

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, August 1, 2019 at 7:00 PM**  
**City Hall, First Floor, Council Chambers**  
**825 W. Irving Blvd., Irving, Texas 75060**

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Organizational Service Announcements

Invocation

Minister John Ketchersid, Spirit of Unity

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 71

**CITY COUNCIL AGENDA**

**1 City Operations Update**

**CONSENT AGENDA**

**2 Approving Work Session for Wednesday, July 17, 2019**

**3 Approving Regular Meeting Minutes for Thursday, July 18, 2019**

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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.

**4 Ordinance - Amending Ordinance No. 2018-10104 Providing Budget Adjustment #7 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, Economic Development Fund, and General Non-Bond CIP 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.

**5 Resolution - Approving an Agreement with All City Management Services, Inc. in the Total Not-To-Exceed Amount of \$708,788.78 for School Crossing Guard Services for a One-Year Term**

**Administrative Comments**

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** The School Crossing Guard program provides a critical safety service to the children and adult residents of Irving by assisting in providing a safe environment going to and from school. The outsourcing of this service enhances our ability to provide adequate coverage, training, and supervision at all designated school crossings within the City of Irving. This is the first of four one-year renewal options.
3. This is the first of four one-year contract renewals. Contract period begins on October 1, 2019 and ends September 30, 2020.
4. Funding not to exceed the amount of \$708,788.78 for Fiscal Year 2019-20 is available in the Police Department budget within the General Fund, pending council approval of the proposed FY 2019-20 budget.

**Recommendation**

The resolution be approved.

**6 Resolution - Approving the First Amendment to the Interlocal Agreement for Forensic Laboratory Services Between the City of Irving and Dallas County**

**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:** The Southwest Institute of Forensic Sciences (SWIFS) provides toxiological, physical evidence, and other similar forensic analytical services for the Irving Police Department to conduct sound investigations.
3. Due to the need for additional services as required by a new case process at the Dallas County District Attorney's office, the original contract amount of \$900,000.00 over three years has been increased to \$1,233,300.00.
4. Funding in the new total amount of \$1,233,300.00 is available in the Police Department budget within the General Fund in FY 2018-2019, and subject to funds being appropriated in FY 2019-2020 and FY 2020-2021.

**Recommendation**

The resolution be approved.

**7 Resolution - Approving an Agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency (THSSAA) to Receive and Participate in the Fiscal Year 2019 Homeland Security Grant Program and Authorizing the Mayor to Execute Any Necessary Documents Related to the Grant for the Planning Enhancement Project**

**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 grant will allow the City of Irving to continue funding and implementing emergency management and homeland security projects that significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.
3. The City of Irving has been awarded a FY2019/20 Homeland Security Grant Program (HSGP) for a total of \$122,198.34 for the Urban Area Security Initiative (UASI).
4. The Planning Enhancement project pays 100% of the salary and benefits for the Emergency Management Planner position and GIS specialist for one year.

5. The grant is for the period of March 1, 2020, to February 28, 2021.
6. Pursuant to the conditions contained in the grant sub-recipient agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency, this is a reimbursement grant which reimburses 100% of allowable expenditures.

**Recommendation**

The resolution be approved.

**8 Resolution - Approving an Agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency (THSSAA) to Receive and Participate in the Fiscal Year 2019 Homeland Security Grant Program and Authorizing the Mayor to Execute Any Necessary Documents Related to the Grant for the IPD SWAT Equipment Enhancement Project**

**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 grant will allow the City of Irving to continue funding and implementing emergency management and homeland security projects that significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.
3. The City of Irving has been awarded a FY2019/20 Homeland Security Grant Program (HSGP) for a total of \$21,000.00 for the Urban Area Security Initiative (UASI).
4. The project includes equipment which will be used by the Police Department Tactical Team.
5. The grant is for the period of September 1, 2019 through August 31, 2020.
6. Pursuant to the conditions contained in the grant sub-recipient agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency, this is a reimbursement grant which reimburses 100% of allowable expenditures.

**Recommendation**

The resolution be approved.

**9 Resolution - Approving an Agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency (THSSAA) to Receive and Participate in the Fiscal Year 2019 Homeland Security Grant Program and Authorizing the Mayor to Execute Any Necessary Documents Related to the Grant for the IFD Specialized Training Project**

**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 grant will allow the City of Irving to continue funding and implementing emergency management and homeland security projects that significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.
3. The City of Irving has been awarded a FY2019/20 Homeland Security Grant Program (HSGP) for a total of \$21,000.00 for the Urban Area Security Initiative (UASI).
4. The Fire Department Specialized Training project will provide the Irving Fire Department updated training.
5. The grant is for the period of September 1, 2019, to August 31, 2020.
6. Pursuant to the conditions contained in the grant sub-recipient agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency, this is a reimbursement grant which reimburses 100% of allowable expenditures.

**Recommendation**

The resolution be approved.

**10 Resolution - Authorizing Additional Spending in the Estimated Amount of \$200,000.00 to Elite at Irving Golf Club, LLC, Formerly Elite at Twin Wells Golf Course, LLC, for Professional Management Services During the Golf Course Renovation Phase**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department. It supports Strategic Goal No. 4.4: Clearly define service levels and resources required.
2. **Impact:** Delays created by significant flood damage to the course sustained in September and November of 2018 have necessitated extending the renovation phase for the Twin Wells Golf Course by two months. Approval of this authorization will provide \$200,000.00 for operating expenses during July and August of 2019.

3. Funding in the amount of \$200,000.00 for Fiscal Year 2018-19 is available in the Parks and Recreation Department budget within the General Fund.

**Recommendation**

The resolution be approved.

**11 Resolution - Approving a Management Agreement Between the City of Irving and Elite at Irving Golf Club, LLC for Irving Golf Club Course Management and Operation Upon Reopening of Facility**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of this agreement between City of Irving (“City”) and Elite at Irving Golf Club (“Manager”) will provide professional golf course management upon reopening of the facility for play.
3. Requests for Proposals were solicited for these services and proposals were received from five firms. A city staff evaluation team comprised of members from the Parks and Recreation, Financial Services, and Capital Improvement Program departments reviewed the responses and held one-on-one interviews with all five firms.
4. The selection was based on the expertise, knowledge and abilities of Elite’s team to maintain and operate Irving Golf Club.
5. This initial term of this agreement will be effective as of the day the course reopens thru September 30, 2022. The agreement may be extended by two (2), two (2) year renewal terms.
6. Manager will be responsible for providing an on-site general manager, employing competent management and operating staff that is trained in the necessary facets of golf course facility management, purchasing supplies and equipment, maintaining inventory, overseeing advertising and marketing, assuring operations are in compliance with applicable laws, coordinating with the City on all aspects of this agreement, and overseeing all other matters reasonably necessary for the efficient performance of operations in connection with Irving Golf Club.
7. Elite at Irving Golf Club will be paid a \$4,000.00 per month management fee during the initial term and any renewal term.
8. Manager will operate as an independent contractor for the City and establish golf course accounts at a banking institution approved by City Representative.
9. Manager is responsible for maintaining compliance with these and all other provisions outlined in the Management Agreement.

10. Funding for Fiscal Year 2018-19 is available in the Parks and Recreation department budget within the General Fund, while Fiscal Year 2019-20 funding is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Elite at Irving Golf Club, LLC	8/30/19 – 9/30/22	\$ 200,000.00	2018-19
		\$1,312,200.00	2019-20
<b>TOTAL</b>		<b>\$1,512,200.00</b>	

**Recommendation**

The resolution be approved.

**12 Resolution - Approving the Special Event Permit Application for the City of Irving’s Laughs by the Lake Event, to be Held at the Levy Outdoor Plaza, Located at 501 E. Las Colinas Blvd., Irving, Texas on August 23, 2019**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of the Special Event Permit Application for the 2019 Laughs by the Lake event is in compliance with the requirements as outlined in the Special Event Permit Application which requires City Council Approval for all events with more than 2,500 participants and/or spectators and for time periods that exceed four and one-half hours any time between 7:00 am and 1:00 am.
3. City Council has approved funding to support citywide special events.
4. If the estimated number of participants and spectators exceeds 2,500 during any day of the special event or any portion of the event is to take place on city property, the City of Irving Special Events Team will coordinate with Risk Management to procure and keep in full force and effect, for the duration of the event, insurance written by an insurance company approved by the State of Texas and acceptable to the City and issued in the standard form approved by the Texas Department of Insurance.
5. To fulfill the safe execution of City of Irving special events, spearheaded by the Parks and Recreation Department, there is a logistical need for street closures and/or traffic management and security services by the Irving Police Department as it relates to the attached list of special events.

**Recommendation**

The resolution be approved.

### 13 Resolution - Approving the Amended City of Irving Investment Policy

#### Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** The approval of the investment policy will be in accordance with state law and allow staff to continue to safely maximize earnings for the City.
3. **This item was presented to the Audit & Finance Committee on June 19, 2019.**
4. State law and the City of Irving Investment Policy require annual review by the City Council.
5. The last Council review was on August 2, 2018.
6. In accordance with state law, a listing of authorized brokers and investment training providers has been provided to Council.
7. Proposed amendments to Article VI: Responsibility and Control are to update the titles of the Designated Investment Officials for the Irving Arts Center and Irving Convention and Visitors Bureau.
8. The Designated Investment Official for the Irving Arts Center is the Assistant Executive Director of Finance and Administration.
9. The Designated Investment Officials for the Irving Convention and Visitors Bureau are the Accounting and Budgeting Director or Assistant Executive Director – Finance and Administration.

#### Recommendation

The resolution be approved.

### 14 Resolution - Amending Authorized City of Irving Representatives in the Texas Local Government Investment Pool ("TexPool")

#### Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow named City staff to conduct transactions in the Texas Local Government Investment Pool (TexPool).
3. The City currently utilizes TexPool as an authorized investment under the Texas Public Funds Investment Act, as amended from time to time.
4. The Authorized Representatives named in the resolution will be able to deposit, withdraw, transfer, and take necessary actions appropriate for the investment of City funds.

5. The resolution names the Chief Financial Officer, Finance Director, Treasury Manager, and Treasury Administrator as Authorized Representatives from the City. This is consistent with the Approved City Investment Policy.
6. The amendments being made are to add the Finance Director and to update the title of the fourth representative.

**Recommendation**

The resolution be approved.

**15 Resolution - Amending Authorized City of Irving Representatives in the Texas Short Term Asset Reserve Program ("TexSTAR")**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow named City staff to conduct transactions in the Texas Short Term Asset Reserve Program (TexSTAR).
3. The City currently utilizes TexSTAR as an authorized investment under the Texas Public Funds Investment Act, as amended from time to time.
4. The Authorized Representatives named in the resolution will be able to deposit, withdraw, transfer, and take necessary actions appropriate for the investment of City funds.
5. The resolution names the Chief Financial Officer, Finance Director, Treasury Manager, and Treasury Administrator as Authorized Representatives from the City. This is consistent with the Approved City Investment Policy.
6. The amendments being made are to add the Finance Director and to update the title of the fourth representative.

**Recommendation**

The resolution be approved.

**16 Resolution - Renewing the Licensing and Related Services Agreement with Midwest Tape, LLC, in the Total Estimated Amount of \$100,000.00 for the Hoopla Digital Delivery Platform**

**Administrative Comments**

1. This item is recommended by the Library Services Department.
2. **Impact:** Use of the *hoopla digital* delivery platform supports the needs of library patrons by providing 24/7 access to hundreds of thousands of movies, television programs, full music albums, eBooks, and eAudiobooks for checkout with may be accessed through personal digital devices such as smart phones, tablets, e-readers and computers. *hoopla digital* is one of several electronic content services provided to supply library customers with a wide variety of electronic publications and media. Multiple digital vendors are required, as each service covers a limited number of publishers, types of content, formats or supported end-user devices.
3. The circulation of digital content continues to increase as the public gains more access to internet services and personal devices. *hoopla digital* provides a unique service model allowing an unlimited number of circulations per licensed copy which is then available to be borrowed by an unlimited number of individual patrons simultaneously, so all titles are always available. This model allows a vast choice of titles for patrons with a ‘pay per circulation’ average cost of \$2.09 per item checked out.
4. This will be the 4<sup>th</sup> renewal of the licensing and servicing agreement which will provide the continuation of *hoopla digital* services that expired July 31, 2019.
5. Funding for Fiscal Year 2018-2019 is available in the Library Services Department budget within the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.
6. Because this contract term runs from August 2018 through July 2019, it is possible that more than the estimated amounts show 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 declared spending amount is not exceeded.

Vendor	Remaining Contract Term	Total Est. Expenditure	Fiscal Year (s)
Midwest Tape	8/01/2019 – 9/30/2019	\$14,000.00	2018-19
Midwest Tape	10/1/2019 – 7/31/2020	\$86,000.00	2019-20
	<b>Total:</b>	<b>\$100,000.00</b>	

**Recommendation**

The resolution be approved.

**17 Resolution - Authorizing the Filing of an Amended Petition in the City of McAllen, Et Al. Vs. State of Texas Lawsuit to Challenge S.B. No. 1152 and Ratifying Actions Taken to Date in the Lawsuit**

**Administrative Comments**

1. This item is recommended by the City Attorney's Office and City Manager's Office.
2. **Impact:** Amending the current *City of McAllen et al. v. the State of Texas* lawsuit to challenge S.B. No. 1152 will allow the City to seek redress in court to prevent the City from losing an estimated \$2.7 Million in revenue on telecom and cable franchise fees.
3. This item was briefed in Executive Session on July 17, 2019.

**Recommendation**

The resolution be approved.

**18 Resolution - Selecting Garver as the Most Highly Qualified Provider of Professional Services for the Reconstruction of Irving Boulevard from Sowers Road to Strickland Plaza and Authorizing Staff to Negotiate an Agreement with Said Provider**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. This item supports Strategic Goal No. 2.5: Support strategic investments in city facilities.
2. **Impact:** This consulting contract will design the roadway reconstruction of Irving Blvd. from Sowers Road to Strickland Plaza.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. This contract includes the design of 8,600 linear feet of 8-inch and 12-inch water mains, 6,100 linear feet of 8-inch and 12-inch wastewater mains, approximately 8,000 linear feet of various sized storm drain pipe systems, and 6,300 linear feet of 10-inch reinforced concrete pavement. Irving Blvd. is proposed to be reduced to two (2) traffic lanes one-way (west bound), to include bike lanes and sidewalks and be designed as a complete streets urban designed project.
5. Requests for qualifications were solicited for the design project. Qualifications were received from 8 firms. Five were chosen to be interviewed. Garver has been determined to be the most highly qualified provider for design of the work solicited.
6. The Capital Improvement Program Department recommends selecting Garver for the following reasons: their team has a proven track record with other area cities

for the design of roadway paving with utilities, their team did an exceptional job identifying several project opportunities; their team recognized constraints with the existing right-of-way and storm water conditions, they provided design considerations regarding traffic control and construction phasing. Their team has an exceptional experience in regard to paving, water and wastewater mains, drainage, traffic control, construction phasing and public outreach. The Garver team has a strong reputation for performing this type of work.

7. Construction is anticipated to be funded in FY2021-22.
8. Minority-and/or Women-owned Business (M/WBE) participation in this award is 10%.

**Recommendation**

The resolution be approved.

**19 Resolution - Awarding a Contract to Humphrey and Morton Construction Company, Inc. in the Amount of \$391,348.00 for the Drayton Drive Retaining Wall and Pavement Repairs Project**

**Administrative Comments**

1. This item has been recommended by the Capital Improvement Program Department. This item supports Objective 2.5: Support strategic investments in city facilities.
2. **Impact: This contract supports The ROAD TO THE FUTURE Program.** This project impacts the neighborhood at the end of the cul-de-sac and will improve the structural stability and longevity of the retaining wall adjacent to an overhead Oncor Electrical Power Transmission easement.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. Bids were received from three (3) bidders. One bidder was declared nonresponsive. Humphrey and Morton Construction Company, Inc. submitted the lowest responsive responsible bid of \$391,348.00. This is \$105,652.00 (21.26%) below the funding allocated for this project.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%.
6. Funding in the amount of \$391,348.00 is available within the Street Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**20 Resolution - Awarding a Contract to Tiseo Paving Company in the Amount of \$7,446,002.90 for the Las Colinas Blvd Utility & Paving Reconstruction Phase 3 (South Retail to Lake Carolyn Pkwy) Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. This item supports Objective 2.4: Maintain and extend water, wastewater and storm water systems.
2. **Impact: This contract supports the ROAD TO THE FUTURE PROGRAM.** This work is part of the priority replacements for the Traffic and Transportation and Water Utilities Departments. This project impacts approximately 12 commercial properties and will improve paving, storm sewer, water and wastewater systems.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. This project will replace the paving, storm sewer and water systems along Las Colinas Blvd from the south retail area to Lake Carolyn Pkwy. This project will also replace the VCP wastewater services that cross Las Colinas Blvd within the same limits.
5. Bids were received from four (4) bidders. Tiseo Paving Company submitted the lowest responsive responsible bid of \$7,446,002.90. This is \$967,980.40 (13%) below the funding allocated for this project.
6. Minority and/or Women-owned Business (M/WBE) participation in this award is 3.5%.
7. Funding in the amount of \$ 926,136.50 is available within the Water Improvement Bond Fund and Funding in the amount of \$ 3,14,725.00 is available within the Sanitary Sewer Bond Fund and Funding in the amount of \$ 6,205,141.40 is available with the Street Improvement Bond Fund.

**Recommendation**

The resolution be approved.

**21 Resolution - Authorizing Dallas County to Resell the Tax Foreclosed Property Located at 1911 Rose Street by Public or Private Sale to a Qualified Purchaser as Provided by Texas Tax Code Section 34.05**

**Administrative Comments**

1. This item is recommended by the Dallas County, Irving School District, and the Capital Improvement Program Department.

2. **Impact:** The property, 1911 Rose Street did not receive sufficient bids as set by law and was struck-off to the Irving Independent School District, as Trustee for itself and for the County of Dallas and the City of Irving (the "Taxing Authorities"). Dallas County desires to resell said property pursuant to Texas Tax Code Section 34.05, which requires the consent of the Taxing Authorities.
3. **This item will be presented to the Transportation and Natural Resource Committee on July 31, 2019.**

**Recommendation**

The resolution be approved.

**22 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-NA2-NA3, Located at 801 N. Walton Walker Blvd. in the Amount of \$18,010**

**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 0.046 acre utility easement, across Parcel 115-NA2-NA3, situated at 801 N. Walton Walker Blvd, and owned by EJAZ Investment Group INC.
3. **This item will be presented at the Transportation and Natural Resource Committee on July 31, 2019.**
4. Funding in the amount of \$18,010.00 is available within the fund MDU Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**23 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-25, Located at 2200 E. Airport Freeway, in the Amount of \$60,564**

**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 0.232 acre utility easement, across Parcel 115-25, situated at 2200 E. Airport Freeway and owned by the Deva Corporation.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. Funding in the amount of \$60,564.00 is available within the Water & Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**24 Resolution - Approving Additional Spending for As-Needed Purchases from Dell Marketing, L.P., in an Amount Not to Exceed \$1,000,000 for Computer Equipment and Network Appliances through the State of Texas Department of Information Resources (DIR) Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Purchase of smaller dollar computer items that are a necessary part of break-fix computer, server, and appliance support allows the Information Technology Department to provide quick response to needs for new equipment or parts that are not anticipated by planned computer replacements.
3. These purchases are supported by a Participation & Purchase Agreement between the City of Irving and Dell Marketing, L.P., which was approved by RES-2018-98 on March 22, 2018. This contract supports utilization of Department of Information Resources Contract #DIR-TSO-3763 which expires on January 10, 2020.

4. Authorizing additional as-needed purchases through Dell Marketing, L.P., will allow the city to procure computer equipment under the best possible terms and conditions for the city.
5. Funding for Fiscal Year 2018-19 is available in the various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.
6. Because the remaining contract term runs from June 2019 through January 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 declared spending amount is not exceeded.

<b>Vendor</b>	<b>Remaining Contract Term</b>	<b>Total Estimated Expenditure</b>	<b>Fiscal Year</b>
Dell Marketing, L.P.	6/21/19 –1/10/20	\$ 50,000.00	2018-19
		\$ 950,000.00	2019-20
<b>TOTAL NOT TO EXCEED</b>		<b>\$1,000,000.00</b>	

**Recommendation**

The resolution be approved.

**25 Resolution - Approving Addendum No. 1 to the Consulting Agreement Between the City of Irving and Berry Dunn McNeil & Parker, LLC (BerryDunn), in the Total Estimated Amount of \$383,475.00 for Software Project Management Services for the Enterprise Resource Planning and Utility Billing Software Replacement Projects**

**Administrative Comments**

1. This item is recommended by the Information Technology Department, Finance Department, Human Resources Department and Water Utilities Department.
2. **Impact:** Berry, Dunn, McNeil, & Parker (BerryDunn) is providing full project management services of the Munis ERP software implementation and Water Utilities EnQuesta Water Billing System projects. This addendum will provide additional funding for additional project management hours to the existing scope for both the ERP and UB replacement projects.
3. Council approved the original software and selection project management contract in the total estimated amount of \$1,038,352.00 on May 4, 2017.

4. Approval of this amendment will provide for 1,935 additional project management hours and additional travel budget for total estimated increase of \$383,475.00. This increases the total contract amount to \$1,421,827.00.
5. BerryDunn will continue to provide full project management services to bring both software implementation projects to go-live. The expectation for Enquesta Water Billing is in early September 2019 and Munis ERP is for Financials - Phase 1, October 2019 and HR in January 2021.
6. Funding in the amount of \$383,475.00 is available within the Technology Fund.

### **Recommendation**

The resolution be approved.

## **26 Resolution - Approving Installation of Proposed Exterior Improvements by Irving Community Theater, Inc. D/B/A MainStage Irving-Las Colinas for the City-Owned Building Located at 222 E. Irving Blvd.**

### **Administrative Comments**

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval for the installation of the proposed sign would promote MainStage Irving's presence and location in the Heritage District and attract potential visitors. Additional exterior lighting and address numbers will help make the building recognizable.
3. **This item was presented to the Planning and Development Committee on July 18, 2019.**
4. On May 2, 2019, Council approved a lease with Irving Community Theater, Inc. d/b/a MainStage Irving-Las Colinas for the use of the City-owned building located at 222 E. Irving Blvd.
5. Per Section 5.1.5. of the Lease Agreement, MainStage Irving cannot affix any signs or other objects to the exterior of the building without written consent of Council.
6. MainStage Irving has submitted a Sign Permit Application that adheres to the City's sign regulations and is seeking Council approval for the installation of the proposed sign. The exterior lighting and address numbers will match those that are already affixed to the building.

### **Recommendation**

The resolution be approved.

**27 Resolution - Approving an Economic Development Incentive Agreement with SMB Staffing, LLC, Through the Corridor Enhancement Incentive Program, in an Amount Not to Exceed \$150,000.00 Plus Parking Lot Lighting and Equipment with a Monetary Value of \$12,476.00, and an Associated Parking Facility Lease with the City as Tenant for the Property Located at 124 S. Hastings St.**

**Administrative Comments**

1. This item is recommended by the Economic Development Department.
2. **Impact:** Approval of this agreement for a corridor enhancement incentive grant will provide for the completion of qualifying improvements located at 124 S. Hastings St. and an associated Parking Facility Lease with the City as tenant.
3. **The Planning and Development Committee was briefed in Executive Session at their February 14 and April 4, 2019 meetings.**
4. The Corridor Enhancement Incentive Program was put into effect in December 2009 to encourage private investment in the renovation and rehabilitation of existing building sites along the City's corridors. The program provides financial assistance in the form of a grant to non-residential property owners for improving the street-side appearance of their existing buildings and site features to enhance corridor appearance, attract new business activity and foster new employment opportunities. Overall program funding for FY2018-19 is \$150,000.
5. Per the attached 380 agreement, the \$150,000 grant is for the completion of the qualifying improvements that include an exterior renovation of the existing building, construction of a new second floor with balcony and stairway; construction of new paved parking at rear of the building; a new paved parking area in front of building along S. Hastings Street; and the installation of landscaping improvements and accompanying automatic sprinkler system.
6. The associated Parking Facility Lease with the City as tenant is for the five-year term of this agreement with the City paying no rent and includes two (2) five-year renewal terms with City paying \$7,500 annually. With the construction of the new paved parking at the rear of the building, the owner will install underground electrical conduit for parking lot lighting and allow the City to install four (4) lighting poles/fixtures and related equipment.
7. The additional value being granted to the Owner by the City for the parking lot lighting and related wiring/equipment has a monetary value of \$12,476. The City will perform materials testing for quality assurance, which has the value of \$2,524, funded by Non-Bond CIP (Capital Improvement Program).
8. The final payment amount will be determined after staff review and verification of invoices and/or proof of payment by the owner to all contractors, material suppliers and vendors for eligible work performed and/or material and services rendered in accordance with the provisions of the agreement. No reimbursement will be made unless all terms of the agreement are satisfied.

9. Funding in the amount of \$150,000 is available in the Economic Development budget within the Economic Development Fund; funding in the amount of \$7,776 is available in the CIP budget within the Non-Bond CIP Fund; and the Traffic Department will utilize existing city-owned materials and city forces valued at \$4,700.

**Recommendation**

The resolution be approved.

**28 Resolution - Approving an Agreement with Sole Source Provider DN Tanks, Inc., in an Amount Not to Exceed \$59,895.00 for the Exterior Cleaning and Restoration of the 10 Million Gallon Concrete Ground Storage Tank at the Hackberry Pump Station**

**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 purchase will allow for preventative maintenance of the 10 Million Gallon (MG) concrete ground storage tank at the Hackberry Pump Station.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. DN Tanks, Inc., formerly Natgun, originally built the 10MG ground storage tank in 2002. Cleaning the exterior of the tank is a preventative maintenance measure that will identify any issues with the existing coating of the tank and it will also improve the aesthetics of the site. DN Tanks, Inc., is uniquely qualified to complete the exterior cleaning and restoration of this tank. They have extensive experience in the rehabilitation of concrete tanks and can provide full services for this work.
5. Funding in the amount of \$59,895.00 is available in the Water Utilities Budget within the Water and Sewer System Fund.

**Recommendation**

The resolution be approved.

**Bids & Purchasing Items  
Items 29-44**

**29 Resolution - Renewing the Agreement with Focused Advocacy, LLC, in Estimated Annual Amount of \$146,000.00 for Legislative Consulting Services**

**Administrative Comments**

1. This item is recommended by the City Manager’s Office.
2. **Impact:** This contract will allow the city to enhance legislative communications, work with state agencies, and develop and execute a legislative program for the 2021 State Legislative Session.
3. **This item will be presented to the City Council during the July 31, 2019 Work Session.**
4. In April 2016 the City of Irving entered into a contract with Focused Advocacy, LLC, for legislative consulting services as the result of a Request for Qualifications process through which this firm was determined to be the most highly qualified to perform the stated scope of work. The contract provides for payments of \$11,750.00 per month, and up to \$5,000.00 per year in expense reimbursements.
5. This renewal establishes the continuation of a contract to provide legislative consulting services. This is the second and final two-year renewal option. The current contract expires on September 30, 2019.
6. Funding is available in the Non-Departmental budget within the General Fund subject to budget appropriation for Fiscal Years 2019-20 and 2020-21.

Vendor	Agreement Term	Estimated Expenditure	Fiscal Year(s)
Focused Advocacy, LLC	10/1/19 – 9/30/21	\$146,000.00	2019-20
		\$146,000.00	2020-21
<b>TOTAL</b>		<b>\$292,000.00</b>	

**Recommendation**

The resolution be approved.

**30 Resolution - Renewing the Annual Contract with Baker & Taylor, Inc., in an Amount Not to Exceed \$720,000.00 for Library Books, Audio Video Materials and eBooks with Electronic Ordering Interface**

**Administrative Comments**

1. This item is recommended by the by the Library Services Department.
2. **Impact:** Baker & Taylor, Inc., supplies both printed and electronic library books (eBooks) and audio visual (AV) materials through use of an electronic ordering interface compatible with the library’s current system in order to offer patrons a wide variety of resources.
3. This renewal establishes the continuation of an annual contract to provide library books and audio visual materials. The original contract was awarded on the basis of competitive bids in an amount not to exceed \$720,000.00 annually, although estimated spending for Fiscal Year 2019-20 is anticipated to be \$653,524.00. This is the first of two one-year renewal options. The current contract expires on September 30, 2019.

Vendor	Contract Term	Items	Total Estimated Expenditure	Fiscal Years(s)
Baker & Taylor, Inc.	10/1/19 – 9/30/20	Printed Materials & AV	\$645,000.00	2019-20
		eBooks	\$ 75,000.00	
<b>TOTAL AMOUNT NOT TO EXCEED</b>			\$720,000.00	

**Recommendation**

The resolution be approved.

**31 Resolution - Renewing the Contract with Innovative Interfaces, Inc., in the Average Annual Amount of \$91,517.21 for an Integrated Library System Maintenance and Subscription Agreement**

**Administrative Comments**

1. This item is recommended by the by the Library Services Department.
2. **Impact:** The integrated library system (ILS) maintenance and subscription service is an integral and mandatory part of the operations of the ILS software which serves library customers and staff for critical functions including library material check-out and check-in, holds, inventory, public catalog, and more on a 24/7 basis.
3. Polaris Library Systems was awarded a contract to implement and maintain software to provide ILS services for the City’s library system by RES-2014-135 on April 17, 2014. Subsequent to this award, Polaris was acquired by Innovative Interfaces, Inc., and assignment of the contract was approved on June 11, 2015 by Administrative Award No. 4436.

4. This renewal establishes the continuation of a contract to provide ILS maintenance and subscription. The original contract was awarded to the respondent scoring the highest points through a Request for Proposals Process. This is the first five-year renewal option. The current contract expires on August 19, 2019.
5. Payment is due annually on the 30<sup>th</sup> day of each annual period in order to keep the contract in force for the full five-year term.
6. Funding for Fiscal Year 2018-19 is available in the Library Services Department budget within the General Fund, while funding for Fiscal Years 2019-20 through 2022-23 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
Innovative Interfaces, Inc.	8/20/19 – 8/19/23	\$ 82,811.54	FY 2018-19
		\$ 86,952.12	FY 2019-20
		\$ 91,299.73	FY 2020-21
		\$ 95,864.71	FY 2021-22
		\$100,657.95	FY 2022-23
<b>TOTAL</b>		<b>\$457,586.05</b>	

**Recommendation**

The resolution be approved.

**32 Resolution - Renewing the Contract with HD Supply Construction and Industrial - White Cap in the Total Estimated Amount of \$89,838.05 for Portland Type I/II Cement & Materials**

**Administrative Comments**

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact: This contract supports the Road to the Future Program.** It will provide bag cement, tools, and materials necessary to finish concrete and maintain the safety of the transportation network within the City of Irving.
3. **This item will be discussed during the Transportation and Natural Resources Committee meeting on July 31, 2019.**
4. This renewal establishes the continuation of an annual contract to provide Portland Type I/II Cement and Materials on an as-needed basis including bag cement, tools, and materials necessary to finish concrete. The original contract was awarded on the basis of competitive bids. This is the first of two one-year renewal options. The

current contract will expire on August 31, 2019.

- Funding for Fiscal Year 2018-19 is available in the Traffic & Transportation Department budget within the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Years(s)
HD Supply Construction and Industrial – White Cap	9/1/19 – 8/31/20	\$ 7,487.00	2018-19
		\$82,351.05	2019-20
<b>TOTAL</b>		<b>\$89,838.05</b>	

**Recommendation**

The resolution be approved.

**33 Resolution - Approving Expenditures to McMillan James Equipment Company in the Estimated Amount of \$145,000.00 for As-Needed Service and Repairs of Pumping Systems and Equipment and Dectron System Maintenance through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center**

**Administrative Comments**

- This item is recommended by the the Capital Improvement Program Department – Facilities Division and the Parks & Recreation Department.
- Impact:** Contract purchase of service and repair of pumping systems and equipment and Dectron system maintenance will ensure that the City of Irving equipment is repaired in a timely, efficient and cost effective manner for our customers.
- These purchases are supported by a Vendor/Member Contract between the City of Irving and McMillan James Equipment Company, which was approved through Administrative Award No. 6462 on July 17, 2019, for purchase and installation of a new compressor for the North Lake natatorium. This contract supports utilization of TIPS Contract No. 170201, which expires on April 26, 2020.
- 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)
McMillan James Equipment Company	8/2/19 – 4/26/20	\$ 24,166.67	2018-19
		\$120,833.33	2019-20
<b>TOTAL</b>		<b>\$145,000.00</b>	

**Recommendation**

The resolution be approved.

**34 Resolution - Approving Additional Expenditures to Teague, Nall and Perkins, Inc., in the Total Estimated Amount of \$150,000.00 for Surveying and Platting Services**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact: This contract supports the Road to the Future Program.** Surveying and platting services provide topographic surveying for projects, platting of city owned property, preparing survey metes and bounds, exhibits for right-of-way and easement acquisitions, and determination of city limit boundaries. This contract will be utilized when in-house survey staff does not have the resources or expertise to perform the necessary survey work.
3. **This item will be discussed during the Transportation and Natural Resources Committee meeting on July 31, 2019.**
4. Renewal of this two-year contract was approved by Council Resolution No. 2018-199 on June 7, 2018 for the period of July 22, 2018, through July 21, 2020 in an amount not to exceed \$150,000.00. This amount however, will be met in the near future due to surveying for a phase of Campion Trails and for Road to the Future Projects.
5. The CIP Department desires to increase the contract value an additional \$150,000.00 in order to accommodate projects planned for the final year of this contract term, bringing the total estimated contract value to \$300,000.00. Work under this contract is charged on an as-needed basis.
6. Funding for Fiscal Year 2018-19 is available within various project funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Remaining Contract Term	Estimated Expenditures	Fiscal Year(s)
Teague Nall & Perkins, Inc.	8/2/19 – 7/21/20	\$ 50,000.00	2018-19
		\$100,000.00	2019-20
<b>TOTAL</b>		<b>\$150,000.00</b>	

**Recommendation**

The resolution be approved.

**35 Resolution - Renewing the Contract with Artex Overhead Door in an Amount Not to Exceed \$75,000.00 for Overhead Door Repairs**

**Administrative Comments**

1. This renewal is recommended by the Capital Improvement Program Department - Facilities Maintenance Division and the Parks & Recreation Department.
2. **Impact:** This renewal provides for overhead door and gate repairs on an as-needed basis and will allow Facilities Maintenance and Parks & Recreation to respond to service requests for more than 200 overhead doors and more than 25 security gates in a timely and efficient manner.
3. This renewal establishes the continuation of an annual contract to provide overhead door repair services. This is the first of two, one-year renewal options. The original contract was awarded on the basis of competitive bids. The current contract term expires August 31, 2019.
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.
5. Because this contract runs from September 2019 through August 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 Amount	Fiscal Year(s)
Artex Overhead Door	9/1/19-8/31/20	\$10,000.00	2018-19
		\$65,000.00	2019-20
<b>TOTAL</b>		<b>\$75,000.00</b>	

**Recommendation**

The resolution be approved.

**36 Resolution - Approving and Accepting the Bid of Dealers Electrical Supply, Inc., in the Total Estimated Amount of \$131,705.53 for Lighting Supplies**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department – Facilities Maintenance Division and the Parks & Recreation Departments.
2. **Impact:** Proper lighting of city facilities and park areas helps to enhance and promote operational efficiency and provide safe and inviting parks, playgrounds and athletic fields for residents.
3. This award establishes an annual contract for the continuation of providing lighting supplies. This contract is subject to two one-year renewal options.
4. Funding for Fiscal Year 2018-19 is available in the Building & Equipment Services and Parks & Recreation departmental budgets within the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Dealers Electrical Supply, Inc.	8/2/19-7/31/20	\$21,950.92	2018-19
		\$109,754.61	2019-20
<b>TOTAL</b>		\$131,705.53	

**Recommendation**

The resolution be approved.

**37 Resolution - Renewing the Contract with Cingl Telecommunications, L.L.C., in an Amount Not to Exceed \$350,000.00 for Network Cabling Services**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** This contract includes network cabling services necessary for new telephone, computer, printer, and security installations. This also includes cabling necessary for existing and new Capital Improvement Program (CIP) projects.
3. This renewal establishes the continuation of an annual contract to provide network cabling services. This is the first of two one-year renewal options. The current

contract expires on August 31, 2019.

- 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 Expenditure	Fiscal Year(s)
Cingl Telecommunications, L.L.C.	9/1/19 – 8/31/20	\$ 23,333.33	2018-19
		\$326,666.67	2019-20
<b>TOTAL NOT TO EXCEED</b>		<b>\$350,000.00</b>	

**Recommendation**

The resolution be approved.

**38 Resolution - Approving and Accepting the Bids of Burst Communications in the Total Estimated Amount of \$89,540.00 for the Purchase of an LDX Camera System and Router Upgrade Package**

**Administrative Comments**

- This item is recommended by the Communications Department.
- Impact:** Replacing aging equipment will enhance Irving Community Television Network programming operations and provide high definition capabilities currently not available.
- This purchase continues the replacement of the standard definition cameras and related equipment that are used in studio and on production trucks.
- Funding is available in the Public, Educational, and Governmental (PEG) Fees Fund.

Vendor	Description	Total Expenditure
Burst Communications	LDX Camera System and Pyxis Router Upgrade Package	\$89,540.00

**Recommendation**

The resolution be approved.

**39 Resolution - Approving the Purchase from Plano Office Supply in the Total Estimated Amount of \$52,472.65 for Furniture for the Irving Archives and Museum through the Collin County Community College District Interlocal Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Irving Arts Center.
2. **Impact:** This purchase of furniture for the Irving Archives and Museum will provide the necessary furnishings to outfit the administrative offices, work spaces, and public spaces with functional furniture to provide a quality visitor experience and productive work environment. Furniture includes seating for the community space and Spark!Lab as well as storage for the museum store and Spark!Lab.
3. This purchase is supported by a Vendor/Member Contract between the City of Irving and Plano Office Supply utilizing Collin County Community College District Contract No. 4203, which expires on January 31, 2024. The contract was approved by Council on March 21, 2019 by Resolution No. 2019-107.
4. Funding in the total estimated amount of \$52,472.65 is available in the Heritage Museum Fund.

**Recommendation**

The resolution be approved.

**40 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Sewer Equipment Co. of America through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the by the Water Utilities Department.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Sewer Equipment of America for utilization of H-GAC Contract No. SC01-18, which expires December 31, 2020, will allow the city to procure sewer cleaning equipment, hydro-excavation, inspection equipment & miscellaneous services under the best possible terms and conditions for the city.
3. Approval of this contract supports the purchase of a self-propelled easement machine as presented in the following item on this agenda.

**Recommendation**

The resolution be approved.

**41 Resolution - Approving the Purchase from Sewer Equipment of America for a Self-Propelled Easement Machine in the Total Estimated Amount of \$64,076.28 through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** The purchase of a smaller self-propelled easement machine will allow Water Utilities to perform preventative maintenance on the sewer system and respond to sanitary sewer backups in areas that are difficult to reach.
3. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Sewer Equipment of America H-GAC Contract No. SC01-18 which expires on December 31, 2020, as presented in the previous item on this agenda.
4. Funding in the amount of \$64,076.28 is available in the Water and Sewer System Fund.

**Recommendation**

The resolution be approved.

**42 Resolution - Approving and Accepting the Bid of Core & Main, LP in the Total Estimated Amount of \$83,268.00 for Steel Manhole Risers and Rings**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department.
2. **Impact:** This annual contract provides the needed amount of manhole risers and rings for the Streets division to complete their streets overlay program this summer.
3. This award establishes an annual contract for the continuation of supplying manhole risers and rings. This contract is for one year with two one-year renewal options.
4. Funding for Fiscal Year 2018-19 is available in the Water and Sewer System Fund while funding for the Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Fiscal Year(s)	Total Est. Expenditure
Core & Main, LP	8/1/2019 – 7/31/2020	2018-19	\$13,878.00
		2019-20	\$69,390.00
<b>TOTAL</b>			<b>\$83,268.00</b>

**Recommendation**

The resolution be approved.

**43 Resolution - Approving and Accepting the Bid of HFC Services in the Total Estimated Amount of \$89,000.00 for the Painting of City Fire Hydrants**

**Administrative Comments:**

1. This item has been recommended by the Water Utilities Department.
2. **Impact:** Approval of this contract provides for cleaning, painting and collection of asset information of each city fire hydrant using the department’s Geographical Information System (GIS).
3. This award establishes an annual contract for providing painting of the city’s fire hydrants. The contract is subject to two, one year renewal options.
4. Funding for Fiscal Year 2018-19 is available in the Water and Sewer System Fund, while funding for Fiscal 2019-20 is subject to budget appropriations.

<b>Vendor</b>	<b>Contract Term</b>	<b>Total Estimated Amount</b>	<b>Fiscal Year(s)</b>
HFC Services	8/1/2019 – 7/31/2020	\$14,833.00	2018-19
		\$74,167.00	2019-20
<b>TOTAL</b>		\$89,000.00	

**Recommendation**

The resolution be approved.

**44 Resolution - Renewing the Contract with WTR, Inc., in an Amount Not to Exceed \$60,000.00 for Auto Body Repairs Specifically for Fire Engines, Ladder Trucks (Aerial) and Tillers**

**Administrative Comments**

1. This item is recommended by the Fleet Services Division.
2. **Impact:** The city’s public safety vehicles will continue to be repaired and maintained with minimum downtime, keeping service levels high.

3. This renewal establishes the continuation of an annual contract to provide the automotive body repairs for heavy duty public safety vehicles, which include fire engines, ladder trucks (aerial), and tillers. The original contract was awarded on the basis of competitive bids. This is the first of two, one-year renewal options.
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	Contract Term	Total Estimated Amount	Fiscal Year(s)
WTR, Inc.	9/1/2019- 8/31/2020	\$ 5,000.00	2018-19
		\$55,000.00	2019-20
<b>TOTAL AMOUNT NOT TO EXCEED</b>		<b>\$60,000.00</b>	

**Recommendation**

The resolution be approved.

**End of Bids**

**45 Ordinance - Authorizing the Abandonment and Vacation of a Certain Portion of a Drainage Easement in Lot 1, Block B, of the Sierra at Las Colinas Addition**

**Administrative Comments**

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** The 15' foot drainage easement being abandoned is not now needed for public utility purposes and will not be needed in the future for such purposes. A new drainage easement will be constructed south of the proposed abandonment.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. Capital Improvement Program Department has approved the abandonment of this easement.

**Recommendation**

The ordinance be adopted.

**46 Ordinance - Authorizing the Abandonment and Vacation of a Certain Portion of a 10' Sanitary Sewer Easement in the John Cox Survey, Abstract No. 219, at 200 O'Connor Ridge Blvd., in the City of Irving**

**Administrative Comments**

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** A new Sanitary Sewer Easement was constructed east of the requested abandonment location; therefore, the easement being abandoned and vacated is not now needed for public utility purposes and will not be needed in the future for such purposes.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. Water Utilities Department has approved the abandonment of this public utility easement.

**Recommendation**

The ordinance be adopted.

**47 Ordinance - Authorizing the Abandonment and Vacation of Certain Portions of Public Utility and Other Easements in Lots 2A through 2D, Block A, of the Las Colinas Office Park Addition**

**Administrative Comments**

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** The abandonments include; (1) 10-foot Electric Easement containing 0.1453 acre, (1) Drainage Easement containing 0.728 acre, (1) 10-foot Private Fire Lane Easement containing 0.1305 acre, and (1) Public Utility Easement containing 0.0823 acre.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. Capital Improvement Program Department has approved the abandonment of this public utility easement.

**Recommendation**

The ordinance be adopted.

**48 Ordinance - Amending the Code of Civil and Criminal Ordinances by Adding Chapter 27B, "Sex Offender Residency Restrictions," Prohibiting Certain Registered Sex Offenders from Residing Within 1,000 Feet of Premises Where Children Commonly Gather**

**Administrative Comments**

1. This item has been recommended by the Police Department.
2. **Impact:** Adoption of this ordinance will protect the public safety and welfare by prohibiting registered sex offenders from residing within 1,000 feet of premises where children commonly gather in the City of Irving.
3. **This ordinance was briefed on July 18, 2019, to the Public Safety Committee, who asked that it be brought forward to the full Council for consideration.**
4. This ordinance was briefed at Council Work Session on November 14, 2018 and on July 31, 2019.
5. This ordinance takes effect immediately.

**Recommendation**

The ordinance be adopted.

**49 Ordinance - Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Amending Section 52-8 to Extend the Due Date and the Discontinuance of Service Date**

**Administrative Comments**

1. This item has been recommended by the Water Utilities Department.
2. **Impact:** There are two different due dates in the current bill collection calendar; those for seniors and those for all other customers. This revision will give all customers the same amount of time to pay bills.
3. **This item will be presented to the Transportation and Natural Resources Committee on July 31, 2019.**
4. With the implementation of the new billing software, staff recommends providing a consistent due date of twenty-five (25) days for all customers. Currently, customers classified as seniors have a twenty-five (25) day due date and all other customers must pay within fifteen (15) days.
5. The extension of the due date to twenty-five (25) days will allow more time for residential and commercial customers to pay their utility bills in a timely manner.
6. The revision also extends the time the city may discontinue service to customers with an unpaid bill from thirty (30) days to forty-five (45) days.

7. These revisions will be implemented when the city switches to the new utility billing software system, enQuesta, which is scheduled to go live on September 3, 2019.

**Recommendation**

The ordinance be adopted.

**50 Ordinance - Third and Final Reading -- Granting a Franchise to B & B Waste Transit, Inc., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize B & B Waste Transit, Inc. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**51 Ordinance - Third and Final Reading -- Granting a Franchise to Bubba Tugs Corporation for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Bubba Tugs Corporation to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests

coordination of collection times in school zones and, in general, sets in place some common industry practices.

4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

### **Recommendation**

The ordinance be adopted.

## **52 Ordinance - Third and Final Reading -- Granting a Franchise to Champion Waste & Recycling Services, LLC, for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

### **Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Champion Waste & Recycling Services, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

### **Recommendation**

The ordinance be adopted.

**53 Ordinance - Third and Final Reading -- Granting a Franchise to Community Waste Disposal, L.P., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Community Waste Disposal, L.P. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**54 Ordinance - Third and Final Reading -- Granting a Franchise to Empire Disposal, Ltd., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Empire Disposal, Ltd. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for

business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**55 Ordinance - Third and Final Reading -- Granting a Franchise to Evergreen Disposal Services of Fort Worth, LLC for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Evergreen Disposal Services to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**56 Ordinance - Third and Final Reading -- Granting a Franchise to Hurricane Waste Systems, LLC, for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Hurricane Waste Systems, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**57 Ordinance - Third and Final Reading -- Granting a Franchise to Premier Waste Services, LLC Dba Moore Waste and Recycling Services for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Premier Waste Services, LLC dba Moore Waste and Recycling Services to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending

on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**58 Ordinance - Third and Final Reading -- Granting a Franchise to Republic Waste Services of Texas, Ltd., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Republic Services of Texas, Ltd. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**59 Ordinance - Third and Final Reading -- Granting a Franchise to S & H Waste Disposal Services, LLC for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize S & H Waste Disposal Services, LLC to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**60 Ordinance - Third and Final Reading -- Granting a Franchise to Waste Connections Lone Star, Inc. Dba Waste Connections of TX for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Waste Connections Lone Star, Inc., dba Waste Connections of TX to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.

4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

**61 Ordinance - Third and Final Reading -- Granting a Franchise to Waste Management of Texas, Inc., for Solid Waste Collection Services Beginning on June 10, 2019 and Ending on June 9, 2022 Pursuant to Chapter 33 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas**

**Administrative Comments**

1. This item has been recommended by Solid Waste Services.
2. **Impact:** The franchise will authorize Waste Management of Texas, Inc. to provide waste hauling services to various business throughout the City of Irving.
3. This franchise agreement establishes operational guidelines for dumpster cleanliness, litter control, limits service times near residential areas, requests coordination of collection times in school zones and, in general, sets in place some common industry practices.
4. Franchise Agreement is for three (3) years beginning on June 10, 2019 and ending on June 9, 2022. The franchise fee to be assessed is 5% of gross revenues for business generated in servicing dumpsters, roll-off containers, compactor containers, or collecting and hauling in open top trucks on waste collected within the City of Irving.

**Recommendation**

The ordinance be adopted.

## INDIVIDUAL CONSIDERATION

### 62 Resolution - Terminating a Fiscal Year 2018-2019 Community Development Block Grant Agreement Between SER Jobs for Progress National, Inc. and the City of Irving in the Amount of \$10,000.00

#### Administrative Comments

1. This item has been recommended by Planning and Community Development.
2. **Impact:** This action releases unspent Community Development Block Grant (CDBG) funds for reallocation to other eligible activities.
3. SER Jobs for Progress National Inc. is a nonprofit agency that provides STEM and robotics education for youth. SER Jobs for Progress National Inc. was awarded \$10,000.00 in FY 2018-19 CDBG funds (RES 2018-287) to provide educational activities for youth related to Robotics and STEM.
4. The CDBG contract specified that at least 51% of the persons receiving benefit from these grant-funded programs be of low or moderate income. SER Jobs for Progress National Inc. experienced difficulty in locating qualifying families and voluntarily requested that the contract be terminated.
5. The Housing and Human Services Board approved the contract termination at its June 19, 2019 meeting.
6. Funding in the amount of \$10,000.00 will be unencumbered in the Fiscal Year 2018-2019 Community Development Block Grant Fund

#### Recommendation

The resolution be approved.

### 63 Resolution - Approving the Submission of the 2019-2024 Consolidated Plan, Fiscal Year 2019-2020 Action Plan, and the Analysis of Impediments to Fair Housing Choice to the United States Department of Housing and Urban Development for the Use of Federal Funds

#### Administrative Comments

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This action will set priorities, goals, and resource allocations for the use grant funding from the United States Department of Housing and Urban Development (HUD) to provide community development services to the residents of Irving.

3. **This item was presented to the Community Services Committee on June 20, 2019.**
4. In order to receive these funds, the city of Irving is required to submit a Consolidated Plan every five years, which serves as the strategic plan for the use of HUD grant funds. In addition, the City of Irving is required to annually submit an Action Plan to HUD not later than August 15 of any given year. The Action Plan outlines the specific programs and services that will be funded to address Irving's strategies as stated in the five-year 2019-2024 Consolidated Plan.
5. The City of Irving is also required to conduct an Analysis of Impediments (AI) to Fair Housing Choice. Impediments to fair housing choice are defined as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on protected class status. The AI serves as the basis for fair housing planning, provide essential information to policy makers, administrative staff, housing provider, lender, and fair housing advocates, and assists in building public support for fair housing efforts. It involves the following: an extensive review of a State of Entitlement jurisdiction's laws, regulations, and administrative policies, procedures, and practices; an assessment of how those laws affect the location, availability, and accessibility of housing; an evaluation of conditions, both public and private, affecting fair housing choice for all protected classes; and an assessment of the availability of affordable, accessible housing in a range of unit sizes.
6. Citizen input regarding the Consolidated Plan and the Action Plan was solicited through the conduct of two public hearing as well as through website posting and surveys.
7. The Housing and Human Services Board approved its recommended allocation of Fiscal Year 2019-2020 funds, the 2019-2024 Consolidated Plan, 2019-20 Action Plan and the Analysis of Impediments to Fair Housing at its June 19, 2019 meeting.
8. The proposed resolution adopts the 2019-2024 Consolidated Plan, 2019-20 Action Plan, and the Analysis of Impediments to Fair Housing with associated budget, policies, all applicable priorities and goals, and allocation to area non-profit organization for the use of CDBG, HOME and ESG.

### **Recommendation**

The resolution be approved.

**64 Resolution - Approving the Allocations of Fiscal Year 2019-2020 Community Development Block Grant and Home Investment Partnership Funds to Non-Profit Organizations in the Amount of \$1,282,500**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This action will provide funding to local non-profit organizations to improve services to Irving residents.
3. As a recipient of funds from the United States Department of Housing and Urban Development (HUD), the City of Irving will receive \$2,239,119.00 in Community Development Block Grant (CDBG) funds, \$774,600.00 in Home Investment Partnerships Grant (HOME), and \$187,406.00 in Emergency Solutions Grant (ESG) funds in Fiscal Year 2019-2020. The City of Irving may allocate up to 15% of CDBG funds to public services.
4. The Planning and Community Development department solicited applications from non-profit agencies from March 4 through April 4, 2019. The Housing and Human Services Board interviewed applicants at its May 17, 2019 meeting and approved the budgets for CDBG, ESG, and HOME expenditures, including allocations to the non-profit organizations, at its June 19, 2019 meeting
5. Community input regarding public services allocations was solicited through a public comment period and through the conduct of two public hearings.
6. **This item was presented to the Community Services Committee on June 20, 2019.**
7. Funding in the amount of \$282,500 will be available in the Outside Services budget within the Community Development Block Grant Fund. Funding in the amount of 1,000,000 will be available in Outside Services budget within the Home Investment Partnership Fund.

**Recommendation**

The resolution be approved.

## ZONING CASES AND COMPANION ITEMS

- 65 Resolution - Approving Final Plat - PL19-0023 - Terraces of Las Colinas Residential, Phase I & II, First Revision - Approximately 24.24 Acres Located on the West Side of Las Colinas Boulevard Between Fluor Drive and West La Villita Boulevard - LJA Engineers, Applicant - Terraces of Las Colinas Holdings, LLC, CB Jeni Terraces at Las Colinas, LLC, Taylor Morrison of Texas, Inc., Weekley Homes, LLC Owners**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation – July 15, 2019 – Technical Denial 7-0 (Commissioners Patel and Richards, absent).
2. The property is platted as The Terraces of Las Colinas Residential, Phases I and II, with 127 residential single family lots, 79 townhouse lots, and seven (7) public open spaces.
3. The applicant is replatting to reflect the abandonment of public utility easements along streets in the single family detached development. The portions of the public utility easements that have been abandoned do not contain utilities, and the abandonments allow the developer to construct porches in the dedicated front yards without encroaching into any public utility easements.
4. The abandonments were approved by the City Council on June 6, 2019, per the recommendation of the Capital Improvements Programs and the Water Utilities Department.
5. This plat has a variance for private streets, and must be forwarded to the City Council for approval.
6. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

### **Recommendation**

The resolution be approved.

**66 Ordinance - Zoning Case #ZC18-0090 - Considering a Comprehensive Plan Amendment Changing the Recommended Land Use from "Business District" to "Commercial Corridor", and Considering a Zoning Change from ML-20 (Light Industrial) District to C-OU-2 (Commercial Outdoor) District - Approximately 0.92 Acres Located at 2334 Penn Street - Yana Gladtskova, Applicant/Owner (Postponed from April 4, 2019 and June 6, 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). July 15, 2019 – Postpone Indefinitely 7-0 (Commissioners Patel and Richards, 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 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.
4. This case was postponed from the May 6, 2019 Planning and Zoning Commission meeting. Prior to that, the 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 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.

The applicant was out of town and could not attend the May 6, 2019 Planning and Zoning Commission meeting. The applicant requested that we 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.

On July 2, 2019, the applicant emailed staff to say he is out of town and was not able to attend the July 15, 2019 Planning and Zoning Commission meeting.

Since the Planning and Zoning Commission has indefinitely postponed this case, staff recommends that the City Council indefinitely postpone this case as well.

5. A total of 19 public notices were mailed. Staff received one (1) response in support and none in opposition to this request.
6. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

### **Recommendation**

Indefinite postponement.

- 67 Ordinance - Zoning Case #ZC19-0015 - Considering a Comprehensive Plan Amendment Changing the Recommended Land Use from "Open Space" to "Residential Neighborhood", and Considering a Zoning Change from C-N (Neighborhood Commercial) and R-6 (Single Family) District Uses to R-6 (Single Family) District Uses - Approximately 0.827 Acres Located at 1875 S. MacArthur Boulevard - Jose Ibarra, Applicant/Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 15, 2019 – Favorable 7-0 (Commissioners Patel and Richards, absent).
2. **The applicant is requesting to amend the 2017 Imagine Irving Comprehensive Plan Future Land Use Map from Open Space to Residential Neighborhood and rezone the property from C-N (Neighborhood Commercial) district and R-6 (Single Family) District to allow a single family, detached dwelling.**

### **Comprehensive Plan Change**

3. The Comprehensive Plan recommends Open Space uses for this property since it was once part of the floodplain of the Trinity River system. It was reclaimed as part of the Wood Creek Estates subdivision and is a platted lot. The applicant is requesting the Residential Neighborhood land use category, which is used for “Predominantly single family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses” to allow the entire property to be rezoned to R-6 (Single Family) District.
4. If an area that is designated and/or developed as non-residential desires to transition to a residential use, the City of Irving should require the following:
  - a. The area should be physically appropriate (i.e., size, shape, etc.) for residential use;
  - b. The area is an extension of a residential neighborhood shown on the Generalized Future Land Use Map and is not separated from the neighborhood by a major thoroughfare;

- c. The rezoning will not create a situation where non-residential traffic will negatively impact established and proposed future neighborhoods;
- d. The rezoning would not result in a shortage of land designated for non-residential development;
- e. The proposed rezoning is not for traditional multi-family development;
- f. The rezoning would not leave a residual tract of non-residentially zoned property which would not conform to the Generalized Future Land Use Map or which would negatively affect the proposed residential use; and
- g. The rezoning would provide for an appropriate transition between residential and non-residential uses through separation by distance, screening, or land use (i.e., creek, four-lane roadway, etc.).

Staff believes the proposal meets these requirements.

- 5. The property remains within the floodplain on current FEMA maps. The use of the property for residential development will require an elevation certificate from a surveyor demonstrating the site is above the floodplain and filing of a “Letter of Map Revision Based on Fill (LOMR-F)” from FEMA to allow development on the property.
- 6. The applicant has provided a letter of request citing the physical inappropriateness of the site for commercial uses, and its adjacency to an existing neighborhood. Staff can support the request, since it meets the criteria for residential land use, and has not proven to be desirable for nonresidential development.

### Zoning Change

- 7. The property is zoned R-6 adjacent to the lots in Wood Creek Estates that front on Katelyn Court, and is platted as a lot of Wood Creek Estates, but the majority of the property between MacArthur Blvd. and the natural drainage channel is zoned C-N. The applicant desires to rezone the entire lot to R-6 to build a single family, detached dwelling.
- 8. Although the property was in the floodplain of the Trinity River system, it was reclaimed as part of the Wood Creek Estates subdivision and is a platted lot. It is still shown as floodplain on unrevised FEMA maps, and the applicant has been working with the City’s Flood Plain Administrator engineer in the Capital Improvements Program to create a building site. The applicant must obtain an elevation certificate from a surveyor, which is provided in order to file a “Letter of Map Revision Based on Fill (LOMR-F)” from FEMA to allow development.
- 9. If the zoning change is approved, the property cannot be developed until the LOMR-F is approved.
- 10. Since the proposed single family use is less intense than the current zoning, and is adjacent to other single family uses, staff can support this request.
- 11. A total of 33 public notices have been mailed. Staff received two (2) responses in

support and one (1) response in opposition to this request. The opposition represents 3.26% of the land within 200 feet of the subject property. Since this is less than 20%, a ¾-vote is not required for approval.

12. 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.

- 68 Ordinance - Zoning Case #ZC19-0032 - Considering a Zoning Change from S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses and S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) Uses to S-P-1 (Detailed Site Plan) for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses - Approximately 6,947 Sq. Ft. Located at 215 Mandalay Drive - Venetian Terraces Restaurant, Applicant - Mandalay Canal Event Center, LLC, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 15, 2019 – Favorable 7-0 (Commissioners Patel and Richards, absent)
2. The 2017 Imagine Irving Comprehensive Plan recommends *Urban District* uses for the subject property, which is for the highest intensity areas of Irving containing a variety of uses in multi-story buildings, with pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property, *Venetian Terrace Restaurant*, is a 6,734 sq. ft. lease space in a multi-tenant building with a retail use. **The applicant is proposing rezoning to allow additional outside dining for an existing restaurant with the accessory use of the sale of alcoholic beverages for on-premises consumption.**
4. The multi-tenant building is part of a mixed-use development of office and residential towers with ground-floor commercial.
5. The restaurant has 132 interior seats, and 164 outside seats. The 296 total seats require 118 parking spaces at a ratio of one space for each 2.5 seats. The parking is provided in adjacent parking garages and nearby on-street parking.

6. The request complies with all requirements of the S-P-1 for R-AB ordinance.
7. A total of 273 public notices were mailed. Staff has received 21 notices in support and none 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.

**69 Ordinance - Zoning Case #ZC19-0053 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for C-N (Neighborhood Commercial) Uses to S-P-1 (Detailed Site Plan) District for C-N (Neighborhood Commercial) Uses and a Variance to the Distance Separation Requirements Between an Establishment Selling Alcoholic Beverages and a School - Located at 2810 N. O'Connor Road - Trustworthy Enterprises LLC, Applicant - O'Connor Asset LLC, Owner**

### **Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: July 15, 2019 – Favorable, 7-0 (Commissioners Richards and Patel, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Neighborhood Commercial* uses for this property. This land use category is for mixed-use commercial structures along major corridors. The proposed zoning change is in conformance with the Comprehensive Plan.
3. **The applicant is requesting rezoning to allow the sale of alcoholic beverages for off-premises consumption on a property that is less than 300 feet from a school property line.**
4. Irving Beer and Wine is currently operating in a lease space in a multitenant retail center. The business has been operating at this location since 2009. The establishment met the distance separation requirements of 300 feet from Holy Trinity Lutheran Church (2901 N. O'Connor Road).
5. At the time, staff was unaware that a driveway along the north of the church was actually property belonging to Farine Elementary School (IISD). The school property line is approximately 246 feet from the property line of this retail center. Section 52-49 of the zoning ordinance requires a 300-foot separation from a school, measured property line to property line. (This is different from hospitals and churches which are measured door to door.) Staff became aware of this situation in 2013 when Rey's Restaurant at 2836 N. O'Connor Road applied for S-P-1 (R-AB) zoning. At that time, the City Council approved a variance to the separation requirements from

a school property line. The current applicant is requesting a similar exception.

6. The applicant is requesting the zoning change in order to apply for a liquor license from the TABC.
7. If approved, the establishment will expand into the adjacent vacant lease space in the shopping center.
8. The front door of the business is more than 300 feet from the front door of the church, and is more than 550 feet from the nearest school building.
9. Section 52-49 of the Zoning Ordinance states that the City Council may grant a variance to the 300-foot separation requirement 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”
10. Staff has checked with the TABC, and has found one alcoholic beverage regulation violation in 2012 that resulted in a written warning. No violations have occurred since 2012.
11. Since the school property within 300 feet of the retail center property is a driveway that is 400 feet long before it opens up to a parking lot, and the nearest school building to the business itself is over 550 feet away, staff believes the intent of the 300-foot separation requirement has been satisfied. At these distances, staff has no objection to the existing store being expanded to include liquor sales.
12. A total of 92 public notices were mailed. Staff has received one (1) in support and six (6) in opposition to this request. The opposition represents 5.47% of the land within 200 feet of the subject property. Since this is less than 20%, per state law a  $\frac{3}{4}$ -vote is not required for approval.
13. 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.

## APPOINTMENTS AND REPORTS

### 70 Resolution - Forming the Citizen Bond Task Force Committee and Appointing Committee Members

#### Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The Citizen Bond Task Force Committee will provide input on bond propositions that will be placed on the ballot for the May 2020 General Election.
3. The Citizen Bond Task Force Committee will consist of 18 members, all City of Irving residents. All Council members nominated two residents.
4. Terms for these appointments will expire April 1, 2020.

#### Recommendation

The resolution be approved.

### 71 Mayor's Report

#### Adjournment