.50
Final Cost			\$296,462.00

6. Funding in the amount of \$296,462.00 is available within the Park Improvement Bond Fund.

Recommendation

The resolution be approved.

10 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Restroom Facilities Ltd. (CorWorth) through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Financial Services Department – Purchasing Division.
2. Establishment of a Vendor/Member contract between the City of Irving and Restroom Facilities Ltd. (CorWorth) for utilization of BuyBoard Contract No. 512-16 for Parks & Recreation Equipment and Installation which expires on September 30, 2019, will allow the city to procure prefabricated buildings under the best possible

terms and conditions for the city.

3. Approval of this contract supports the purchase of a prefabricated mechanical building to house pump equipment as part of the Millennium Park fountain renovation project 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.

11 Resolution - Approving the Purchase from Restroom Facilities Ltd. (CorWorth) to Provide and Install a Prefabricated Mechanical Building for the Millennium Park Fountain Renovation Project in the Total Amount of \$86,798.00 through the State of Texas Local Government Statewide Purchasing Cooperative Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Financial Services Department – Purchasing Division.
2. **Impact:** Purchase of this prefabricated mechanical building will provide a secure above-ground enclosure for the pumps, controls and filter for the Millennium Park fountain. Currently all fountain mechanical equipment is located in a subsurface vault adjacent to the fountain basin. An above-ground structure will make the equipment more easily accessible for repair and prevent total submersion from flooding should a pipe or valve break.
3. By purchasing this 15 foot by 17 foot building through a BuyBoard cooperative agreement, the city will realize an estimated savings of approximately \$19,500.00. The contractor recommended for award of the associated fountain improvement project as presented in a previous item on this agenda will install all fountain equipment inside this proposed building.
4. Funding is available in the Park Improvement Bond Fund.

Vendor	Description	Total Expenditure
Restroom Facilities Ltd. (CorWorth)	Purchase and Installation of Prefabricated Mechanical Building	\$86,798.00

Recommendation

The resolution be approved.

12 Resolution - Awarding a Contract to SYB Construction Company, Inc., in the Amount of \$2,650,482.47 for the Steeplechase Drive Water & Wastewater Improvement Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and stormwater systems.
2. **Impact:** This work is part of the priority replacements for the Water Utilities Department. This project will replace the water and wastewater mains along Steeplechase Drive from Fox Glen Drive (at the Guard House) to Fox Glen Drive (at Hole 15).
3. **This item will be presented to the Transportation and Natural Resource Committee on October 3, 2018.**
4. Bids were received from five bidders. SYB Construction Company, Inc., submitted the lowest responsive responsible bid of \$2,650,482.47. This is \$580,832.03 (21.91%) below the funding allocated for this project.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 100%.
6. Funding in the amount of \$1,407,027.54 is available within the Sanitary Sewer Bond fund and funding in the amount of \$1,243,454.93 is available within the Water Improvement Bond Fund.

Recommendation

The resolution be approved.

13 Resolution - Awarding a Contract to Humphrey & Morton Construction Company, Inc., in the Amount of \$14,164,354.80 for the Lower Delaware Creek Improvements and Brockbank Channel Improvements Phase 2 Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and stormwater systems.
2. **Impact:** This is the third of four proposed projects to improve the drainage channels downstream of SH183, which will be receiving greater flows as a result of the improvements made by the Texas Department of Transportation contractor to the drainage culverts crossing SH183.

3. **This item will be presented to the Transportation and Natural Resource Committee on October 3, 2018.**
4. This construction will make channel improvements to Delaware Creek from Lively Park to MacArthur Boulevard and to Brockbank Channel from Lively Park to Grauwylers Road.
5. These channel improvements will protect 42 structures, along the project, from the 100 year storm event as well as additional structures upstream.
6. Bids were received from 3 bidders. Humphrey & Morton Construction Company, Inc., submitted the lowest responsive responsible bid of \$14,164,354.80. This is \$1,450,825.20 (9.3%) below the project estimate.
7. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%.
8. Funding in the amount of \$22,470.00 is available within the Water Improvement Bond Fund, funding in the amount of \$447,196.70 is available within the Sanitary Sewer Bond Fund and funding in the amount of \$13,694,688.10 is available within the Storm Sewer Bond Fund.

Recommendation

The resolution be approved.

14 Resolution - Approving the Single Source Renewal from Infor Public Sector, Inc., in the Total Amount of \$58,833.07 for Enroute Computer Aided Dispatching (CAD) Software Maintenance and Support

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Renewal of this support agreement is imperative to the daily operations of the city's Fire Department. First responders rely on this software to provide accurate information from Dispatch to arrive fully equipped to assist all residents and businesses in the City of Irving.
3. This maintenance provides support to the Information Technology Department in order to keep all software updated, and fully functional for the Fire Department's use.
4. The expenditure amount for this support agreement has increased by 3.5% over last year's renewal amount.
5. Funding is available in the Information Technology budget within the General Fund.

Vendor	Contract Term	Total Amount	Fiscal Year(s)
Infor Public Sector, Inc.	1/1/19 – 12/31/19	\$58,833.07	2018-19

Recommendation

The resolution be approved.

15 Resolution - Approving a Single Source Agreement Between the City of Irving and HOV Services, in the Total Amount of \$98,729.05 for Renewal of Hyland OnBase Support and Maintenance

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Renewal of this support agreement keeps the city’s Hyland OnBase document imaging/management software legally licensed and under support by HOV Services on behalf of Hyland.
3. The Hyland OnBase document imaging/management software is used for the electronic management of city contract, financial, legal, and other documents maintained by the city and includes the scanning functionality to transfer documents of record from physical paper format to electronic files. This system is used by most city departments and is critical to the functioning of the city.
4. The support cost has increased by 5% this year over the previous year.
5. Funding in the amount of \$98,729.05 is available in the Information Technology budget within the General Fund.

Vendor	Contract Term	Total Amount	Fiscal Year(s)
HOV Services	11/01/18 – 10/31/19	\$98,729.05	2018-19

Recommendation

The resolution be approved.

16 Resolution - Approving an Amendment to the Economic Incentive Agreement Between the City of Irving and Preferred Office Products, Inc, which is owned and operated by Bruce Kamis and the Kamis family, in an Amount Dependent Upon Annual Qualification

Administrative Comments

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Approval of this amendment will provide for a company affiliate of Preferred Office Products, Inc to assist in meeting the company's obligations.
3. **This amendment to the current economic incentive agreement was discussed at the Irving City Council Planning and Development Committee meeting on September 6, 2018.**
4. On January 15, 2015, City Council approved Resolution No. 2015-6 approving an economic incentive agreement with Preferred Office Products, Inc (the Company), to incentivize the Company to relocate its office supply operations to Irving. Under the agreement, the company was to purchase the real property located at 1701 Walnut Hill Lane; invest a minimum of \$250,000 to retrofit the operations specific to the Company; create 45 new or transferred jobs into the City of Irving, and obtain \$10,000,000 in annual taxable sales.
5. Upon qualifying for the incentives, the Company will receive a rebate, available for the first five years of the ten-year agreement of 35% of the City of Irving portion of sales taxes generated by the company.
6. The real property was purchased by Kamis Holding, LLC, a real estate holding company owned by Bruce Kamis and not Preferred Office Products, Inc. Kamis Holding, LLC is a "Company Affiliate" of Preferred Office Products, Inc., which is owned and operated by Bruce Kamis and the Kamis family. Preferred Office Products, Inc is seeking to allow Kamis Holding, LLC to assist them in meeting the company's requirement for purchasing the real property at 1701 W. Walnut Hill Lane under the agreement.
7. As consideration for amending the agreement, the Company has agreed to the following: Occupy the property for an additional 3 years, retain the required 45 jobs for an additional 3 years, and reduce the sales tax rebate from 35% down to 30% of the city sales tax revenue generated at the property.
8. One of the owners, Bruce Kamis, has been appointed by the Irving City Council as a member of Dallas County Utility Reclamation District, and financially interested in this proposed Amended Agreement. City Code section 16-11 makes such a contract with an appointed officer void unless the City Council waives the requirement "when it finds such action to be in the best interest of the city and its citizens as a whole."

Recommendation

The resolution be approved.

17 Resolution - Approving an Engineering Services Agreement with Kimley-Horn and Associates, Inc., in the Amount of \$264,065.00 for Design of the Story Elevated Storage Tank Rehabilitation

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This project will extend the life of the Story Elevated Storage Tank.
3. **This item will be presented to the Transportation and Natural Resources Committee on October 3, 2018.**
4. An engineering and inspection evaluation of fourteen of the City of Irving's sixteen steel water tanks was completed in 2015 and a prioritized Water Storage Tank Rehabilitation Plan was developed.
5. The Story Elevated Tank is next on the prioritized list of the City of Irving's tanks in need of rehabilitation. This tank was built in 1964 and is one of the oldest tanks in the system. Corrosion of the interior roof structure and the condition of the interior coating are the primary drivers for this project. Also, the 24-inch fill/drain line will be replaced. This includes the vertical pipe inside the tank and the supply line from the tank to the water main at Parkside Avenue.
6. This project will require expertise that the City of Irving does not have.
7. City staff administered a Request for Qualifications (RFQ) to select an engineering firm for these services. Four RFQ responses were received and evaluated by staff. Two firms were invited for interviews.
8. The RFQ Responses submitted by Kimley-Horn and Associates, Inc., best meets the criteria established in the RFQ. The team put together by Kimley-Horn and Associates, Inc., has a great deal of experience executing projects similar to this one.
9. This is the second step of a two-step process to contract with Kimley-Horn and Associates, Inc. An Authorization to Negotiate was approved by City Council Resolution 2018-304 on September 6, 2018.
10. Funding in the amount of \$264,065.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving a Memorandum of Understanding (MOU) for Exclusive Negotiation on a Water Supply Project with the Hugo Municipal Authority and the City of Hugo, Oklahoma

Administrative Comments

1. This item is recommended by the City Manager's Office, Water Utilities Department, and the City Attorney's Office.
2. **Impact:** Approval of this item will provide the opportunity for further negotiations between the Hugo Municipal Authority and the City of Hugo, Oklahoma (collectively referred to as "Hugo") and the City of Irving to work together on water supply development efforts including the potential diversion, transport and use of water from Hugo Lake and the Kiamichi River Basin.
3. **This item will be presented to the Transportation and Natural Resources Committee on October 3, 2018.**
4. Both Irving and Hugo will undertake good faith negotiation of a potential contractual arrangement by which Hugo would reserve and Irving would have the rights to purchase water supply for transport and use in Irving.
5. Various evolving legal issues may affect the feasibility of any potential water supply project and the sale of Oklahoma water for use in Texas. Therefore, at this point Irving and Hugo intend first to negotiate an Initial Agreement that would provide the framework for an appropriate feasibility analysis, for the benefit of both parties.
6. Irving will reimburse Hugo for legal fees incurred during the negotiation and drafting of the Initial Agreement in an amount not to exceed \$10,000.00. The full amount of legal fees reimbursed by Irving shall be credited against the first payment owed by Irving to Hugo under the terms of any Initial Agreement entered into by Irving and Hugo.
7. Irving and Hugo agree to conclude the negotiation process and present an Initial Agreement to their respective governing bodies by February 28, 2019, unless extended by mutual agreement.
8. Funding in the amount of \$10,000.00 is available in the Water Utilities budget within the Water Resources Development Fund.

Recommendation

The resolution be approved.

19 Resolution - Approving an Agreement with Irving Community Development Corporation to Construct a Single Family Home at 1920 W. Shady Grove Road

Administrative Comments

1. This item is recommended by the Planning and Community Development department.
2. **Impact:** This action will provide an additional affordable housing opportunity in Irving.
3. The City of Irving currently owns a vacant lot at 1920 W. Shady Grove Road, which would be conveyed to Irving Community Development Corporation (ICDC) for the construction of a single family home.
4. ICDC is in possession of proceeds from prior Home Investment Partnerships Grant (HOME)-funded construction projects, which must be utilized to increase affordable housing in Irving. As such, the City of Irving's only contribution to this project would be the conveyance of land. The total estimated project cost is \$178,770.00.
5. The constructed home would be approximately 1,450 square feet. The home would be a three-bedroom, two bathroom, two-car garage house and would be sold for \$150,000.00.
6. ICDC meets Community Housing Development Organization (CHDO) certification requirements, and the project meets HOME underwriting requirements.
7. This agreement is consistent with the City of Irving's goals and objectives for affordable housing as set forth in both the 2014-2019 Consolidated Plan and the Imagine Irving Comprehensive Plan.
8. **The Housing and Human Services Board approved this project at its May 18, 2018 meeting.**

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 20-25**

20 Resolution - Approving and Accepting the Bid of The Richey Company in an Amount Not to Exceed \$150,000.00 for an Annual Contract for Imprinted Promotional Products

Administrative Comments

1. This item is recommended by the Finance Department – Purchasing Division.
2. **Impact:** Approval of this item allows for as-needed purchases of promotional, advertising, and specialty items which are used to promote the city through outreach programs and events.
3. Examples of departmental uses include, but are not limited to, the following: Parks and Recreation events, Library events; Open House events; Irving 360°: Civic Academy; Water Utilities, Emergency Management, and Municipal Drainage Utility educational outreach programs; Employee Health and Safety Fair promotional items; and Communications promotional items for various city functions.
4. Examples of items purchased include pens, notepads, bags, USB drives, notebooks, and other promotional items imprinted with city and/or event-specific promotional logos.
5. This award establishes an annual contract for city-wide use to provide imprinted promotional items from a single vendor as the result of a competitive bid process. The award is for one year with two one-year renewal options.
6. Minority and/or Woman-Owned Business Enterprise participation in this award is 100%.
7. Funding in an amount not to exceed \$150,000.00 for Fiscal Year 2018-19 is available in various departmental budgets within various funds.

Vendor	Contract Term	Total Not to Exceed Amount
The Richey Company	10/5/18 – 9/30/19	\$150,000.00

Recommendation

The resolution be approved.

21 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Facility Solutions Group, Inc., through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard) and Authorizing Spending for As-Needed Maintenance, Installation, and Repair of Lighting Systems for Various Parks and Recreation Facilities in an Amount Not to Exceed \$100,000.00

Administrative Comments

1. This item is recommended by the Parks & Recreation Department and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Facility Solutions Group, Inc., for utilization of BuyBoard Contract No. 512-16, which expires on September 30, 2019, will allow the city to obtain maintenance, installation, and repair services for electrical infrastructure under the best possible terms and conditions for the city.
3. Facility Solutions Group, Inc., specializes in repair of commercial lighting systems. Their services will be utilized to maintain electrical systems for parks and recreation buildings, picnic shelters, outdoor restrooms, aquatic facilities, ballfield lights, and security/area lighting systems.
4. Funding for Fiscal Year 2018-19 is available in the Parks & Recreation Department budget within the General Fund.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Facility Solutions Group, Inc.	10/5/18– 9/30/19	\$100,000.00	2018-19

Recommendation

The resolution be approved.

22 Resolution - Rejecting All Bids for Reflective Materials for Traffic Signs

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** Traffic sign faces and roll goods are necessary for installation and maintenance of over 56,000 traffic signs throughout the City of Irving.
3. The Traffic and Transportation Department recommends rejecting all bid responses. Osburn & Associates, Inc., which was the only bidder on the items in Group A, Traffic Signs Faces is not authorized to do business in the State of Texas in

accordance with the Texas Comptroller of Public Accounts guidelines. In addition, it was determined that the roll goods specifications, Groups B and C, would benefit from additional clarification.

Recommendation

The resolution be approved.

23 Resolution - Approving Additional Funds for As-Needed Purchases from LMC Fire & Security in the Total Estimated Amount of \$60,000.00 for Alarm Services

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department – Facilities Maintenance Division and the Parks & Recreation Department.
2. **Impact:** Approval of this additional spending will provide for the safety and security of residents and employees by ensuring the proper operation of fire protection and security systems.
3. A two-year contract between the City of Irving and LMC Fire & Security was approved on June 8, 2017 by RES-2017-232 in an amount not to exceed \$125,000.00 for maintenance, repair, upgrades, testing, inspections and monitoring of fire protection and security systems. The current contract term expires on June 30, 2019.
4. Current spending for this contract is approximately \$199,000.00. Facilities Maintenance and Parks & Recreation recommend adding \$60,000.00 to the value of the contract for a total not to exceed amount of \$310,000.00. This will ensure timely response to fire protection and security system repair services.
5. Projects that contributed to the need for additional funding include:
 Criminal Justice Center – Fire Sprinkler System \$43,500.00
 Lively Point Rec Center – Fire Sprinkler System \$8,934.00
6. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds.

Vendor	Spending Term	Additional Amount Requested	Fiscal Year(s)
LMC Fire & Security	10/5/18 – 6/30/19	\$ 60,000.00	2018-19

Recommendation

The resolution be approved.

24 Resolution - Approving and Accepting the Proposal of CenturyLink Communications, LLC, in the Estimated Amount of \$128,160.00 for Internet Services

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** The Information Technology Department's 5-year strategic plan calls for enhancing the capacity of the city's primary and secondary internet service connections as well as relocating the secondary connection to a disaster recovery data center. This item will increase the overall Internet capacity by 1400%, which is necessary to support an ever-increasing demand for cloud/internet services and applications used by all city departments.
3. In addition to being our current internet service provider, the proposal provided by CenturyLink Communications, LLC provides the best value with respect to cost, experience and overall implementation. The expenditure for this item is \$128,160.00 for a term of three years. After the initial term, the city can optionally renew for an additional two years at the same annual cost.
4. Funding for Fiscal Year 2018-19 is available in the Information Technology Department budget within the General Fund, while funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.

Vendor	Description	Annual Expenditure	Fiscal Year(s)
CenturyLink Communications, LLC	Internet Services	\$ 42,720.00	2018-19
		\$ 42,720.00	2019-20
		\$ 42,720.00	2020-21
TOTAL		\$128,160.00	

Recommendation

The resolution be approved.

25 Resolution - Ratification of Payments Made to Reyes Group Ltd., in the Total Amount of \$229,596.53 for Emergency Repair of the 36-inch Hackberry Sanitary Sewer

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Exposure of the 36-inch diameter Hackberry sanitary sewer at a crossing on Hackberry Creek west of Colwell Blvd. and north of the Highway 114 westbound service road due to creek bank erosion put the line at risk of washing out at any time. Water Utilities Director Todd Reck declared the situation an emergency on

June 8, 2018 in order to protect public health and safety so that the repair could begin immediately.

3. **This item will be presented to the Transportation & Natural Resources Committee on October 3, 2018.**
4. Approximately 50 feet of the sewer line was at least partially exposed with the southeast end of the crossing being completely exposed with no cover and minimal support, creating the potential for the line to wash out in the event of a significant rain event.
5. Water Utilities requested quotes for the repair from three contractors. Reyes Group, Ltd., who provided the lowest quote, had the required expertise and was able to mobilize immediately to perform the necessary repairs to stabilize the sewer line.
6. Funding in the amount of \$229,596.53 was available in the Water & Sewer System Fund.

Recommendation

The resolution be approved.

End of Bids

26 Ordinance - Final Reading - Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2018 Rate Review Mechanism Filing

Administrative Comments

1. This item has been recommended by the City Manager's Office.
2. **Impact:** The purpose of this ordinance is to approve the Settlement Agreement and the resulting rate change under the RRM tariff.
3. The City of Irving, along with other cities served by Atmos Energy Corp., Mid-Tex Division, is a member of the Atmos Cities Steering Committee ("ACSC"). The Rate Review Mechanism (RRM) Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), a statutory provision that allows Atmos to bypass the City's regulatory authority to increase its annual rates to recover capital investments. The RRM Tariff was last modified in 2013.
4. The 2018 RRM filing is the sixth RRM filing under the renewed RRM Tariff. On April 1, 2018, Atmos made a filing requesting \$42 million additional revenues on a system-wide basis. After applying existing standards in the overall tariff, the request was reduced to \$24.9 million.

5. If the Company had used the GRIP process rather than the RRM process, it would have received a \$46 million increase, or about \$21.1 million more than will be approved by the Ordinance. ACSC and the Company have reached an agreement, reflected in the Ordinance, to reduce the Company's request by \$17.1 million. The Ordinance approving the new rates reflects an increase of \$24.9 million on a system-wide basis, or \$17.8 million for Mid-Tex Cities, when the City of Dallas is excluded.
6. The monthly residential charge will be \$18.85 (current charge is \$18.35). The monthly bill impact for the typical residential customer consuming 45 Ccf (one hundred cubic feet) will be an increase of \$1.06, or about 1.94%. The typical commercial customer will see an increase of \$3.20, or 1.21%.
7. The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the Ordinance with its attachments approving the negotiated rate settlement resolving the 2018 RRM filing, and implementing the rate change.

Recommendation

The Ordinance be approved.

INDIVIDUAL CONSIDERATION

- 27 Resolution - Authorizing Reimbursement Payment in the Amount of \$44,000,000 to the ARK Group of Irving, Inc. for Capital Infrastructure Improvements Within the Tax Increment Reinvestment Zone No. One (Requested by Council Members Webb, Riddle and Danish)**

Administrative Comments

1. This item is requested by Council member Webb, Council member Riddle and Mayor pro tem Danish.
2. This item was tabled at the September 6, 2018 council meeting.
3. Funding in the amount of \$44,000,000 is available in the TIF District No. 1 Project Fund.

28 Resolution - Approving Material Changes to Approved Plans and Structural Alterations to Building C2 at the Entertainment Center

Administrative Comments

1. This item is requested by the ARK Group of Irving, Inc.
2. **Impact:** Approval of this resolution authorizes the ARK Group of Irving, Inc. to make the proposed material changes to the Approved Plans for building C-2 and structural changes to building C-2 associated with a proposed new sub-tenant, The Reservoir.
3. The ARK Group has identified The Reservoir as a new sub-tenant for building C-2 and has submitted plans for tenant finish-out. The submitted plans include changes to the building storefront and changes to the Approved Plans, including:
 - a. The addition of exterior patios in the Plaza (requires an amendment to the Conceptual Site Plan, included as a separate item on this agenda for Council consideration);
 - b. Removal of a portion of the existing storefront to add overhead doors across the entire southern face of the building;
 - c. Removal of public restrooms for Plaza located in building C-2. Current Approved Plans include public restrooms with an exterior entrance on the northwest corner of the building intended to be used by Plaza visitors. Submitted plans remove exterior access and increase the size of the restrooms within the restaurant.
4. Section 6(a) of the Lease requires City Council and Company approval for any material changes to the Approved Plans for any Improvements at the Entertainment Center.
5. The addition of exterior patios provides additional restaurant seating and minimally reduces the usable space in the Plaza by approximately 595 sq. ft.
6. The changes to the storefront to add overhead doors on the southern face of the building matches the existing overhead doors on southern face.
7. There are currently public restrooms located in buildings C-1 and C-2 that provide capacity for Plaza events up to 1,430 attendees.
 - a. The removal of public restrooms from C-2 reduces the capacity for Plaza events to 1,040 attendees.
 - b. For Plaza events with attendees greater than the allowed capacity, the ARK Group would be required to provide additional restroom facilities through arrangements with restaurants on the Plaza or portable facilities.

Recommendation

City Council consider the request.

29 Resolution - Approving a Revised Conceptual Site Plan for the Irving Music Factory Relating to Patios Adjacent to Building C2

Administrative Comments

1. This item is recommended by the City Manager's Office.
2. The ARK Group has submitted a request to amend the conceptual site plan to add patios to the south and east sides of Building C2, the former "Jam House" now proposed to be occupied by The Reservoir and to amend the exterior renderings of Building C2.
3. The current, approved conceptual site plan shows a "retractable cover" extending toward the plaza along approximately 2/3 of the front of Building C2. The proposed amendment would designate this area as a covered patio and extend it along the entire frontage of the building. An additional covered patio is proposed on the east side of the building.
4. The proposed new covered patio along the front of C2 is 33'4" wide by 12'4" deep. The proposed new covered patio along the east side is 21'4" wide by 8'8" deep.
5. The proposed changes to the renderings include additional roll-up doors to open the interior seating areas to the plaza, and other modifications to the exterior materials.
6. The resolution approves a revised conceptual site plan with a covered patio along the entire front of the building and a second covered patio on the east side of the building, and the revised elevations.
7. Should the Council approve this amended conceptual site plan, staff will initiate a zoning change to correspondingly amend the zoning site plan.
8. The Development Agreement between the City and ARK Group of Irving, Inc. for the construction of the entertainment venue (Music Factory) provides the City Council with the right to approve the conceptual site plan design, renderings, selection of exterior building materials with a materials board, and construction budget.
9. The City Council approved the original conceptual site plan with conditions on March 20, 2014. A supplemental conceptual site plan that met the conditions was approved by the Council on June 26, 2014.
10. The City Council approved a revision to the conceptual site plan on June 22, 2017 to allow radio/TV station with conditions, outdoor restaurant patios on the Plaza, two temporary/portable food/drink stations in the Plaza with conditions, outdoor restaurant patios on landscaped pedestrian Walkway along Las Colinas Blvd. with conditions, and outdoor restaurant patios on interior sidewalks with conditions.
11. The City Council approved a revision to the conceptual site plan on February 1, 2018 to allow a ride share sidewalk along slip road, outdoor patios along building B1 with conditions, a Plaza roof structure, and a fence around the Plaza with conditions.

12. The City Council approved a revision to the conceptual site plan on April 5, 2018 to show vertical-rail fencing for the fence around the plaza.

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

- 30 Ordinance - Zoning Case #ZC18-0061 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 5,568Sq. Ft. Located 5238 N O'Connor Boulevard, Suite 138 - Pacific Table Restaurant, Applicant - Gables Residential, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 17, 2018 – Favorable 8-0 (Commissioner Patel, absent).
2. The 2017 Imagine Irving Comprehensive Plan recommends *Urban District* uses for the subject property. This land use is for the highest intensity areas of Irving containing a variety of uses in multi-story buildings. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property is a 5,568 square foot restaurant lease space in the Water Street development. The applicant is proposing rezoning to allow a new Pacific Table restaurant to sell alcoholic beverages for on-premises consumption.
4. The restaurant has 175 seats, with 113 interior seats and 62 outside dining seats. A total of 37 parking spaces are required at one space per 150 square feet. Parking is provided on O'Connor Blvd. and within the development.
5. The request meets all requirements of the S-P-1 for R-AB ordinance.
6. A total of eight (8) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

- 31 Ordinance - Zoning Case #ZC18-0062 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Use - Approximately 1,578 Sq. Ft. Located at 5238 N O'Connor Boulevard, Suite 136 - Shawarma Bar Restaurant, Applicant - Gables Residential, Owner.**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 18, 2018 – Favorable 8-0 (Commissioner Patel, absent).
2. The 2017 Imagine Irving Comprehensive Plan recommends *Urban District* uses for the subject property. This land use is for the highest intensity areas of Irving containing a variety of uses in multi-story buildings. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property is a 1,578 sq. ft. restaurant lease space in the Water Street development. The applicant is proposing rezoning to allow a new Shawarma Bar restaurant to sell alcoholic beverages for on-premises consumption.
4. The restaurant has 63 seats, with 30 interior seats and 33 outside dining seats. A total of 11 parking spaces are required at one space for each 150 sq. ft. of dining area. Parking is provided on O'Connor Blvd. and within the development.
5. The request meets all requirements of the S-P-1 for R-AB ordinance.
6. A total of seven (7) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

- 32 Ordinance - Zoning Case #ZC18-0066 - Granting S-P-2 (Generalized Site Plan) District for FWY (Freeway) and Commercial Parking Uses - Approximately 23.946 Acres Located at 5310 and 5330 W Airport Freeway - JDJR Engineers & Consultants, Inc., Applicant - Dan Reed Strimple, JAADA Holdings, Dedried Properties, Owners**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 17, 2018 – Favorable 7-1 (Commissioner Niemeier, nay; Commissioner Patel, absent).

2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. The *Commercial Corridor* land use category is described as “Auto-oriented district for retail, office and commercial uses with parking in front with low to mid-rise buildings setback from the street”. The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting to rezone the property to allow the property to be developed as a commercial parking facility.
4. The proposed development will consist of customer service booths at each entrance, an office/ storage building and will be enclosed by a 6-foot tall wrought iron fence. The applicant is proposing metal or fabric coverings over the parking spaces.
5. The applicant believes that interior parking lot trees would not be conducive to the installation of these parking space coverings. The applicant proposes to increase the landscaping along both street frontages and to install the required interior parking lot trees elsewhere on the site in lieu of placing them next to the covered spaces.
6. A total of 15 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

33 Ordinance - Zoning Case #ZC18-0069 - Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) and P-O (Professional Office) Uses - Approximately 0.7468 Acres Located at 500 Irby Lane - Spry Surveyors, Applicant - Federico Sanchez, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 17, 2018 – Favorable 8-0 (Commissioner Patel, absent), subject to minor corrections as noted by staff.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is described as “Predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses.” This request is in conformance with the plan.

3. The property is currently developed with two nonconforming single family structures and several accessory structures. The applicant is requesting a zoning change to allow single family residential uses on the northern portion of the property and single family residential and office uses on the southern portion of the property. The owner would like to subdivide the property so that each single family structure and their related accessory structures will be on their own lot and each lot would be conforming with the zoning.
4. The owner would like to be able to operate a family business out of the single family home on the southern portion of the property. Therefore, the site plan proposes to allow P-O and R-6 uses to exist concurrently. The owner will keep the structures in conformance with the R-6 district requirements.
5. All other requirements of the R-6 district regulations are being met.
6. Since the proposed use will be in conformance with the future land use map and is more compatible with the existing residential uses, staff can support this request.
7. A total of 18 public notices were mailed. Staff has not received any responses in support of or in opposition to this request,
8. This items supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be adopted per the recommendation of the Planning and Zoning Commission.

APPOINTMENTS AND REPORTS

34 Mayor's Report

Adjournment