

AGENDA
Irving City Council Regular Meeting
Thursday, June 6, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Rev. Deborah R. Jones, First Christian Church

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 64

CITY COUNCIL AGENDA

1 City Operations Update

2 Public Hearing - Public Hearing #1 on the 2019-20 City of Irving Fiscal Year Budget

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. In accordance with Fiscal Year 2019-20 Budget Calendar, public hearings have been scheduled for June 6, 2019 and June 20, 2019 City Council meetings.
3. Notice of the public hearings have been published in the City Spectrum and on the City's website.
4. Public comments can also be submitted through the city website.

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.

Recommendation

Input be taken under advisement.

CONSENT AGENDA

- 3 Approving Work Session Minutes for Wednesday, May 01, 2019**
- 4 Approving Regular Meeting Minutes for Thursday, May 02, 2019**
- 5 Approving Budget and Strategic Plan Meeting Minutes for Wednesday, May 15, 2019**
- 6 Approving Special Meeting Minutes for Wednesday, May 15, 2019**
- 7 Ordinance - Amending Ordinance No. 2018-10104 Providing Budget Adjustment #6 to the 2018-19 Fiscal Year Budget**

Administrative Comments

- 1. This item has been recommended by the Financial Services Department.
- 2. Budget Adjustments are needed in the following funds: General Fund, Water & Sewer Fund, Solid Waste Services Fund, Municipal Drainage Utility Fund, General Non-Bond CIP Fund, Water & Sewer Non-Bond CIP Fund, MDU Non-Bond CIP Fund, SWS Non-Bond CIP Fund, and Miscellaneous Grant Fund.
- 3. The adjustments have been proposed by city staff, and have been reviewed and recommended by Budget staff and Financial Services.

Recommendation

The ordinance be adopted.

- 8 Resolution - Denying Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor to Increase Distribution Rates**

Administrative Comments

- 1. This item is recommended by the City Manager's Office and the City Attorney's Office.
- 2. **Impact:** The resolution denies Oncor's application to amend its Distribution Cost Recovery Factor and increase its Distribution Rates. It authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine

what further strategy, including settlement, to pursue.

3. On April 8, 2019, Oncor Electric Delivery Company LLC (“Oncor”) filed an Application for Approval to Amend its Distribution Cost Recovery Factor (“DCRF”) to increase distribution rates with each of the cities in its service area. In the filing, Oncor asserts that it is seeking an increase in distribution revenues of \$29,433,804.
4. All electric utility customers in the City will be impacted by Oncor’s ratemaking application that seeks to increase distribution rates.
5. The Steering Committee of Cities Served by Oncor recommends that all members deny the DCFR submitted by Oncor. The OCSC is a membership organization comprised of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor’s service area. The City is a member of the OCSC.
6. The Resolution denies the DCFR and authorizes the hiring of Lloyd Gosselink Rochelle & Townsend, PC and consultants to review the filing, negotiate with Oncor, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
7. Oncor will reimburse cities for their reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.
8. The resolution must be approved by June 7, 2019 or Oncor’s increase will go into effect.

Recommendation

The resolution be approved.

9 Resolution - Approving a Master Services and Purchasing Agreement Between the City of Irving and Axon Enterprises, Inc. in the Total Not-To-Exceed Amount of \$4,776,208.22 for TASERs, Body Worn Cameras, In-Car Cameras and Related Equipment, Service and Training, for a Five-Year Term

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This agreement consolidates all current contracts from Axon into a single five year master agreement. Included in the agreement are TASER, body worn camera, and in-car video system equipment, as well as scheduled replacement

equipment, digital data storage, licensing, training, and related accessories such as batteries and chargers. This equipment provides police officers with the necessary equipment to safely and effectively perform their job duties.

3. This agreement was presented to the Public Safety Committee on March 21, 2019.
4. Funding for the first year of this master agreement, in the amount of \$448,438.22 is available in the Police Department budget within the General Fund; the remaining amount of \$130,800.00 for the first year of the agreement is available in the Radio Communication Bond Fund. The total contract amount for the first year is \$579,238.22.

Recommendation

The resolution be approved.

10 Resolution - Approving an Additional Purchase from Comprehensive Communication Services, LLC in the Total Not-To-Exceed Amount of \$150,649.59 for the Irving Police Department to Upgrade Communications Capabilities on the Mobile Command Post

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective 4.1: Safeguard public safety, security and health.
2. **Impact:** This purchase from Comprehensive Communication Services, LLC, will upgrade the communications system on the Irving Police Department mobile command unit.
3. Funding in the amount of \$150,649.59 is available in the Police budget within the General Fund. The costs of the upgrades will be reimbursed by Tarrant County 9-1-1.

Recommendation

The resolution be approved.

11 Resolution - Approving a North Central Texas Public Works Mutual Aid Agreement Between the City of Irving and North Central Texas Participating Local Governments to Provide Aid During Emergencies, Disasters, Civil Emergencies, or Public Works Emergencies

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective 4.1: Safeguard public safety, security and health.
2. **Impact:** This Mutual Aid Agreement is entered into among the North Central Texas Participating Local Governments, consenting to be party to this emergency mutual aid agreement, with the purpose of protection of life and property in the event of an emergency, disaster or civil emergency or public works emergency.
3. No funding is required.

Recommendation

The resolution be approved.

12 Resolution - Approving the Marco Polo World Foundation's Special Event Permit Application for the 2019 DFW Dragon Boat, Kite and Lantern Festival on June 23, 2019 at 501 East Las Colinas Boulevard

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of this Special Event Permit Application will allow the Marco Polo World Foundation to hold the 2019 Annual DFW Dragon Boat, Kite and Lantern Festival at Lake Carolyn, 501 E. Las Colinas Boulevard and O'Connor.
3. This event, originally scheduled for May 19, 2019, was cancelled due to weather conditions, and this is a new Permit referencing the rescheduled date of June 23, 2019.
4. To fulfill the safe execution of this event, there is a logistical need for street closures, traffic management and security services to be provided by Irving Police Department.
5. This permit approves staging and road closures along East Las Colinas Boulevard between Brazos Drive and Lake Carolyn Parkway, from 5:00 a.m. to 11:59 p.m. on Sunday June 23, 2019. However, staff recommends the road closures be limited to 5:00 a.m. to 10 p.m.

6. The City has already approved the provision of \$4,000.00 in cash, available in the General Fund. In addition, the City provides an estimated \$24,000.00 for in-kind support in goods and services for a total contribution of approximately \$28,000.00.

Recommendation

The resolution be approved.

13 Resolution - Authorizing Preliminary Action for the City of Irving, Texas General Obligation Refunding and Improvement Bonds, Series 2019 and Tax Note, Series 2019 in the Estimated Amount of \$51,000,000 and \$1,600,000 Respectively

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Preliminary approval of the draft official statement will allow staff to move forward with the 2019 General Obligation and Tax Note bond sale.
3. \$41,000,000 of the proceeds from this bond sale will be used to fund the capital infrastructure projects listed in Exhibit A. Approximately \$10,000,000 will be used to refund the Series 2009 Bonds and the remainder will be used for bond closing costs.
4. \$1,532,000 of the proceeds from the Tax Note will be used to fund fire pumper vehicles listed in Exhibit B. The remainder will be used for bond closing costs.
5. The City expects the bond sale to occur in July and proceeds to be delivered in August.
6. The resolution approves the preliminary official statement and authorizes the City Manager, Chief Financial Officer, the City's Bond Counsel, Bracewell LLP, and the City's Financial Advisor, First Southwest, a division of Hilltop Securities, Inc., to make changes as needed prior to distribution.

Recommendation

The resolution be approved.

14 Resolution - Authorizing Preliminary Action for the City of Irving, Texas Waterworks and Sewer System New Lien Revenue Refunding and Improvement Bonds, Series 2019 in the Estimated Amount of \$26,100,000

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Preliminary approval of the draft official statement will allow staff to move forward with the 2019 Water/Sewer revenue bond sale.
3. \$17,795,000 of the proceeds from this bond sale will be used to fund the capital infrastructure projects listed in Exhibit A. Approximately \$8,000,000 will be used to refund the Series 2009 Bonds. The remainder will be used to pay for bond closing costs.
4. The City expects the bond sale to occur in July and proceeds to be delivered in August.
5. The resolution approves the preliminary official statement and authorizes the City Manager, Chief Financial Officer, the City's Bond Counsel, Bracewell LLP, and the City's Financial Advisor, FirstSouthwest, a division of Hilltop Securities, Inc., to make changes as needed prior to distribution.

Recommendation

The resolution be approved.

15 Resolution - Authorizing Preliminary Action for the City of Irving, Texas Hotel Occupancy Tax Revenue Refunding Bonds, Series 2019 in the Estimated Amount of \$38,000,000

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Preliminary approval will allow staff to move forward with the 2019 Hotel Occupancy Tax Revenue Refunding bond sale.
3. Proceeds from this bond sale will be used to refund the Series 2014B Hotel Occupancy Tax Revenue Bonds at a lower interest rate. These bonds were issued in 2014 with a revenue pledge of the Entertainment Venue 2% (Brimer) HOT. Proceeds of that sale were used to build the public infrastructure at the Toyota Music Factory.
4. It is expected that significant interest savings can be achieved with this refinancing.
5. The bonds are currently rated BBB+ by Standard & Poor's. If the rating remain unchanged, the staff will seek a negotiated sale. However, a competitive sale may

be more beneficial if the bonds are upgraded.

6. The City expects this bond sale to occur after the general obligation and water/sewer revenue bond sales have closed.
7. The resolution authorizes the City Manager, Chief Financial Officer, the City's Bond Counsel, Bracewell LLP, and the City's Financial Advisor, First Southwest, a division of Hilltop Securities, Inc., to prepare for the sale of the refunding bonds.

Recommendation

The resolution be approved.

16 Resolution - Approving a Local Project Advance Funding Agreement for Water and Wastewater Main Relocations Between the City of Irving and TXDOT, in the Amount of \$14,782,403.20 for the Reconstruction of the Diamond Interchange Along Loop 12 at SH 183 and Along Spur 482 at SH 114 and SH 183 (Aka Diamond Interchange, Phase II)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This agreement provides funding to TxDOT to incorporate the City's water and wastewater relocations needed for the Diamond Interchange Phase II project into the TxDOT construction contracts.
3. **This item will be presented to the Transportation and Natural Resources Committee on June 5, 2019.**
4. The City of Irving has various wastewater mains to relocate in association with the Diamond Interchange Phase II project.
5. The City of Irving and the City of Grand Prairie have a section of jointly owned 48-inch Jamison Water Supply Line that must be relocated in association with the Diamond Interchange Phase II project. The City of Grand Prairie will reimburse the City of Irving for half the cost of the joint section, in the amount of \$3,083,925.35.
6. Funding in the amount of \$1,938,000.00 is available in the Water Improvement Bond Fund; funding in the amount of \$2,250,000.00 is available in the Sanitary Sewer Bond Fund and funding in the amount of \$10,594,403.20 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving a Professional Services Agreement Between the City of Irving and Dunaway Associates, L.P., in the Amount of \$1,490,325.00 for Multi-Discipline Design Services for the Champion Trails Unification Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Parks and Recreation Department. It supports Strategic Objective 2.2 – Develop and fund an aggressive multi-year capital improvement program.
2. **Impact:** This contract will provide multi-discipline design services for the remaining 5.5 miles of the Champion Trails central section along the Elm Fork of the Trinity River. The contract will provide Hydraulic, Floodplain and Environmental studies to allow for Corp of Engineers permitting. Two major bridges crossing the Elm Fork of the Trinity River, along with several pedestrian bridges and low water crossings along the route will be designed and engineered. Multiple easements and agreements will be procured and finalized.
3. **This item has been presented to the Parks and Recreation Advisory Board on January 14, 2019 and will be discussed at the Transportation and Natural Resources Committee on June 5, 2019.**
4. This project will be phased over a four year period as funding becomes available.
5. Champion Trails is Irving's greenbelt trail system along the Elm Fork and West Fork of the Trinity River. The trail system has become a vital connection of the Dallas-Ft-Worth area for the connectivity of the regional trail systems. The master plan, which was developed in 1995, presented a 22 mile alignment. Over the years since, the trail has been built a segment at a time as funding was available. Currently, the northern section starts at California Crossing Park and goes 8.5 miles north into Coppell. The southern section starts near Grand Prairie's Lone Star Trail parking lot along Hunter Ferrell Road and goes east to Loop 12 and then north through Trinity View Park for a total of 6.65 miles. However, 5.5 miles in the central section along the Elm Fork of the Trinity River remain to be planned and built.
6. This is the second step of a two-step process. An Authority to Negotiate with Dunaway Associates, L.P. was approved by Council RES-2019-160.
7. Target date for completion of Design Services is August 1, 2022.
8. Minority and/or Women-owned Business participation (M/WBE) in this award is 30%.
9. Funding in the amount of \$1,490,325.00 is available within the Park Improvement Bond Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving the Extension of Temporary Construction Easements Located at 712 – 714 Shady Grove Road in the Amount of \$18,785.00.

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This temporary construction easement is needed for work that is part of the priority replacements for the Water Utilities Department that are currently under construction as part of the Southwest Interceptor Improvements Project. This temporary construction easement impacts one commercial property and will provide a staging and storage area needed by the Contractor for improving the wastewater system.
3. **This item will be presented at the Transportation and Natural Resource Committee on June 5, 2019.**
4. The original temporary construction easement acquisition for this property expired on August 31, 2017 and is being renewed in kind through January 31, 2020.
5. Funding in the amount of \$18,785.00 is available in the Non-Bond CIP Fund.

Recommendation

The resolution be approved.

19 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-20C, Located at 2121 E. Grauwlyer Road in the Amount of \$9,519.13

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design.
3. The purpose of this agenda item is for acquisition of a 0.039 acre utility easement, across Parcel 115-20C, situated at 2121 E. Grauwlyer Road and owned by 2ML Real Estate Interests, Inc.

4. The cost of the proposed easement is \$9,519.13. The stated amount exceeds 15 percent of the appraised value and must be approved by council action, per Section 16-27 (5)(b) of the City Ordinance.
5. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
6. Funding in the amount of \$9,519.13 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

20 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-4, Located at 1100 N. Walton Walker Blvd in the Amount of \$27,641.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands.
3. The purpose of this agenda item is for acquisition of a 0.112 acre utility easement, across Parcel 115-4, situated at 1100 N. Walton Walker Blvd and owned by CGH Investments LP.
4. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
5. Funding in the amount of \$27,641.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

21 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-5, Located at 1120 N. Walton Walker Blvd in the Amount of \$4,252.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands.
3. The purpose of this agenda item is for acquisition of a 0.066 acre utility easement, across Parcel 115-5, situated at 1120 N. Walton Walker Blvd and owned by Ronald Crow, John Carse and Pamela Carse.
4. The cost of the proposed easement is \$4,252.00. The stated amount exceeds 15 percent of the appraised value and must be approved by council action, per Section 16-27 (5)(b) of the City Ordinance.
5. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
6. Funding in the amount of \$4,252.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

22 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-12, Located at 1222 N. Walton Walker Blvd in the Amount of \$22,002.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange

project design. Therefore, the City must acquire several new easements on adjacent privately owned lands.

3. The purpose of this agenda item is for the acquisition of a 0.084 acre utility easement, across Parcel 115-12, situated at 1222 N. Walton Walker Blvd and owned by Davis Motor Crane Services Inc.
4. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
5. Funding in the amount of \$22,002.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

23 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-22, Located at 2020 N. Walton Walker Blvd in the Amount of \$22,789.35

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for the acquisition of a 0.068 acre utility easement, across Parcel 115-22, situated at 2020 N. Walton Walker Blvd. and owned by DXP Enterprises Inc.
3. **This item will be presented to the Transportation and Natural Resource Committee on June 5, 2019.**
4. Funding in the amount of \$22,789.35 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

24 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-24, Located at 2132 E. Airport Freeway in the Amount of \$17,438

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.089 acre utility easement, across Parcel 115-24, situated at 2132 E. Airport Freeway and owned by the John E. Purcell Estate LP.
3. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
4. Funding in the amount of \$17,438.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

25 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-13, Located at 1222 N. Walton Walker Blvd in the Amount of \$15,882.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands.
3. The purpose of this agenda item is for acquisition of a 0.061 acre utility easement, across Parcel 115-13, situated at 1222 N. Walton Walker Blvd and owned by the Raymond C. Davis Estate.

4. **This item will be discussed at the Transportation and Natural Resource Committee on June 5, 2019.**
5. Funding in the amount of \$15,882.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

26 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-7, Located at 2001 Hinton Drive in the Amount of \$23,694.00

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** In order to accommodate the Texas Department of Transportation's (TxDOT) Diamond Interchange Expansion Project, the City of Irving will need to relinquish existing utility easements that will conflict with the Diamond Interchange project design. Therefore, the City must acquire several new easements on adjacent privately owned lands.
3. The purpose of this agenda item is for acquisition of a 0.091 acre utility easement, across Parcel 115-7, situated at 2001 Hinton Drive and owned by Tenairs Partners.
4. **This item will be presented to the Transportation and Natural Resource Committee on June 5, 2019.**
5. Funding in the amount of \$23,694.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

27 Resolution - Approving an Agreement Between the City of Irving and Avenue Insights and Analytics, LLC, in an Amount Not to Exceed \$60,000.00, for Technology Services Related to the Banner 8 to Banner 9 Enterprise Resource Planning (ERP) Software Upgrade

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** The Banner Enterprise Resource Planning (ERP) software upgrade is necessary in order for the City to remain in compliance with Federal Regulations and maintain manufacturer support. The software upgrade will also ensure optimum functionality of the city's financial, human resources, and payroll systems.
3. Avenue Insights and Analytics, LLC will provide no more than 300 hours of remote and onsite services, at a rate of \$200 per hour to complete the software upgrade. The total cost for these services shall not exceed \$60,000.00.
4. Funding in the amount of \$60,000.00 is available in the Information Technology budget within the General Fund.

Recommendation

The resolution be approved.

28 Resolution - Approving a Ground Lease Termination Agreement for City-Owned Property Located at 211 and 213 E. Irving Boulevard

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** The Ground Lease Termination Agreement will end current use of underutilized property enabling the City to assemble adjacent developable land for future redevelopment within the downtown area.
3. On March 22, 1968, Howard and Loree Martin leased property at 211 and 213 E. Irving Boulevard to Irving Bank and Trust Company for a term of 99 years at a rate of \$500.00 per month. Subsequently, JP Morgan Chase Bank acquired Irving Bank and Trust, including the right to lease the property.
4. On January 29, 2009, the lease was assigned to Heritage District, LLC with the acquisition of the property. On July 21, 2012, Heritage District, LLC transferred title to the property, with the lease, to the City in the settlement of the Comerica Loan.
5. JP Morgan Chase Bank made the first lease payment to the City in August 2012. The City currently receives \$6,000 each year (\$500 per month). Terminating the

lease, the City would forgo \$286,500 in remaining lease payments until March 1, 2067.

6. Staff has been in communication with Chase representatives to terminate the lease. Chase Bank currently has two parking lots located on either side of the bank building that can adequately accommodate current use and have agreed to terminate the lease for the parking lot property located at 211 and 213 E. Irving Blvd.
7. The termination of the lease will allow the City to assemble the adjacent property at 211 E. Irving Blvd. (2nd half of parking lot) and 200 N. Main St. (commonly known as the former lumberyard) for future redevelopment within the downtown area.

Recommendation

The resolution be approved.

29 Resolution - Approval of Spending in a Total Amount of \$71,589.33 for the Purchase of Advertisements to Run in Various Tourism Publications Facilitated by the AJR Media Group

Administrative Comments

1. This item is recommended by the Irving Arts Center.
2. **Impact:** This approval will allow for the purchase of an advertising product selected to reach a specific customer profile based on demographic and readership, their geographic coverage and current Arts Center Marketing goals in support of tourism and event promotion.
3. For the advertising year running August 1, 2019 through August 31, 2020, the Irving Arts Center plans to purchase ads in the amount of \$71,589.33 to run in various tourism products (Texas State Travel Guide, Texas State Event Calendar and Texas Highways Magazine; AAA Texas Journey; and TourTexas.com and the Native Texas Campaign).
4. Three of these media outlets are official publications for attractions in the State of Texas and are distributed through the Texas Travel and Tourism Department with TxDOT as the vendor. AAA Texas Journey is published by AAA Texas, and TexasTour.com and the Native Texan Campaign are provided by AJR Media Group.
5. Funding for Fiscal Year 2018-19 is available in the Irving Arts Center General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Publication(s)	Estimated Expenditures FY 2018-19	Estimated Expenditures FY 2019-20	Total Estimated Expenditure
TxDOT	Texas State Travel Guide Texas Highways Magazine Texas Events Calendar	\$7,132.86	\$31,537.47	\$38,670.33
AAA Texas	AAA Texas Journey	\$4,400.00	\$22,200.00	\$26,640.00
AJR Media Group	TourTexas.com AJR Digital	\$1,129.00	\$ 5,150 .00	\$ 6,279.00
TOTAL		\$12,701.86	\$58,887.47	\$71,589.33

Recommendation

The resolution be approved.

Bids & Purchasing Items

30 - 52

- 30 Resolution - Approving a Vendor/Member Contract Between the City of Irving and Hoyt Breathing Air Products and Authorizing Expenditures in the Total Estimated Amount of \$396,478.08 for the Purchase of SCOTT Self-Contained Breathing Apparatus (SCBA) Safety Air Cylinders through the City of Frisco Interlocal Cooperative Purchasing Agreement.**

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** The purchase of the SCOTT SCBA safety air cylinders will replace older air cylinders that will reach end of life in late 2019 and early 2020.
3. Establishment of a Vendor/Member Contract between City of Irving and Hoyt Breathing Air which expires on March 4, 2020, will allow the city to purchase air cylinders under the best possible terms and conditions for the city.
4. The cylinder is an integral part of the Fire Department’s breathing apparatus and protective gear. It allows firefighters to perform their duties in Immediately Dangerous to Life or Health (IDLH) atmospheres, to include fire extinguishment and overhaul, hazardous materials response and any other incidents where necessary for the safety of firefighters.
5. This purchase will keep the Fire Department in compliance with the National Fire Protection Agency (NFPA) Standard 1981 SCBA for Emergency Services.

6. Funding is available in the Non-Bond CIP Fund.

Vendor	Qty	Item Description	FY 2018-19 Expenditure
Hoyt Breathing Air	375	SCOTT 15 year 45 minute, CGA threaded valve part No. 804722-01	\$373,200.00
	21	SCOTT 15 year 60 minute, CGA threaded valve part No. 804723-01	\$23,278.08
TOTAL			\$396,478.08

Recommendation

The resolution be approved.

31 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Facility Solutions Group LLC, (FSG) and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$200,000.00 for Purchases, Installations, and Repairs of Lighting Systems through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Parks & Recreation Department, the Capital Improvement Program Department – Facilities Services Division, and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and FSG for utilization of BuyBoard Contract No. 527-17, which expires on March 31, 2020, will allow the city to purchase energy saving lighting products under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchase, installation, and repair of lighting systems through the designated BuyBoard contract for the specified contract term. This will allow the city to purchase, install, and repair lighting systems to ensure that all City of Irving facilities are equipped with safe, essential, and progressive lighting components for our customers and employees.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Facility Solutions Group LLC	6/7/19 – 3/31/20	\$ 45,000.00	2018-19
		\$155,000.00	2019-20
TOTAL		\$200,000.00	

Recommendation

The resolution be approved.

32 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and The F. A. Bartlett Tree Expert Company and Authorizing Expenditures in the Total Estimated Amount of \$75,000.00 for As-Needed Tree Maintenance Services through the Choice Partners Purchasing Cooperative, a Division of Harris County Department of Education

1. This item is recommended by the Parks & Recreation and the Economic Development Departments and the Financial Services Department - Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and The F. A. Bartlett Tree Expert Company, for utilization of Choice Partners Contract No. 15/023JN-03 for Tree Trimming, Landscaping, Debris Removal & Other Related Services which expires on April 20, 2020, will allow the city to procure tree maintenance services under the best possible terms and conditions for the city.
3. Approval of this contract supports procurement of as-needed tree maintenance services through the designated Choice Partners contract for the specified contract term. This will ensure that Parks and Recreation parks, open space, and other public facilities are safe for park patrons, residents, and visitors who use city facilities.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
The F. A. Bartlett Tree Expert Company	6/6/19 - 4/20/20	\$37,500.00	2018-19
		\$37,500.00	2019-20
TOTAL		\$75,000.00	

Recommendation

The resolution be approved.

33 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Big City Crushed Concrete and Authorizing Expenditures in the Total Estimated Amount of \$75,000.00 for Onsite Concrete Crushing and Recycling through an Interlocal Cooperative Purchasing Agreement with the City of Grand Prairie

Administrative Comments

1. This item is recommended by the Solid Waste Services Department and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Big City Crushed Concrete for utilization of City of Grand Prairie Contract No. 15085 which expires on March 31, 2020, will allow the city to utilize concrete recycling services under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed use of Big City Crushed Concrete’s services through the designated City of Grand Prairie contract for the specified contract term. Utilization of this contract is for onsite crushing of concrete rubble so that the resulting recycled concrete may be used in the resurfacing of roads at the landfill.
4. Funding for Fiscal Year 2018-19 is available in the Solid Waste Services Enterprise Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Big City Crushed Concrete	6/7/19 – 3/31/20	\$18,750.00	2018-19
		\$56,250.00	2019-20
TOTAL		\$75,000.00	

Recommendation

The resolution be approved.

34 Resolution - Approving an Interlocal Agreement between the City of Irving and the City of Denton to Establish a Cooperative Purchasing Program between the Cities

Administrative Comments

1. This item is recommended by the Financial Services Department – Purchasing Division. It supports Strategic Objective 1.1 – Contain costs and increase operational efficiency.
2. **Impact:** Approval of this Interlocal agreement between the City of Irving and the City of Denton entitles each entity to utilize the other’s competitively solicited contracts for various goods and services when such utilization is determined to create significant savings for the entity.

Recommendation

The resolution be approved.

35 Resolution - Approving Addendum No. 2 to Renew the Contract with Weaver and Tidwell, L.L.P., (Weaver), in the Total Estimated Amount of \$199,500.00 for Professional Auditing Services Relating to Fiscal Year Ending September 30, 2019 and for Additional As-Needed Services in the Total Estimated Amount of \$45,000.00

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Providing audited financial statements is required by City Charter and is necessary to meet bond covenants and provide financial information to the public. The additional as-needed services included as part of this renewal will allow agreed-upon procedures for services related to the Entertainment Center and internal audit projects.
3. Weaver is a Texas-based firm which has been serving Texas clients for over 65 years. The team assigned to the City of Irving has extensive specific governmental audit experience and has performed well.
4. This renewal establishes the continuation of a contract to provide professional auditing services. The original contract was awarded to the firm scoring the highest points through a request for proposals process. The current contract term expires June 30, 2019. This is the second and final one-year renewal option, and the fees associated with this renewal were established at the time of contract award.
5. In addition, approval is requested for the following services:

- Testing compliance with contracts and assisting with internal audit projects on an as-needed basis for which a specific scope of work will be developed in the total estimated amount of \$20,000.00
 - Testing compliance of contracts related to the Entertainment Center, upon receiving specific direction from the City with regard to the particular compliance to be tested in the total estimated amount of \$25,000.00
6. Funding for Fiscal Year 2018-19 is available in the Non-Departmental Budget within the General Fund and in the Entertainment Venue Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Services	Contract Term	FY 2018-19 Est. Expenditure	FY 2019-20 Est. Expenditure	TOTAL	Fund(s)
Weaver & Tidwell, L.L.P.	Professional Auditing Services	7/1/19 – 6/30/20	---	\$199,500.00	\$199,500.00	General
	Internal Audit Projects		\$ 5,000.00	\$ 15,000.00	\$ 20,000.00	
	Compliance Audits – Entertainment Venue		\$ 6,250.00	\$ 18,750.00	\$ 25,000.00	Entertainment Venue
TOTAL			\$ 11,250.00	\$233,250.00	\$244,500.00	

Recommendation

The resolution be approved.

36 Resolution - Renewing the Annual Contract with Ace Pipe Cleaning, Inc., in an Amount Not to Exceed \$750,000.00 for Annual Storm & Wastewater Systems Cleaning, Inspection & Reporting

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact: This contract supports the Road to the Future program.** This contract provides for the cleaning and inspection of existing storm and wastewater mains. Inspections assist engineering staff in determining the best method for replacement, as well as helping determine the condition of new installed mains. Services under this contract also include inspecting for any pipe joint separations or for any sags present within a gravity line, helping to ensure the longevity of the city’s infrastructure.

3. **This item will be discussed at the Transportation & Natural Resources Committee meeting on June 5, 2019.**
4. This renewal establishes the continuation of an annual contract for project-specific storm and wastewater systems cleaning, inspection and reporting. This is the second and final one-year renewal option. The current contract expires on June 30, 2019.
5. In planning for Road to the Future projects, funding for Fiscal Year 2018-19 is available in Water Utilities, Traffic & Transportation and CIP departmental budgets within project-specific funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.
6. Because this contract runs from July 2019 through June 2020, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Est. Amount	Fiscal Year(s)
Ace Pipe Cleaning, Inc.	7/1/2019 – 6/30/2020	\$180,000.00	2018-19
		\$570,000.00	2019-20
TOTAL NOT TO EXCEED AMOUNT		\$750,000.00	

Recommendation

The resolution be approved.

37 Resolution - Approving and Accepting the Bid of All-Tech Fuel Systems, LLC, in the Total Estimated Amount of \$919,597.50 for Briery Fuel Storage Tank Replacement

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and the Fleet Services Division. It supports Strategic Objective 2.5 – Support strategic investments in city facilities.
2. **Impact:** The fueling station at the Briery Yard is in need of renovation. The underground tanks are to be replaced with a more suitable above ground storage facility and the supporting equipment for fueling will be refurbished and/or replaced as needed.
3. **This item will be presented to the Transportation & Natural Resources Committee on June 5, 2019.**

4. Bids were received from two vendors. All-Tech Fuel Systems, LLC, provided the lowest responsive, responsible base bid of \$919,597.50 and is recommended for award of base bid as well as the following alternate items: Alternates 1 & 3 - installation of alternate tank type and one additional tank; Alternates 4 & 5 - removal of underground storage tank system #1 and associated required shoring rather than abandoning in place. Use of these alternate options results in a cost savings of \$209.41.
5. This project includes removal of seven underground fuel storage tanks, the removal of the concrete under the existing fuel storage canopy, and preparation for an installation of a concrete pad suitable for the support of five new above ground fuel storage tanks. Also included are fencing and bollard protection for the new above ground tanks with work on pumps, piping and utilities as defined within the project specifications.
6. Funding in the amount of \$919,597.50 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

38 Resolution - Approving an Agreement with Mart, Inc., in the Total Estimated Amount of \$94,078.00 for Removal and Demolition of the Existing Canopy at the Briery Yard Fueling Station and Associated Site Work through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The fueling station canopy at the Briery Yard is in need of removal and the adjacent warehouse will need modification as the city moves from the current underground storage fuel tanks to the new above ground tanks. This move necessitates modifications to the warehouse adjacent to the location of the new above ground tanks. The work proposed will allow for the successful completion of the new tank installation and will prepare the site for the installation of a new fueling canopy to be completed as the result of an Invitation to Bid (ITB) process.
3. The work to be performed includes demolition and removal of the existing fuel tank canopy, the relocation of the used oil line to an underground location, installation of one 14' x 13' 6" overhead door and one 3' x 7' passage door in Warehouse #132, painting the warehouse and adjacent buildings, and installing and repairing fencing.

4. This work is supported by a Vendor/Member Contract utilizing TIPS Contract No. 170201 which expires on April 26, 2020. The contract was approved by Council on February 28, 2019 by RES-2019-86.
5. Funding in the amount of \$94,078.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

39 Resolution - Approving and Accepting the Bid of Payne Mechanical Services of Texas in the Total Estimated Amount of \$167,670.00 for Cimarron Park Recreation Center HVAC Unit Replacements

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The HVAC units currently in service at Cimarron Park are inefficient, have exceeded their life expectancy, and are in need of replacement. New HVAC units will more efficiently provide climate control for the facility.
3. **This item will be discussed at the Transportation & Natural Resources Committee meeting on June 5, 2019.**
4. Bids were received from eight bidders, three of which were from M/WBE or HUB contractors. One bid was declared non-responsive. Payne Mechanical Services of Texas provided the lowest responsive, responsible bid in the amount of \$167,670.00.
5. Funding in the amount of \$167,670.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

40 Resolution - Approving and Accepting the Bid of Infinity Contractors in the Total Estimated Amount of \$138,057.00 for Lee Park Recreation Center HVAC Unit Replacements

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The HVAC units currently in service at Lee Park are inefficient, have exceeded their life expectancy, and are in need of replacement. New HVAC units will more efficiently provide climate control for the facility.
3. **This item will be discussed at the Transportation & Natural Resource Committee meeting on June 5, 2019.**
4. Bids were received from ten bidders, five of which were from M/WBE or HUB contractors. One bid was declared non-responsive. Infinity Contractors provided the lowest responsive, responsible bid in the amount of \$138,057.00 and is recommended for award.
5. Funding in the amount of \$138,057.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

41 Resolution - Approving and Accepting the Bid of Synergy Environmental Services, LLC, in the Total Estimated Amount of \$73,432.00 for HVAC Refurbishing for the Purchasing Building

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** The air handler unit for the Purchasing building is in need of significant work in order to extend the service life of this equipment. These repairs will extend the time this unit will be able to remain in service providing an overall cost savings compared to replacement of the unit.
3. Bids were received from three vendors, one of which was non-responsive and one of which was retracted. Synergy Environmental Services, LLC, provided the lowest responsive, responsible bid of \$73,432.00. This amount represents the base bid of \$24,951.00 and Alternates 1-5. Inclusion of Alternates 1-5 represents replacement of the blower wheel, the blower motor, the hot water and chilled water coil, and the drain pan, and installation of a UV lighting system consistent with coil size in addition to unit refurbishment.

4. Minority- and/or Women-Owned Business Enterprise participation in this award is 100%.
5. Funding in the amount of \$73,432.00 is available in the City Building Improvement Bond Fund.

Recommendation

The resolution be approved.

42 Resolution - Renewing the Contract with LifeProtection Maintenance and Consulting, Inc., in the Total Estimated Annual Amount of \$155,000.00 for Alarm Services – Maintenance, Repair, Testing, Inspection and Monitoring

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** Services provided under this contract protect city employees and buildings by ensuring the proper operation and monitoring of fire and burglar alarm systems.
3. This renewal establishes the continuation of a contract for providing maintenance, repair, upgrades, testing, inspection, and monitoring of the city’s alarm systems. This is the first of two, two-year renewal options. The current contract expires June 30, 2019.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
LifeProtection Maintenance and Consulting, Inc.	7/1/19 – 6/30/21	\$ 38,750.00	2018-19
		\$155,000.00	2019-20
		\$116,250.00	2020-21
TOTAL		\$310,000.00	

Recommendation

The resolution be approved.

43 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Air Conditioning Innovative Solutions, Inc., (ACIS), and Authorizing Expenditures in the Total Estimated Amount of \$200,000.00 for As-Needed HVAC Equipment Purchases, Installation, Repair, and Parts through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Capital Improvements Program Department – Facilities Maintenance Division and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and ACIS for utilization of TIPS Contract No. 180205 for Trades, Labor & Materials 2 (JOC) which expires on April 22, 2021 will allow the city to procure these goods and services under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchases of HVAC equipment, installation, and repairs which will allow the Facilities Division to respond to the HVAC needs of the more than 60 city facilities that may require the services of this agreement in a timely and efficient manner.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
ACIS	6/7/19 – 4/22/20	\$ 66,000.00	2018-19
		\$134,000.00	2019-20
TOTAL NOT TO EXCEED AMOUNT		\$200,000.00	

Recommendation

The resolution be approved.

44 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Gomez Floor Covering, Inc., and Authorizing Expenditures in the Total Estimated Amount of \$250,000.00 for As-Needed Flooring Purchases and Installation and Repair Services 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. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Gomez Floor Covering, Inc., for utilization of BuyBoard Contract No. 561-18, which expires on May 31, 2020, will allow the city to purchase carpet and tile flooring, stage floor finishing, concrete polishing, grinding and staining under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchase and installation of floor coverings through the designated BuyBoard contract for the specified contract term. This will allow the city to purchase floor covering, installation and repair to provide safe and functional floor surfaces for residents and employees.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Gomez Floor Covering, Inc.	6/7/19 – 5/31/20	\$ 82,500.00	2018-19
		\$167,500.00	2019-20
TOTAL		\$250,000.00	

Recommendation

The resolution be approved.

45 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Iteris, Inc., and Authorizing Expenditures in the Total Estimated Amount of \$500,000.00 for As-Needed Purchases of Video Vehicle Detection Systems through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Iteris, Inc., for utilization of BuyBoard Contract No. 534-17, which expires on May 31, 2020, will allow the city to purchase video vehicle detection systems under the best possible terms and conditions for the city.
3. Approval of this contract supports as-needed purchases through the designated BuyBoard contract for the specified contract term. This will allow the city to purchase video vehicle detection systems for city traffic signals to ensure appropriate traffic operations.
4. Funding for Fiscal Year 2018-19 is available in the Non-Bond CIP Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Iteris, Inc.	6/7/19 – 5/31/20	\$200,000.00	2018-19
		\$300,000.00	2019-20
TOTAL		\$500,000.00	

Recommendation

The resolution be approved.

46 Resolution - Renewing the Contract with ITRON, Inc., in the Total Estimated Amount of \$300,000.00 for ITRON Encoder Receiver Transmitters (ERTs)

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** ITRON ERTs are attached to water meters to allow them to be read remotely. This contract will allow staff to continue to upgrade the current metering system as the city transitions over to a fixed network system through the Advanced

Metering Infrastructure (AMI) project.

3. **This item will be presented to the Transportation and Natural Resources Committee on June 5, 2019.**
4. This renewal establishes the continuation of an annual contract to supply ITRON ERTs. This is the first of two optional one year renewals. The current contract expires June 30, 2019.
5. It was anticipated that usage after the first year would decline as the AMI project neared completion and if renewed, contract value for the following years would be less. This renewal represents the anticipated decrease.
6. Funding for Fiscal Year 2018-19 is available in the Water and Sewer System Fund while funding for Fiscal Year 2019-20 is subject to budget appropriation.
7. Because this annual contract runs from July 2019 through June 2020, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Year(s)
ITRON, Inc.	7/1/2019 – 6/30/20	\$150,000.00	2018-19
		\$150,000.00	2019-20
TOTAL		\$300,000.00	

Recommendation

The resolution be approved.

47 Resolution - Approving the Purchase from Associated Supply Company, Inc. for Various Equipment for Water Utilities in the Total Estimated Amount of \$147,606.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department and approved by the Fleet Services Division.
2. **Impact:** These new vehicles will allow Water Utilities to provide and maintain a reliable potable water system.
3. Water Utilities has been authorized to replace additional equipment with money

from last fiscal year's savings. The equipment being replaced has passed its useful life and meets the criteria for replacement. The attached quotes meet all minimum specifications and are recommended for approval both by Water Utilities and by Fleet Services.

4. These purchases are supported by a Vendor/Member contract between the City of Irving and Associated Supply Company, Inc. The contract was approved by Council on December 13, 2018 by Resolution No. 2018-492 utilizing BuyBoard 515-16 which expires on November 30, 2019.
5. Funding is available in the Water and Sewer System Fund.

Vendor	Item Description	Qty	Replaces City Tag #	Extended Total
Associated Supply Company, Inc.	Case CX37C Cab Dozer	1	32176 (2006 Komatsu Excavator Dozer)	\$ 34,200.00
	Case CX80C Dozer w/Blade	1	32090 (1997 Backhoe Loader)	\$104,850.00
	Case Striker 3M Hammer for Case CX80C	1	32090 (1997 Backhoe Loader)	\$ 8,556.00
TOTAL				\$147,606.00

Recommendation

The resolution be approved.

48 Resolution - Approving the Purchase from Rush Truck Centers of Texas, LP, for a 2020 Peterbilt Model 389 Truck in the Total Estimated Amount of \$131,379.60 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department and approved by the Fleet Services Division.
2. **Impact:** This new vehicle will allow Water Utilities to provide and maintain a reliable potable water system.
3. Water Utilities has been authorized to replace additional vehicles with money from last fiscal year's savings. The vehicle being replaced has passed its useful life and meets the criteria for replacement. The attached quote meets all minimum specifications and is recommended for approval both by Water Utilities and by Fleet

Services.

4. This purchase is supported by a Vendor/Member contract between the City of Irving and Rush Truck Centers of Texas, LP. The contract was approved by Administrative Award no. 6195 on January 14, 2019 utilizing BuyBoard 521-16 which expires on November 30, 2019.
5. Funding is available in the Water and Sewer System Fund.

Vendor	Item Description	Qty	Replaces City Tag #	Extended Total
Rush Truck Centers of Texas, LP	2020 Peterbilt Model 389 Truck	1	32217 (1999 Sterling Lowboy)	\$131,379.60

Recommendation

The resolution be approved.

49 Resolution - Approving the Purchase from Caldwell Country Chevrolet for Various Vehicles for Water Utilities in the Total Estimated Amount of \$130,104.00 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department and approved by the Fleet Services Division.
2. **Impact:** Purchase of the vehicles shown below will allow for replacement of older vehicles in order to reduce vehicle downtime, increase effectiveness and better support the needs of city departments and the residents of Irving.
3. Water Utilities has been authorized to replace additional vehicles with money from last fiscal year's savings. The vehicles being replaced have passed their useful life and meet the criteria for replacement. The attached quotes meet all minimum specifications and are recommended for approval both by Water Utilities and by Fleet Services.
4. This purchase is supported by a Vendor/Member contract between the City of Irving and Caldwell Country Chevrolet. The contract was approved by Administrative Award No. 6057 on September 25, 2018 utilizing BuyBoard 521-16 which was renewed on December 1, 2018 and expires on November 30, 2019.
5. Funding is available in the Water and Sewer System Fund.

Vendor	Item Description	Qty	Replaces City Tag #	Extended Total
Caldwell Country Chevrolet	2019 Chevrolet Silverado 1500	1	32164 (2003 Chevrolet 1500)	\$ 35,810.00
	2019 Chevrolet Silverado 1500	1	32163 (2003 Ford F-150)	\$ 34,978.00
	2020 Chevrolet Silverado 3500HD	1	32181 (2007 Ford F350)	\$ 59,316.00
TOTAL				\$130,104.00

Recommendation

The resolution be approved.

50 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Interstate Trailer, through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department and approved by the Fleet Services Division and Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Interstate Trailer, for the utilization of BuyBoard Contract No. 516-16 which expires on November 30, 2019 will allow the city to procure refuse bodies, trailers, and other bodies under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of an Interstate Trailer 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.

51 Resolution - Approving the Purchase from Interstate Trailer, for a Lowboy Trailer in the Total Estimated Amount of \$74,870.78 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by the Water Utilities Department and approved by the Fleet Services Division.
2. **Impact:** The purchase shown below will allow for replacement of older equipment in order to reduce vehicle downtime, increase effectiveness, and better support the needs of Water Utilities and residents of Irving.
3. Water Utilities has been authorized to replace additional equipment with money from last fiscal year's savings. The equipment being replaced has passed its useful life and meets the criteria for replacement. The attached quotes meet all minimum specifications and are recommended for approval both by Water Utilities and by Fleet Services.
4. This purchase is supported by a Vendor/Member contract between the City of Irving and Interstate Trailer, utilizing BuyBoard Contract No. 516-16 which expires on November 30, 2019 as presented in the previous item on this agenda.
5. Funding in the amount of \$74,870.78 is available in the Water & Sewer System Fund.

Vendor	Qty	Item Description	Total Expenditure
Interstate Trailer	1	Lowboy Trailer Model 110SDGN	\$74,870.78

Recommendation

The resolution be approved.

52 Resolution - Approving Additional Expenditures with Premier Truck Group in the Total Estimated Amount of \$49,000.00 for As-Needed Vehicle Parts and Repairs through an Interlocal Cooperative Purchasing Agreement with the City of Dallas

Administrative Comments

1. This item is recommended by the Fleet Services Division.

2. **Impact:** Approval of this item will provide as-needed repairs and OEM parts for Freightliner vehicles. This allows city vehicles to continue to be repaired following Best Business Practices with minimum downtime while maintaining a high level of service.
3. A Vendor/Member contract between the City of Irving and Premier Truck Group was approved on March 30, 2018 by Administrative Award 5757. The contract supports utilization of City of Dallas Contract No. BN1702 for OEM vehicle, motorcycle, lifts & equipment parts and repairs, which expires on April 11, 2020.
3. Utilization of this contract was initially approved in the total estimated amount of \$49,000.00. Fleet Services recommends increasing the original amount by \$49,000.00 to ensure timely response to parts and repair service needs for the remainder of the contract term. This brings the total spending authorization for this contract to \$98,000.00 through April 11, 2020.
4. Funding for Fiscal Year 2018-19 is available in the Garage Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year(s)
Premier Truck Group	6/7/2019 – 3/30/20	\$12,250.00	2018-19
		\$36,750.00	2019-20
TOTAL		\$49,000.00	

Recommendation

The resolution be approved.

End of Bids

53 Ordinance - Authorizing the Dedication of a Lien on the Georgia Farrow Recreation Center to Secure the City’s Repayment Obligations on Its Section 108 Loan Agreement with the U.S. Department of Housing and Urban Development; and Enacting Other Provisions Incident and Relating to the Subject.

Administrative Comments

1. This item has been recommended by the Planning and Community Development Department.
2. **Impact:** The Section 108 Guarantee Loan Program will provide funds to repair and expand the Georgia Farrow Recreation Center.

3. City Council has previously approved Resolutions RES-2018-42, RES-2018-188, RES-2019-39, and Ordinance ORD-2019-10173 in support of the City pursuing the Section 108 Guarantee Loan from the U.S. Department of Housing and Urban Development (HUD).
4. Ordinance ORD-2019-10173 approved on April 4, 2019 conditionally pledged the City's full faith and credit in support of its obligation as the borrower under the Section 108 Guarantee Loan.
5. In order to address HUD requirements, the City wishes to issue a new ordinance to pledge alternative means for securing its repayment obligation.
6. This Ordinance will authorize the placement of a lien on the Georgia Farrow Recreation Center to secure the City's repayment obligation under the Contract and Note.

Recommendation

The ordinance be adopted.

54 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of Public Utility Easements in Phase 1 and 2 of the Terraces of Las Colinas Addition, a Residential Subdivision

Administrative Comments

1. This item has been recommended by the Capital Improvement Department.
2. **Impact:** The portions of the public utility easements being abandoned do not contain utilities and the abandonment thereof will allow the developer to construct porches in the dedicated front yards alleviating the current issue of encroachment into the existing 10 foot utility easements in Phase 1 and 2 of the Terraces of Las Colinas Addition, a Residential Subdivision.
3. Water Utilities Department has approved the requested abandonment of these public utility easements.

Recommendation

The ordinance be adopted.

ZONING CASES AND COMPANION ITEMS

- 55 **Ordinance - Zoning Case #ZC18-0090 - Comprehensive Plan Amendment Changing the Recommended Land Use from "Business District" to "Commercial Corridor", and Granting C-OU-2 (Commercial Outdoor) District - Approximately 0.92 Acres Located at 2334 Penn Street - Yana Gladtskova, Applicant/Owner (Postponed from April 4, 2019)**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: March 18, 2019 – Postpone to April 1, 2019, 8-0 (Commissioner Richards, absent). April 1, 2019 – Postpone to May 6, 2019, 7-0 (Commissioners Zeske and Richards, absent). May 6, 2019 – Postpone to July 15, 2019, 7-0 (Commissioners Richards and Cronenwett, absent).
2. The request is for an amendment to the Comprehensive Plan from *Business District* to *Commercial Corridor* uses and a zoning change to allow for automobile sales on this lot. The *Business District* is described as “Flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking.” The *Commercial Corridor* is described as “Auto-oriented district for retail, office and commercial uses. Parking in front with buildings set back from the street. Low to midrise buildings.”
3. The 2017 Imagine Irving Comprehensive Plan states that, if an area that is designated and/or developed as non-residential desires to transition to a different non-residential use, the City of Irving should require the following for existing development:
 - a) The area meets all compatibility standards for adjacent uses.
 - b) The rezoning does not cause any negative impacts on adjacent uses.Staff believes the criteria have been met.
4. In July 2018, the subject property was cited by Code Enforcement for the following violations: inoperable vehicles, outdoor storage, and zoning violation. The applicant worked extensively to clean up the property by removing the outdoor storage items and inoperable vehicles and was given a certificate of compliance in October 2018.
5. The applicant is requesting the rezoning to the C-OU-2 (Commercial Outdoor) District to use the property to store and sell automobiles. Storage of inoperable vehicles will not be allowed. The area of the lot where automobiles will be parked will need to be paved in accordance with current City requirements.
6. The adjacent area has already been largely developed with light industrial uses, some of which allow some type of accessory outdoor storage. Most of the surrounding properties have businesses that include truck and trailer sales and repairs, equipment sales, warehousing, and other light industrial type uses. Given this trend, staff believes the proposed use would be suitable in this area.

7. The existing fence on the property was installed without a permit and violates both the current ML-20 District requirements as well as the proposed C–OU-2 zoning, which requires a 25-foot front yard setback. Should the zoning be approved, staff recommends that the fence be removed, no parking be allowed in the front setback, and the 25-foot front yard be landscaped with grass in accordance with the City’s landscaping requirements. If the requested zoning is not approved, the applicant must move the fence to comply with the 30-foot setback of the ML-20 District.
8. Additionally, two mature trees currently exist within the front yard area. Staff recommends the addition of one additional four-inch caliper tree to the front yard landscape area, which will also satisfy the landscape and tree standards.
9. Redevelopment of the property must be in conformance with all regulations and ordinances.
10. This case was postponed from the April 1, 2019 Planning and Zoning Commission meeting. During the public hearing, the Commission expressed concerns about the possibility of certain outdoor storage uses that could be more intense than the automobile sales desired by the applicant. The Commission discussed the possibility of using a site plan zoning to limit the intensity of uses and possible screening enhancements or similar restrictions. The applicant was amenable to this suggestion. The Commission then made a recommendation that the applicant return to the May 6, 2019 meeting with a modified request for site plan zoning on the property.

Since the applicant is going to be out of town for an extended period of time, he requested that the Commission postpone the case to the July 15, 2019 Planning and Zoning Commission meeting in order to give him more time to create the site plan zoning exhibit. Accordingly, this case should be postponed to the August 1, 2019 City Council meeting.
11. A total of 19 public notices were mailed. Staff received one (1) response in support and none in opposition to this request.
12. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

Postpone to August 1, 2019.

56 Ordinance - Zoning Case #ZC19-0012 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 2.62 Acres Locate at 3215 Regent Boulevard - Cross Engineering Consultants, Applicant - Front Burner Restaurants, LP., Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: May 6, 2019 – Favorable 7-0 (Commissioners Richards and Cronenwett, absent).
2. The 2017 Imagine Irving Comprehensive Plan recommends *Business District* uses for the subject property, which allows flexible use districts for retail, office and commercial uses. It includes predominantly mid-rise buildings with a mix of surface and structured parking. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property is a 10,793 sq. ft. restaurant with a patio on a proposed new 2.62 acre lot. The applicant is proposing rezoning to allow a new Mexican Sugar restaurant to sell alcoholic beverages for on-premises consumption.
4. The restaurant is surrounded by other non-residential uses.
5. The restaurant has 394 seats, with 321 interior seats and 73 outside dining seats. A total of 158 parking spaces are required at one space for each 2.5 seats. 165 parking spaces are provided on the proposed lot.
6. The request complies with all requirements of the S-P-1 for R-AB ordinance.
7. A total of 11 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
8. 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.

57 Ordinance - Zoning Case #ZC19-0019 - Granting S-P-2 (Generalized Site Plan) District for R-6 (Single Family) Uses - Approximately 0.3 Acres Located at 2805 W. 18Th Street - JDJR Engineers and Consultants, Inc., Applicant - ZKB Properties, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 - Pending.

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. The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting a zoning change for exceptions to the required lot width and lot area in order to plat and build two new single family homes.

Sect. 35-16 Neighborhood Protection Ordinance.		
Transition requirement: Whenever a tract of land or lot zoned for any type of single family use is proposed to be subdivided into tracts or lots that are less than 80 percent of the area of adjacent developed tracts or lots, transition lots are required to be included as a buffer area between existing developed tracts or lots and the proposed tracts or lots.		
	Adjacent Lots	Proposed Lots
Lot Width	Between 50 to 187.52 feet To be at least 80% of the average surrounding lot width and lot area, the lots would need to be a minimum of 66.73 feet wide	50 ft. (Exception Required)
Lot Area	Between 6,525 square feet to 24,471 square feet To be at least 80% of the average surrounding lot width and lot area, the lots would need to have an area of 8,693 square feet.	6,525 sq. ft. (Exception Required)
Other R-6 Requirements		Complies

4. A total of 38 public notices have been mailed. Staff has not received any responses in support of or in opposition to this request.
5. Staff can support this request since no variances are being requested from the R-6 (Single Family) district and the lots across the street are of nearly identical proportions. It should also be noted that over the past 20-25 years this entire street

has been re-developing from a manufactured home community to a mostly traditional single family home neighborhood with only a few manufactured homes remaining. Adding two additional lots would help continue this redevelopment. In fact, the large lot to the east of the subject property which triggers the Neighborhood Protection Ordinance is currently developed with two manufactured homes.

Recommendation

The ordinance be adopted.

58 Ordinance - Zoning Case #ZC19-0020 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 0.0471 Acres Located at 3311 Regent Boulevard - Burgerim C/O Salvam Properties, Applicant - Mori's Engineering, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: May 6, 2019 – Favorable 7-0 (Commissioners Richards and Cronenwett, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Commercial Corridor for this property. Auto-oriented district for retail, office and commercial uses are appropriate for this land use. Parking is in front with buildings set back from the street. This district typically provides low to midrise buildings. This request is in conformance with the plan.
3. The applicant is requesting rezoning to allow the Burgerim restaurant to have the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.
4. The subject property is a lease space in a multi-tenant retail building. The restaurant is 2,051 square feet in area with a total of 51 seats. There will not be a patio or outdoor dining area.
5. A total of 21 parking spaces are required at 1 space per 2.5 seats and is available within the existing retail center.
6. The proposed request meets all requirements of the approved zoning and the R-AB zoning district requirements.
7. A total of 12 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.

8. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

59 Ordinance - Zoning Case #ZC19-0022 - Granting S-P-2 (Generalized Site Plan) District for C-OU-2 (Commercial Outdoor) Uses - Approximately 2.14 Acres Located at 2200 Carl Road - Claymoore Engineering, Applicant - Clay E. Cooley, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: May 6, 2019 – Favorable 7-0 (Commissioners Richards and Cronenwett, absent).
2. The 2017 Imagine Irving Comprehensive Plan recommends *Commercial Corridor* uses for the subject property, which includes auto-oriented retail, office and commercial uses. Parking is typically in front with low-to-midrise buildings set back from the street. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property is a 2.14 acre tract of undeveloped land on the east side of Carl Road across from the three existing Clay Cooley auto dealerships on the north side of State Highway 183, and east of the new Clay Cooley auto dealership being developed on the south side of State Highway 183. The applicant is proposing rezoning to allow a parking lot for the employees of the four auto dealerships.
4. The site plan zoning will allow only the parking of employee cars, and prohibits display, sales, and service of new or used cars and trucks, or the storage of dealership inventory or cars waiting to be serviced or repaired.
5. A shuttle will be provided to workers to travel from the parking lot to the dealership sites.
6. The site plan includes a note stating that all landscaping required by the State Highway 183 Overlay District will be provided, including a 30-ft wide landscape buffer with one tree per 30 linear feet of right-of-way adjacent to State Highway 183, a 15-ft landscape buffer with one tree per 40 linear feet of right-of-way along Carl Road, shrubs screening the parking from the street, and required trees within the parking lot.

7. A total of nine public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
8. 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.

60 Ordinance - Zoning Case #ZC19-0031 - Granting HCD-CMU (Heritage Crossing District - Corridor Mixed Use Subdistrict) Uses - Approximately 1.79 Acres Located at 300 S. O'Connor Road - Robert S. Romano, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 - Pending.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Compact Neighborhood Commercial* uses for this property. The *Compact Neighborhood Commercial* land use category is described as “Predominantly single family homes with a diverse mix of building types including small lot cottage homes, clustered courtyard homes, townhouses, rowhouses, and small-scale apartment buildings with some mix of non-residential uses, especially at intersections and commercial corners.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The existing house on this property was previously used as a doctor’s office. The new property owner is wishing to lease the property for general retail uses. Upon applying for a Certificate of Occupancy for the building, the owner was informed by the Inspections Department that a change in zoning would be required for the proposed General Retail use.
4. The property is on the border between the Neighborhood Mixed Use subdistrict and the Corridor Mixed Use subdistrict. Prior to the adoption of the Heritage Crossing District in November 2016, the property was zoned Downtown Development District – Transition subdistrict which allowed for most of the same uses as are included in the HDC-CMU district. The property to the south is also used as a business. Changing the property to the Corridor Mixed Use subdistrict would not be out of character for this area.

5. No variances are being requested to any of the Heritage Crossing District – Corridor Mixed Use District requirements.
6. A total of 23 public notices were mailed. Staff has not received any responses in support and has received three (3) responses in opposition to this request. The opposition represents 17.42% of the land within 200 feet of the subject property. Since this is less than 20%, a $\frac{3}{4}$ vote is not required for approval.
7. Since the applicant is not proposing any exterior changes to the existing structure or parking layout, Corridor Mixed Use uses are directly to the north, and it conforms to the Comprehensive Plan Future Land Use Map which supports some mix of non-residential uses especially at intersections and commercial corners, staff can support this request.

Recommendation

The ordinance be adopted.

61 Ordinance - Zoning Case #ZC19-0033 - Granting S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption), Theater and General Event Uses with a Variance to the Distance Separation Requirements from a Church - Approximately 0.3994 Located at 222 E. Irving Boulevard - Mainstage Irving, Applicant - City of Irving, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 3, 2019 – Pending.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Main Street* uses for this property. The *Main Street* land use category is a mixed-use walking district with single-story and multi-story buildings, a continuous street wall, on-street parking, and pedestrian-designed streets and buildings. The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting rezoning to allow a theater rehearsal and performance space with the attendant accessory use of the sale of alcoholic beverages for on-premises consumption, and a variance to the distance separation requirement from a church.
4. The 17,400 square foot site is owned by the City and is currently developed with an 8,785 square foot building. The building was rezoned in May 2014 for a museum

with the attendant accessory use of the sale of alcoholic beverages for on-premises consumption, and a variance to the distance separation requirement from a church. The City's lease with the museum has been terminated.

5. On May 2, 2019, the City Council approved a lease agreement with Mainstage Irving to use the facility for the rehearsal and presentation of theatrical and musical performances, restaurant, hosting meetings, instructional workshops and conventions of related groups and professional organizations, and attendant uses of office and storage.
6. The required distance from the front door of an establishment selling alcoholic beverages to the nearest door of a church is 300 feet. The door is approximately 224 feet from the nearest door of the church on Delaware Street, as was approved with the previous zoning case.
7. Per Section 54-49(a)(14) of the zoning ordinance City Council may grant a variance to the separation requirements if it determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes a waste or inefficient use of land or other resources, creates an undue hardship on an applicant, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council determines is in the best interest of the community after consideration of the health, safety, and welfare of the public and the equities of the situation. The City Council has discretion to approve the variance if it determines those criteria have been met.
8. While the venue is within 300 feet of a church, it is not a full-time restaurant. Alcoholic beverages would be served as a secondary use to the principal theater use in accordance with the City's alcoholic beverage ordinance. The availability of alcoholic beverage sales will help to attract and support the theater and its special events.
9. The parking for the theater is provided by 12 on-street parking spaces which are adjacent to the building and 107 parking spaces that are on-street and on nearby city-owned property.
10. No outside amplification will be allowed after 11 p.m. Sundays through Wednesday and after 12 a.m. on Thursday, Friday, and Saturday. Patrons will not be allowed to transport alcoholic beverages from the site.
11. A total of 61 public notices were mailed within a 500-ft. radius. Staff has received three (3) responses in support and none in opposition to this request.

Recommendation

The ordinance be adopted.

APPOINTMENTS AND REPORTS

62 Resolution - Selection of Mayor Pro Tem and Deputy Mayor Pro Tem by City Council

Administrative Comments

1. **Impact:** The selection of a Mayor Pro Tem and Deputy Mayor Pro Tem assures continuity of municipal government in the absence of the Mayor or Mayor Pro Tem.
2. In accordance with the City of Irving Charter, Article IV, Section 10, the City Council shall select from among the eight (8) council members a Mayor Pro Tem who shall perform all duties of the Mayor in the Mayor's absence or disability and a Deputy Mayor Pro Tem who shall perform all duties of the Mayor Pro Tem in the Mayor Pro Tem's absence or disability.

Recommendation

The resolution be approved.

63 Resolution - Appointments to the Dallas Area Rapid Transit Board of Directors to Terms Expiring July 2021

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The City's representation on the Dallas Area Rapid Transit (DART) Board assures representation when decisions are being made that impacts the City.
3. In accordance with state law, DART board members serve two-year terms. Currently Rick Stopfer represents Irving (100%), Doug Hrbacek represents Irving (20%) and the City of Carrollton (80%). Terms for both representatives expire July 1, 2019.
4. The City of Carrollton will reappoint Doug Hrbacek at their June 4, 2019 City Council meeting.

Recommendation

The resolution be approved.

64 Mayor's Report

Adjournment