

**AGENDA**  
**Irving City Council Regular Meeting**  
**Thursday, September 5, 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

Lead Pastor, Ben Dailey, Calvary Church

Pledge of Allegiance

Proclamations and Special Recognitions

Citizens' Forum

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

Public Hearing: Items 1 through 51

## **CITY COUNCIL AGENDA**

**1 City Operations Update**

**2 Public Hearing - Public Hearing #1 on the FY 2019-20 Proposed Tax Rate**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. This public hearing gives the Irving taxpayers an opportunity to comment on next year's proposed tax rate.
3. The Fiscal Year 2019-20 proposed tax rate is \$0.5941 per 100 value.

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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.

A member of the public may address the City Council regarding an item on the agenda either before or during the Council's consideration of the item, upon being recognized by the presiding officer or the consent of the Council.

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. The notice of the Public Hearing has been published in the Dallas Morning News.
5. The Fiscal Year 2019-20 tax rate is scheduled to be adopted on September 19, 2019.

**Recommendation**

Input be taken under advisement.

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

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. This public hearing gives the Irving taxpayers an opportunity to comment on next year's proposed budget.
3. The notice of public hearing has been published in the Dallas Morning News.
4. Previous public input opportunities on the FY 2019-20 proposed budget have included two public hearings in June 2019 and online input through the City's website.
5. The Fiscal Year 2019-20 budget is scheduled to be adopted on September 19, 2019.

**Recommendation**

Input be taken under advisement.

**CONSENT AGENDA**

- 4 **Approving Work Session Minutes for Wednesday, July 31, 2019**
- 5 **Approving Regular Meeting Minutes for Thursday, August 01, 2019**
- 6 **Approving Special Meeting Minutes for Monday, August 19, 2019**

**7 Resolution - Authorizing the Mayor to Enter into an Agreement with Dallas County Elections Department in an Amount Not to Exceed \$160,000.00 to Administer the Special Election to be Held on Tuesday, November 5, 2019, for the Purpose of a Home Rule Charter Amendment**

**Administrative Comments**

1. This item is recommended by the City Secretary's Office.
2. **Impact:** The Dallas County Elections Department contract streamlines the election process, reduces cost by splitting fees amongst all Dallas County entities holding a November election, and reaches the broadest spectrum of Irving voters due to various early voting polling locations and election day countywide vote centers throughout Dallas County.
3. The November 2019 election will be the first election since Dallas County implemented countywide polling places, also known as Vote Centers. On Election Day, voters may vote at any countywide polling place within Dallas County. Voters are no longer limited to the polling place designated by their precinct.
4. The standard contract that the City will enter into with Dallas County Elections Department is in compliance with the Texas Election Code and has been reviewed by the City Secretary's Office and the City Attorney's Office.
5. The City has proposed a budgeted amount of up to \$160,000.00 for all elections in FY19-20, these funds will be available in the General Fund upon budget appropriation.
6. City of Irving's total contract amount due is subject to increase pending cancellation of various entity elections throughout Dallas County.

**Recommendation**

The resolution be approved.

**8 Resolution - Approving a Second Renewal to the Interlocal Agreement with Dallas County Hospital District D/B/A Parkland Health & Hospital System in an Amount Not to Exceed \$202,568.96 for BioTel System Services from October 1, 2019 through September 30, 2021**

**Administrative Comments**

1. This item is recommended by the Fire Department. It supports Strategic Objective 4.1 – Safeguard public safety, security and health.
2. **Impact:** This Interlocal Agreement Renewal allows for continuous 24 hour access to online medical control by physicians at Parkland Hospital, for paramedics who need to consult for treatment options for patients requiring emergency medical services.

3. This item renews an Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System (Parkland) to receive BioTel System Services in an amount not to exceed \$100,780.29 for Fiscal Year 2019-20 and an amount not to exceed \$101,788.67 for Fiscal Year 2020-21.
4. This agreement meets competitive bid requirements with the State of Texas statutes, rules, policies, and procedures.
5. Funding in the amount of \$100,780.29 is available in the Fire Department budget within the General Fund, subject to budget appropriation for FY 19-20.

**Recommendation**

The resolution be approved.

**9 Resolution - Approving an Agreement for Services Between the City of Irving and Keep Irving Beautiful, Inc., for the Keep Irving Beautiful Program in the Amount of \$67,880.00**

**Administrative Comments**

1. This item is recommended by the Parks and Recreation Department. This item supports Strategic Objective 4.3: Improve community appearance and neighborhood integrity.
2. **Impact:** This allows for Keep Irving Beautiful, Inc., to continue educational programs with respect to recycling, community beautification and litter abatement initiatives that support the city's storm water permit.
3. Funding in the amount of \$67,880.00 is available in the Capital Improvement Department within the Municipal Drainage Utility Fund. Funding for Fiscal Year 2019-20 is available subject to approval of the FY19-20 budget.

**Recommendation**

The resolution be approved.

**10 Resolution - Approving the Continued Receipt of the City of Irving's Share of Bingo Prize Fees Pursuant to House Bill 914**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow the city to continue to receive bingo revenue.

3. House Bill 914, enacted by the 86<sup>th</sup> Texas Legislature, requires an affirmative vote of the City Council in order for the city to continue receiving bingo revenue after January 1, 2020. This vote must be taken by November 1, 2019.
4. The city receives annual revenues from bingo fees of approximately \$50,000 per year.

**Recommendation**

The resolution be approved.

**11 Resolution - Authorizing Reimbursement Payment in the Amount of \$7,895,000 to Water Street O'Connor LP, a Delaware Limited Partnership (Water Street) for Capital Infrastructure Improvements Within the Tax Increment Reinvestment Zone No. One**

**Administrative Comments**

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will reimburse Water Street O'Connor LP (Water Street), from funds available in the TIF #1 operating fund, for various public capital infrastructure improvements at the Water Street mixed use development related to the 2014 reimbursement agreement.
3. This agreement was approved in 2014 and amended in 2018 to extend the finish-out and occupancy deadline to August 31, 2018 which was satisfied. The maximum amount of reimbursement is \$7,895,000.
4. Water Street has completed the public capital infrastructure improvements contemplated in the 2014 TIF reimbursement agreement. Specifically, an Area Personal Transit Station (APT), Public Parking Facilities, Public Driveways and Sidewalks and Lake Gathering Sidewalks were completed on time and accepted by the City. CBRE calculated an appraised value of \$1,367,341 on the Public Plaza. The 2014 agreement capped the amount to be reimbursed for the Public Plaza at \$1.5M.
5. Total project costs for the Water Street Public Improvements were \$7,964,326. The maximum amount of the reimbursement is \$7,895,000.
6. The TIF Board recommended approval of the reimbursement at their August 20, 2019 meeting.
7. Funding in the amount of \$7,895,000 is available in the TIF District No. 1 Operating Fund.

**Recommendation**

The resolution be approved.

**12 Resolution - Approving a License Agreement Between the City of Irving, City of Grand Prairie, and Dallas Area Rapid Transit (DART) for the Irving/Grand Prairie Jointly Owned 48-Inch Water Supply Line (I.E. Jamison Line) to Cross the DART Orange Line Light Rail Tracks in Two (2) Separate Places**

**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. The location: Installation of the 48” Jamison water supply line 1,000 feet northwest of Spur 482 and SH 114, 3,500 feet northeast of Spur 482 and SH 114.
2. **Impact:** The location: Installation of the 48” Jamison water supply line 1,000 feet northwest of Spur 482 and SH 114, 3,500 feet northeast of Spur 482 and SH 114. The shared 48-inch treated water supply line is critical to both the City of Irving and the City of Grand Prairie to remain in continuous operation. Both cities have partnered to relocate the portion of the 48-inch treated water supply line which is in conflict with the Texas Department of Transportation (TxDOT) improvements at Spur 482 and SH 114 as part of the Diamond Interchange project.
3. **This item will be presented at the Transportation and Natural Resources Committee on September 4, 2019.**
4. The agreement is for constructing, installing, operating and maintaining the permitted improvements of the terms of agreement.
5. As part of the maintenance of the completed installation, the Irving’s Water Utility Department shall inspect the property quarterly and shall provide DART written inspection reports resulting from each such inspection within three (3) business days. Inspections shall include a leak detection system and all reports shall include specifically results of the visible inspections. Leaks detected will be repaired within three (3) days of discovery.

**Recommendation**

The resolution be approved.

**13 Resolution - Approving an Interlocal Agreement Between the City of Irving and Dallas County Flood Control District No. I (DCFCD I), in the Amount of \$32,400.00 for the Analysis and Improvement of District Infrastructure**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This interlocal agreement between the City of Irving and Dallas County Flood Control District 1 (DCFCD1) assists with the improvements to Estelle Creek and helps meet the requirements of the Texas Commission on Environmental Quality (TCEQ) for the city's Texas Pollutant Discharge Elimination System (TPDES) Stormwater Permit to preserve the water quality of the city's waterways.
3. **This item will be presented to the Transportation and Natural Resources committee on September 4, 2019.**
4. This interlocal Agreement will assist with erosion control in DCFCD1. The Bear Creek Channel is much deeper than the Estelle Creek Channel. The upper drop structure has failed and needs to be reconstructed to control erosion in the Estelle Creek Channel.
5. Funding for this annual expenditure was approved by the adoption of the FY 2018-2019 Municipal Drainage Utility (MDU) budget and is the city's annual assistance to the district.
6. Funding in the amount of \$32,400.00 is available within the MDU Fund.

**Recommendation**

The resolution be approved.

**14 Resolution - Approving Change Order No. 1 to the Agreement with Flow-Line Construction, Inc., in the Amount of \$375,801.00 for the Hidalgo Alley and Las Colinas Country Club Wastewater Improvements 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 item supports the city's Investing in our Future initiative.** This work is part of the priority replacements for the Water Utilities Department. This project impacts approximately 18 residential properties and the Las Colinas country Club Golf Course and will improve the wastewater system.

3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. On September 6, 2018, the City Council awarded the Hidalgo Alley and Las Colinas Country Club Wastewater Improvements Project to Flow-Line Construction, Inc. in the amount of \$2,315,144.00.
5. This change order No. 1 provides funding for quantities of wastewater pipe, manholes items needed to address revisions in design after award.
6. This change order increases the contract amount by 16.23% and contract time by 90 calendar days to the original contract for a new contract amount of \$2,690,945.00.
7. Funding in the amount of \$375,801.00 is available within the Water & Sewer System Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**15 Resolution - Awarding a Contract to North Rock Construction, LLC, in the Amount of \$210,494.69 for the Sam Houston Trail Park Trail Renovation Project**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department. This item supports Strategic Objective 4.5 – Implement enhancements to cultural and recreational facilities.
2. **Impact:** With the 2015-17 floods, 930 linear feet of trail remained underwater after the floodwaters receded. This project will make the necessary repairs and allow this section to reopen faster after future floods occur.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019 and was presented to the Parks and Recreation Board on August 12, 2019.**
4. This project will raise the pavement a maximum of 20”, have two flumes to allow the floodwater to drain under the trail, and keep the trail within the trees for shade.
5. Bids received were from 7 responsive bids. North Rock Construction, LLC, submitted the lowest responsive responsible bid of \$210,494.69. This is \$56,071.00, (22%) below the project estimate.
6. Funding in the amount of \$210,494.69 is available within the Property & Casualty Self Insurance Fund.



### **Recommendation**

The resolution be approved.

## **16 Resolution - Awarding a Contract to Tejas Commercial Construction, LLC, in the Amount of \$875,020.00 for the Lane Street Water and Wastewater Improvements Project**

### **Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department.
2. **Impact:** This item supports the city's Investing in our Future initiative. This project will replace the wastewater and water main along Lane Street from MacArthur Blvd. to Post Oak Drive.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. Bids were received from four bidders. Tejas Commercial Construction, LLC. Submitted a responsive responsible bid of \$875,020.00. This is \$269,980.00 (30%) below the funding allocated for this project.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 100%.
6. Funding in the amount of \$875,020.00 is available within the Water & Sewer System Non-Bond CIP Fund.

### **Recommendation**

The resolution be approved.

## **17 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-23, Located at 2100 N. Walton Walker Blvd. in the Amount of \$59,499.00**

### **Administrative Comments**

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

adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.321 acre utility easement, across Parcel 115-23, situated at 2100 N. Walton Blvd and owned by the John E. Purcell Estate LP.

3. **This item will be discussed at the September 4, 2019 Transportation and Natural Resources Committee.**
4. Funding in the amount of \$59,499 is available within the Water and Sewer Non-Bond CIP Fund.

**Recommendation**

The resolution be approved.

**18 Resolution - Approving Addendum No. 1 to the Consulting Agreement Between the City of Irving and Berry Dunn McNeil & Parker, LLC, Increasing the Overall Contract Price to a Total Not-To-Exceed Amount of \$1,421,827.00 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.

**19 Resolution - Approving Second Addendum to the Master Order Agreement Between City of Irving and Norstan Communications, Inc. Dba Black Box Network Services for Phone System Maintenance, Upgrades and On-Site Technician**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** This item acknowledges the assignment effective March 31, 2019 of NextiraOne, LLC d/b/a Black Box Network Services to its affiliate Norstan Communications, Inc. d/b/a Black Box Network Services represented by Second Addendum to the Master Order Agreement.
3. The city is under an ongoing contract which was approved by City Council on August 8, 2013 by RES-2013-253. The only way to terminate the contract is through a thirty day notice from either the city or Black Box.
4. Approval of this addendum supports the approval of the expenditures under this agreement as presented in the following item on this agenda.

**Recommendation**

The resolution be approved.

**20 Resolution - Authorizing Expenditures with Norstan Communications, Inc. Dba Black Box Network Services in the Total Estimated Amount of \$790,220.00 for Phone System Maintenance, Upgrades, On-Site Technician, Phone Equipment, Software Enhancements and Installation Services**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Funding is necessary to continue paying for contract services between the City of Irving and Black Box Network Services for 24x7 comprehensive manufacturer support and upgrades to the citywide telecommunication system including the Arts & Culture Museum. This contract also provides for a 20 hour per week on-site technician for moves, adds and changes.
3. A portion of the requested appropriation will be for new phone system hardware, software enhancements and installation services on an as-needed basis from this vendor. As the city's current maintenance provider they are the city's single source provider for these purchases.
4. Funding for Fiscal Year 2018-19 is available in various departmental budgets within various funds, while funding for Fiscal Year 2019-20 is subject to budget

appropriation.

Vendor	Spending Term	Total Est. Expenditure	Fiscal Year(s)
Black Box Network Services	9/6/19 – 8/23/20	\$65,220.00	2018-19
		\$725,000.00	2019-20
<b>TOTAL</b>		<b>\$790,220.00</b>	

**Recommendation**

The resolution be approved.

**21 Resolution - Approving a Hosting Services Agreement with NewEdge Services LLC in the Total Amount of \$112,500.00 for CityWorks and GIS System Cloud Hosting**

**Administrative Comments**

1. This item is recommended by the Water Utilities Department and Information Technology (IT) Department.
2. **Impact:** Cloud hosting of the CityWorks work order system and ArcGIS results in significantly improved system responsiveness for city staff. In addition, it reduces IT and GIS in-house resources needed for the CityWorks system and server maintenance.
3. This contract continues to provide satisfactory external hosting of the CityWorks and GIS systems in the cloud. This is a new contract providing services for a three year period.
4. Funding for Fiscal Year 2018-19 is available in the Information Technology Department budget within the General Fund and in the Water Department Budget within the Water and Sewer System Fund, while funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Total Expenditure	Fiscal Year(s)
NewEdge Services	9/6/19-9/5/22	\$37,500.00	2018-19
		\$37,500.00	2019-20
		\$37,500.00	2020-21
<b>TOTAL NOT TO EXCEED AMOUNT</b>		<b>\$112,500.00</b>	

**Recommendation**

The resolution be approved.

**22 Resolution - Selecting Black & Veatch Corporation as the Most Highly Qualified Provider for Engineering Services for Completion of the America's Water Infrastructure Act Risk & Resilience Assessment and Emergency Response Plan and Authorizing Staff to Negotiate an Agreement with Said Provider**

**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 item supports the city's Investing in our Future initiative.** This project will ensure compliance with the America's Water Infrastructure Act of 2018 (AWIA).
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. Section 2013 of the AWIA requires community water systems to complete a risk and resilience assessment and develop an emergency response plan. The Environmental Protection Agency (EPA) will require certification of completion of the Risk & Resilience Assessment by March 30, 2020, and the Emergency Response Plan by September 30, 2020.
5. This project will require expertise that the City of Irving does not have.
6. City staff administered a Request for Qualifications (RFQ) to select an engineering firm for these services. Nine RFQ responses were received and evaluated by staff.
7. The RFQ Response submitted by Black & Veatch Corporation (B&V) best meets the criteria established in the RFQ. The team put together by B&V has a great deal of experience executing projects similar to this one.
8. This is the first step of a two-step process to contract with B&V. Upon approval of this resolution, staff will begin negotiations on an Engineering Services Agreement with B&V and will place the completed agreement on a future City Council agenda for consideration and approval.

**Recommendation**

The resolution be approved.

**23 Resolution - Approving an Interlocal Agreement and Technical Services Contract Between the City of Irving and the Trinity River Authority (TRA) in the Estimated Annual Amount of \$210,000.00 to Provide Water, Wastewater and Stormwater Laboratory Analysis Services to Meet Federal and State Requirements for the City of Irving, Texas**

**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 item supports the city's Investing in our Future initiative.** This contract benefits the City of Irving residents by performing laboratory analysis of the City's water, wastewater and stormwater to verify that it meets and exceeds state and federal requirements.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. The City is required by federal and state law to routinely sample and perform laboratory analysis of the potable water, wastewater and stormwater within the city. The Trinity River Authority (TRA) has one of the few laboratories in our area certified by the state to perform all of the required tests.
5. TRA has provided excellent service to Irving and many other cities for over twenty years. TRA is conveniently located in Grand Prairie, which minimizes our staff time required for daily deliveries. They also test and provide results quickly and will work weekends, as needed, to meet the City's requirements.
6. Funding in the amount of \$180,000.00 is available in the Water Utilities budget within the Water and Sewer System Fund and \$30,000.00 is available in the Municipal Drainage Utility Fund. Subject to FY19-20 budget appropriation.

**Recommendation**

The resolution be approved.

**24 Resolution - Approving an Agreement with Sole Source Provider Benshaw, Inc., in an Amount Not to Exceed \$63,714.92 for Upgrade of Existing Benshaw Pump Equipment for the Lake Chapman System**

**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 item supports the city's Investing in our Future initiative.** This purchase will allow staff to upgrade the existing Benshaw pump equipment used to transport water from Chapman Lake to Lewisville Lake.

3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. Pumps at both the pump station at the lake as well as the booster pump station in Princeton have motors that utilize Benshaw soft start drives. These soft starts reduce the strain on the motor and prevent damaging pressure surges in the pipeline.
5. The Benshaw soft start drives have been in service since the Lake Chapman facilities opened. They are over fifteen years old and have reached the end of their useful life. They need to be upgraded to current standards because internal components of the existing drives are being phased out and replacement parts will be unavailable in the future. In order to safely complete these drive upgrades, the main disconnects that isolate the drives from the incoming power will also be replaced. The plan is to upgrade two drives this year, one at the Princeton Pump Station and one at the Lake Chapman Pump Station, and two drives next year.
6. Funding in the amount of \$63,714.92 is available in the Water Utilities Budget within the Water and Sewer System Fund.

**Recommendation**

The resolution be approved.

**25 Resolution - Approving an Agreement Between the City of Irving and Housing Channel, Inc., to Acquire and Reconstruct or Rehabilitate One Single Family Home Located in Irving, Texas in the Amount of \$124,624.00**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** This project will promote the creation of affordable housing opportunities in Irving.
3. Housing Channel, Inc., will acquire one single family property located in Irving for rehabilitation or new construction of affordable housing.
4. Home Investment Partnerships (HOME) funds will provide for the acquisition costs. Housing Channel, Inc., will fund the reconstruction and/or rehabilitation of the home.
5. Housing Channel, Inc., is an organization with over 25 years of experience in the development of affordable housing. Housing Channel, within the last year, has recently reconstructed three homes in the Irving Heritage Crossing District and has acquired four additional homes to rehabilitate for affordable housing. Four of these seven homes have been sold to first time homebuyers.

6. This agreement is consistent with the City's goals and objectives for affordable housing as set forth in both the 2014-2019 Consolidated Plan and the recently submitted 2019-2024 Consolidated Plan.
7. **The Housing and Human Services Board approved this proposal at its March 20, 2019 meeting.**
8. **The City Council Community Services Committee was briefed on this subject at its April 18, 2019 meeting.**
9. Funding in the amount of \$124,624.00 is available in the CHDO Reserve budget within the Home Investment Partnerships Grant Fund.

**Recommendation**

The resolution be approved.

**Bids & Purchasing Items  
Items 26-37**

**26 Resolution - Renewing the Annual Contract with The Richey Company in an Amount Not to Exceed \$150,000.00 for an Annual Contract for Imprinted Promotional Products**

**Administrative Comments**

1. This item is recommended by the Finance Department – Purchasing Division.
2. **Impact:** Renewal of this item allows for as-needed purchases of promotional, advertising, and specialty items which are used to promote the city through outreach programs and events.
3. Examples of departmental uses include, but are not limited to, the following: Parks and Recreation events, Library events; Open House events; Irving 360°: Civic Academy; Water Utilities, Emergency Management, and Municipal Drainage Utility educational outreach programs; Employee Health and Safety Fair promotional items; and Communications promotional items for various city functions.
4. Examples of items purchased include pens, notepads, bags, USB drives, notebooks, and other promotional items imprinted with city and/or event-specific promotional logos.
5. This renewal establishes a continuation of an annual contract for city-wide use to provide imprinted promotional items from a single vendor as the result of a competitive bid process. This is the first of two one-year renewal options. The current contract expires on September 30, 2019.
6. Funding for Fiscal Year 2019-20 will be available in various departmental budgets within various funds subject to budget appropriation.



Vendor	Contract Term	Total Not to Exceed Amount
The Richey Company	10/1/19 – 9/30/20	\$150,000.00

**Recommendation**

The resolution be approved.

**27 Resolution - Renewing the Professional Services Agreement with Haston Associates, Inc., in the Total Estimated Amount of \$219,249.00 for Compliance Monitoring for the Hunter Ferrell Landfill**

**Administrative Comments**

1. This item is recommended by the Solid Waste Services Department.
2. **Impact:** The work outlined in this contract is required to maintain the Hunter Ferrell Landfill in compliance with its municipal solid waste, air quality, and site specific storm water permits as required by the Texas Commission on Environmental Quality (TCEQ).
3. **This item will be presented to the Transportation & Natural Resources Committee on September 4, 2019.**
4. Each year, a number of sampling, testing, and reporting services must be completed in order for the landfill operations to maintain compliance with the permit requirements as mandated by state and federal regulations. This contract also provides an electrical resistivity survey and remedial planning and testing of gas systems, if needed, as well as analysis of the landfill leachate.
5. This renewal establishes the continuation of an annual contract to provide compliance monitoring services. The original contract was awarded as the result of a negotiated agreement with the vendor receiving the highest evaluation criteria score through a Request for Qualifications process. This is the fourth of five one-year renewal options. The current contract expires on September 30, 2019.
6. Funding for Fiscal Year 2019-20 is subject to budget appropriation in the Solid Waste Enterprise Fund.

Vendor	Contract Term	Total Estimated Amount
Haston Associates, Inc.	10/1/19 – 9/30/20	\$219,249.00

**Recommendation**

The resolution be approved.

**28 Resolution - Approving a Professional Services Consulting Agreement with York Risk Services Group, Inc. (York), in the Average Estimated Annual Amount of \$276,000.00 for Third Party Administration Services for Workers' Compensation, Automobile, General Liability & Subrogation Claims, and FMLA Administration for a Three-Year Period**

**Administrative Comments**

1. This item is recommended by the Human Resources Department – Risk Management Division.
2. **Impact:** Third party administration services are required to keep the city safe and compliant with regulatory needs. The city's Self-Insurance Fund provides a self-insured retention level for workers' compensation and liability claims which requires handling in a manner compliant with State regulations. Handling includes safety and health review for which environmental compliance services are also required.
3. A Request for Proposals (RFP) was issued on May 29, 2019 for Third Party Administration (TPA) Services for Workers' Compensation, Automobile, General Liability & Subrogation Claims, and Environmental Compliance. Six responses were received and evaluated by a stakeholder group comprised of representatives from the Police, Fire, Water Utilities, Traffic & Transportation, Parks & Recreation, Human Resources, and Solid Waste Services departments. Human Resources recommends awarding services as outlined below to the noted proposer with regard to TPA Services as the respondent scoring the highest points based on evaluation criteria established in the RFP.
4. TPA Services are comprised of the complete administration of both workers compensation and liability claims below the self-insured retention provided by the city's Self-Insurance Fund. The proposal submitted by York provided a competitive response and is recommended for award. It includes a dedicated onsite workers' compensation adjuster in order to streamline communication efforts and provide a high level of customer service to employees.
5. In addition, York's proposal also includes value added services such as the knowledge and capability to establish a 504 Workers' Compensation Medical Care program, a risk management information system, as well as a mobile application which allows injured employees to get direct, on the go access to information about their claim. Absence management services for FMLA administration are also included, which will provide efficiencies by having the administrator of workers' compensation claims also handling the city's FMLA program, ensuring that there is seamless communication throughout the process.
6. This award established a three-year contract for the continuation of providing Third Party Administration Services for Workers' Compensation, Automobile, General Liability & Subrogation Claims. It includes one two-year renewal option. The current contract expires on September 30, 2019.
7. Funding for Fiscal Years 2019-20 through 2021-22 is subject to budget

appropriation in the Self-Insurance Fund

Vendor	Component	Contract Term	FY 2019-20 Est. Amt.	FY 2020-21 Est. Amt.	FY 2021-22 Est. Amt.	TOTAL ESTIMATED AMOUNT
York Risk Services Group, Inc.	Third Party Administration Services	10/1/2019 – 9/30/22	\$240,000	\$247,000	\$254,000	\$741,000
	FMLA Administration		\$ 36,000	\$ 36,000	\$ 36,000	\$108,000
<b>TOTAL</b>			\$276,000	\$283,000	\$290,000	\$849,000

**Recommendation**

The resolution be approved.

**29 Resolution - Approving a Professional Services Consulting Agreement with Ensafe, Inc., in the Total Estimated Annual Amount of \$35,000.00 for Environmental Services for a Three-Year Period**

**Administrative Comments**

1. This item is recommended by the Human Resources Department – Risk Management Division.
2. **Impact:** Third Party Administration (TPA) Services for Environmental Compliance are required for the City to remain compliant with regulatory requirements, to assist in conducting routine safety compliance audits, to provide environmental compliance training, and to provide assistance with execution of annual reports required by the Texas Commission on Environmental Quality.
3. A Request for Proposals (RFP) was issued on May 29, 2019 for Third Party Administration (TPA) Services for Workers’ Compensation, Automobile, General Liability & Subrogation Claims, and Environmental Compliance. Six responses were received and evaluated by a stakeholder group comprised of representatives from the Police, Fire, Water Utilities, Traffic & Transportation, Parks & Recreation, Human Resources, and Solid Waste Services departments. Human Resources recommends awarding services as outlined below to the noted proposer with regard to TPA Services for Environmental Compliance as the respondent scoring the highest points based on evaluation criteria established in the RFP.
4. TPA Services for Environmental Compliance are comprised of regulatory compliance site visits at the city’s four service centers, three pump stations, landfill and other facilities as needed; identification and development of spill prevention, control and countermeasure plans (SPCC) for facilities requiring this plan; and annual Tier II chemical reporting which is required by the Texas Commission of

Environmental Quality in March of every year. Ensafe, Inc., is a recognized leader in providing environmental, health, and safety services for both public and private entities and is recommended for award of these services. Specifically for the city, services will be aimed toward the overall compliance with federal and state health and safety regulations which include, but are not limited to, the items listed above.

5. This award established a three-year contract for the continuation of providing TPA Services for Environmental Compliance. It includes one two-year renewal option. The current contract expires on September 30, 2019.
6. Funding for Fiscal Years 2019-20 through 2021-22 is subject to budget appropriation in the Self-Insurance Fund.

Vendor	Component	Contract Term	FY 2019-20 Est. Amt.	FY 2020-21 Est. Amt.	FY 2021-22 Est. Amt.	TOTAL ESTIMATED AMOUNT
Ensafe, Inc.	Environmental Compliance Services	10/1/2019 – 9/30/22	\$ 35,000	\$ 35,000	\$ 35,000	\$105,000

**Recommendation**

The resolution be approved.

**30 Resolution - Renewing the Annual Contracts with Big City Crushed Concrete, in the Total Estimated Amount of \$140,000.00 to Provide Flex Base Materials**

**Administrative Comments**

1. This item is recommended by the Traffic and Transportation – Streets Division and Solid Waste Services Departments.
2. **Impact: This contract supports the Road to the Future Program.** Flex base is utilized by Street Operations to maintain and enhance the city’s transportation network for the safe and effective transit of motorists. It is also used by Solid Waste at the Hunter Ferrell Landfill.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. This renewal establishes the continuation of an annual contract to supply flex base materials. The original contract was awarded on the basis of competitive bids. This is the final of two one-year renewal options. The current contract expires on September 30, 2019.

- Funding for Fiscal Year 2019-20 is subject to budget appropriation in the Traffic and Transportation Department budget within the Streets Fund and the Solid Waste Fund.

Vendor	Contract Term	Total Estimated Amount	Funds
Big City Crushed Concrete	10/1/19 – 9/30/20	\$ 28,000.00	Solid Waste
		\$112,000.00	Streets
<b>TOTAL</b>		<b>\$140,000.00</b>	

**Recommendation**

The resolution be approved.

**31 Resolution - Approving Additional Spending with Alliance Geotechnical Group in the Total Estimated Amount of \$750,000.00 for the Annual Geotechnical Engineering and Construction Materials Testing & Inspections Contract**

**Administrative Comments**

- This item is recommended by the Capital Improvement Program (CIP) Department.
- Impact: This contract supports the Road to the Future Program.** This annual contract provides facts regarding soil mechanics to determine depths of piers for a structure or recommendations for a roadway subgrade and paving section. It also provides for the testing of construction materials for strength and durability and to ensure all construction is structurally sound to assure public welfare. This testing applies to construction operations for installation of engineering facilities for new City of Irving subdivisions and capital improvement projects.
- This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
- This contract was awarded in an amount not to exceed \$750,000.00 for the period of February 1, 2019, through January 31, 2020. Due to the volume and demand of CIP, Municipal Drainage Utility, and private development design and construction work, CIP recommends approval of additional spending in the total estimated amount of \$750,000.00, bringing the contract total to \$1,500,000.00. The additional funding requested is for investigation work through design and for construction materials testing.
- Funding for Fiscal Year 2018-19 is available within various capital improvement project funds, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

<b>Vendor</b>	<b>Contract Term</b>	<b>Estimated Expenditures</b>	<b>Fiscal Year(s)</b>
Alliance Geotechnical Group	9/5/19 – 1/31/20	\$150,000.00	2018-19
		\$600,000.00	2019-20
<b>TOTAL</b>		<b>\$750,000.00</b>	

**Recommendation**

The resolution be approved.

**32 Resolution - Renewing the Engineering Services Agreement between the City of Irving and Graham Associates, Inc., in the Estimated Annual Amount of \$500,000.00 for Annual Drainage Improvements**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This item supports the Drainage Solutions for a Better Tomorrow program.** This agreement provides professional services for fast tracked, high priority projects related to drainage improvements that exceed internal design staff’s capacity or design expertise such as the need for complex H&H analysis or environmental issues.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. In October 2018 the City of Irving entered into an agreement with Graham Associates, Inc., for professional engineering services for miscellaneous drainage improvements 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.
5. This renewal establishes the continuation of an agreement to provide professional engineering services for miscellaneous drainage improvements. This is the first of two, two-year renewal options. The current contract expires on September 30, 2019.
6. Funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation within various project funds.

Vendor	Contract Term	Estimated Expenditures	Fiscal Year(s)
Graham Associates, Inc.	10/1/19 – 9/30/21	\$500,000.00	2019-20
		\$500,000.00	2020-21
<b>TOTAL</b>		<b>\$1,000,000.00</b>	

**Recommendation**

The resolution be approved.

**33 Resolution - Renewing the Engineering Services Agreement Between the City of Irving and Halff Associates, Inc., in the Estimated Annual Amount of \$750,000.00 for Annual Water and Wastewater Improvements**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This item supports the city’s Investing in our Future initiative.** This agreement provides professional services for fast tracked, high priority projects related water and wastewater improvements that exceed internal design staff’s capacity or design expertise such as the need for major structural design elements.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. In October 2018 the City of Irving entered into an agreement with Halff Associates, Inc., for professional engineering services for miscellaneous water and wastewater improvements 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.
5. This renewal establishes the continuation of an agreement to provide professional engineering services for miscellaneous water and wastewater improvements. This is the first of two, two-year renewal options. The current contract expires on September 30, 2019.
6. Funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation within various project funds.

Vendor	Contract Term	Estimated Expenditures	Fiscal Year(s)
Half Associates, Inc.	10/1/19 – 9/30/21	\$750,000.00	2019-20
		\$750,000.00	2020-21
<b>TOTAL</b>		<b>\$1,500,000.00</b>	

**Recommendation**

The resolution be approved.

**34 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and SHI Government Solutions, Inc., through the State of Texas Department of Information Resources (DIR)**

**Administrative Comments**

1. This item is recommended by the Information Technology Department.
2. **Impact:** Establishment of a Vendor/Member contract between City of Irving and SHI Government Solutions, Inc. for utilization of Contract No. DIR-TSO-4092, which expires on February 21, 2020, will allow the city to procure Microsoft Software under the best possible terms and conditions.
3. Approval of this contract supports the purchase of Microsoft software as presented in the following item on this agenda as well as any future purchases from this vendor through the designated DIR contract for the specified contract term.

**Recommendation**

The resolution be approved.

**35 Resolution - Approving the Purchase from SHI Government Solutions, Inc., for Microsoft Software in the Total Amount of \$130,175.32 through the Texas Department of Information Resources (DIR)**

**Administrative Comments**

1. This item is recommended by the Information Technology (IT) Department.
2. **Impact:** The city’s Microsoft Enterprise Agreement (EA) requires the IT Department to true up each year by paying for license modifications at a specific point each year.



3. The city will be adding 136 licenses overall to our existing EA and network utility add-ons that will help IT manage Office365 after we convert. The agreement expires on July 31, 2020.
4. The city has been enrolled in a Microsoft EA program since 2002. As the city has standardized on Microsoft Office Professional Suite on all computer systems, Windows server and computer operating systems, and SQL databases for the majority of the city's applications it is important to continue to stay current with this program to obtain the best pricing, support, software services, and training.
5. Fulfillment of this agreement through SHI Government Solutions, Inc. is supported by a Vendor/Member contract which is presented for approval as the previous item on this agenda.
6. Funding in the amount of \$130,175.32 is available in the Computer Replacement Fund.

**Recommendation**

The resolution be approved.

**36 Resolution - Approving As-Needed Purchases from NAPA Auto Parts in the Total Estimated Amount of \$280,000.00 for Auto and Truck Parts with Related Auto and Truck Equipment, Accessories, Supplies, & Services through Sourcewell (formerly National Joint Powers Alliance)**

**Administrative Comments**

1. This item is recommended by the by the Fleet Services Division.
2. **Impact:** Approval of this item allows for as-needed purchases of automotive parts and supplies, allowing for enhanced Fleet service operations.
3. A Vendor/Member contract between the City of Irving and NAPA Auto Parts was approved on March 23, 2017 by Administrative Award No. 5306. This contract supports the utilization of NJPA Contract No. 062916-GPC for Auto and Truck Parts with Related Auto and Truck Equipment, Accessories, Supplies & Services, which expires on September 6, 2020.
4. The requested funding will be utilized for as-needed purchases of parts to assist in providing the highest quality of maintenance for all vehicle repairs in an amount not to exceed \$280,000.00 through September 6, 2020.
5. Funding for Fiscal Year 2018-19 is available in the Garage Fund, while funding for Fiscal Years 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
NAPA Auto Parts	9/7/19 – 9/6/20	\$ 40,000.00	2018-19
		\$240,000.00	2019-20
<b>TOTAL</b>		<b>\$280,000.00</b>	

**Recommendation**

The resolution be approved.

**37 Resolution - Approving and Accepting the Bid of Global Building Maintenance, Inc., in the Total Estimated Amount of \$77,984.32 for Custodial Maintenance Services for the Irving Arts Center**

**Administrative Comments**

1. This item is recommended by the Irving Arts Center.
2. **Impact:** Custodial Services provide clean and attractive facilities for residents and visitors attending various events and performances at the Arts Center.
3. This award establishes an annual contract for the continuation of custodial services for the Irving Arts Center.
4. MWBE participation in this award is 100%.
5. Funding for Fiscal Year 2018-19 is available in the Irving Arts Center in the General Fund, while funding for Fiscal Year 2019-20 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year
Global Building Maintenance, Inc.	9/6/19 – 8/31/2020	\$5,275.73	2018-19
		\$72,708.59	2019-20
<b>TOTAL</b>		<b>\$77,984.32</b>	

**Recommendation**

The resolution be approved.

**End of Bids**

**38 Ordinance - Approving the City of Irving Traffic Access Management Manual**

**Administrative Comments**

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** The State of Texas recently passed H.B. 3167, effective September 1, 2019, which requires cities to articulate its standards to applicants regarding the land development process.
3. **This Ordinance will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. H.B. 3167 requires a municipality that adopts regulations (Access Management Regulations) must provide the applicant a written statement of the reasons for conditional approval or disapproval that clearly articulates each specific reason for the conditional approval or disapproval with citations to the applicable regulation or ordinance.
5. No funding is required.

**Recommendation**

That the ordinance be approved.

**39 Ordinance - Amending Chapter 21 of the Code of Civil and Criminal Ordinances of the City of Irving, Texas to Provide Speed Regulations for School Zone for Canyon Ranch Elementary School**

**Administrative Comments**

1. This item has been recommended by the Traffic and Transportation Department.
2. **Impact:** This Ordinance will establish a 20 MPH School Zone effective during appropriate days and times for Canyon Ranch Elementary School along Ranchview Drive between a point 215 feet south of Windy Hollow Drive and a point 180 feet south of Santa Fe Trail, and Santa Fe Trail between a point 80 feet west of Ranchview Drive and a point 184 feet east of Valley Ranch Parkway West, and Valley Ranch Parkway West between a point 200 feet south of Santa Fe Trail and a point 172 feet north of Santa Fe Trail.
3. **This Ordinance will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. No funding is required.

**Recommendation**

The ordinance be adopted.

**40 Ordinance - First Reading - Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp., Mid-Tex Division, Regarding the Company's 2019 Rate Review Mechanism Filing**

**Administrative Comments**

1. This item has been recommended by the City Manager's Office and the City Attorney's Office.
2. **Impact:** The purpose of this ordinance is to approve the Settlement Agreement and the resulting rate change under the RRM tariff.
3. The City of Irving, along with other cities served by Atmos Energy Corp., Mid-Tex Division, is a member of the Atmos Cities Steering Committee ("ACSC"). The Rate Review Mechanism (RRM) Tariff was originally adopted by ACSC member cities in 2007 as an alternative to the Gas Reliability Infrastructure Program ("GRIP"), a statutory provision that allows Atmos to bypass the City's regulatory authority to increase its annual rates to recover capital investments. The RRM Tariff was last modified in 2018.
4. The 2019 RRM filing is the seventh RRM filing under the renewed RRM Tariff. On April 1, 2019, Atmos made a filing requesting \$70 million additional revenues on a system-wide basis. After applying existing standards in the overall tariff, the request was reduced to \$54 million.
5. If the Company had used the GRIP process rather than the RRM process, it would have received a \$52.3 million increase, or about \$16.9 million more than will be approved by the proposed Ordinance. ACSC and the Company have reached an agreement, reflected in the proposed Ordinance, to reduce the Company's request by \$5.3 million. The proposed Ordinance approving the new rates reflects an increase of \$48.7 million on a system-wide basis, or \$35.4 million for Mid-Tex Cities, when the City of Dallas is excluded.
6. The monthly residential charge will be \$19.55 (current charge is \$18.85). The monthly bill impact for the typical residential customer consuming 45 Ccf (one hundred cubic feet) will be an increase of \$2.05, or about 3.7%. The typical commercial customer will see an increase of \$6.18, or 2.31%.
7. The ACSC Executive Committee and its designated legal counsel and consultants recommend that all Cities adopt the proposed Ordinance with its attachments approving the negotiated rate settlement resolving the 2019 RRM filing, and implementing the rate change.

**Recommendation**

The Ordinance be approved.

**41 Ordinance - First Reading - Amending Chapter 52 Entitled "Water and Sewer Rates" of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, Providing for New Monthly Sewer Rates**

**Administrative Comments**

1. This item has been recommended by the Water Utilities Department.
2. **Impact:** A 2.6% combined water and sewer rate increase will help provide funding to cover increases to pass-through costs for wastewater treatment and water supply while also providing additional revenues to fund capital projects with cash to reduce the bond sale and future debt.
3. **This item was presented at the Budget Retreat on August 21, 2019.**
4. The proposed 2.6% increase is slightly less than the 2.7% increase in the five-year rate plan approved by the City Council on September 3, 2015. A multi-year rate plan was required to build the debt coverage ratio up to the level expected by bond rating agencies for an "AA" rating.
5. The need for the proposed rate increase is primarily driven by increasing pass-through cost for contracted services. Irving contracts with the Trinity River Authority (TRA) for sewage treatment and this pass-through cost is expected to increase \$1.0 million in FY 2019-20. Pass-through costs from the City of Dallas for water treatment also increased.
6. The rate adjustment is projected to increase revenues to approximately \$111.6 million. The proposed budget is also \$111.6 million and it includes a Capital Improvement Program (CIP) of \$30,255,000.00. The CIP is projected to be funded with \$13,355,000.00 in cash and \$16,900,000.00 in bonds.
7. The monthly bill for a residential customer with 3,000 gallons of water usage and 2,000 gallons of wastewater would increase \$0.39 under the proposed rates. The monthly bill for a residential customer with 10,000 gallons of water usage and 8,000 gallons of wastewater would increase \$1.65 under the proposed rates.

**Recommendation**

The ordinance be adopted.

**42 Ordinance - Approving an Adjustment of Common Boundary Between the City of Irving and the City of Dallas, Located East of Northlake Road and South of Belt Line Road, to Allow for Efficient Development and Delivery of City Services for Both Jurisdictions**

**Administrative Comments**

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** Per this agreement the City of Irving will release 3.724 acres, located at the northeast corner of Northlake Road and Bluegill Bay Road, which shall be made part of the territorial limits of the City of Dallas. The City of Dallas will release 2.011 acres located east of Northlake Road and south of Belt Line Road, which shall be made part of the territorial limits of the City of Irving.
3. **This item will be presented to the Transportation and Natural Resources Committee on September 4, 2019.**
4. No Funding is required.

**Recommendation**

The resolution be approved.

## **ZONING CASES AND COMPANION ITEMS**

**43 Resolution - Temporary Use Permit G1906-0020 - Considering a Temporary Use Permit to Allow a Street Market Held at the Mandalay Canal with Retail, Food Vendors and Musicians Performance - Property Located at 101, 151 and 215 Mandalay Drive - Muhamad Abdeckader, Applicant**

**Administrative Comments**

1. This item is recommended by the Planning and Community Development Department.
2. The applicant is requesting approval to establish a weekly "street market" along the Mandalay Canal at 101, 151 and 215 Mandalay Drive. The street market would include retail and food vendors along with musical performances.
3. The street market will be open from 4:00 p.m. to 10:00 p.m. on Fridays, from 11:00 a.m. to 9:00 p.m. on Saturdays, and from 11:30 a.m. to 7:00 p.m. on Sundays between September 5, 2019 and January 2, 2020.
4. The street market supports a larger vision for Mandalay Canal to be revitalized. The intent of the market is to bring pedestrian traffic back to the canal.

5. The sale of alcoholic beverages for on-premises consumption shall be prohibited, except where existing S-P-1 (R-AB) zoning exists (*Venetian Terrace* restaurant).
6. The permit would be non-transferable and non-renewable.

### **Recommendation**

The resolution be approved.

## **44 Resolution - Approving Special Sign Permit Case #SV19-0001 to Allow an Existing Non-Conforming Multi-Tenant Sign to Expand in Area - Property Located at 2950 N. Belt Line Road - the Catch, Applicant - 2904 Beltline, LLC, Owner**

### **Administrative Comments**

1. The applicant is seeking approval of a Sign Variance to allow an existing non-conforming multi-tenant sign to expand in area and keep the current height.
2. The property is located at 2950 N. Belt Line Rd in the Sterling Plaza shopping center, which is located on the Southeast corner of N. Belt Line Rd. and W. Rochelle Rd.
3. The current multi-tenant sign is approximately 45' tall and has a sign face area of 231.65 square feet.
4. The applicant is proposing to increase the sign face area to 273.5 square feet, which is an increase of 41.85 square feet.
5. The applicant is also proposing to keep the structure at the current height of 45'. Per ordinance they would be required to lower the structure to 35' tall, which creates a variance request of 10' in height.
6. Since approval of this request would lead to an improved appearance of the sign by infilling the current gaps between tenant panels and making it appear more like a complete multi-tenant sign, staff can support this request.
7. The corresponding sign permit number is S1907-0023.

### **Recommendation**

The resolution be approved.

**45 Ordinance - Zoning Case #ZC19-0023 - Considering a Zoning Change from 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 8,582 Sq. Ft. Located at 2708 West Irving Boulevard - Mariscos La Marea Restaurant, Applicant - GP/Jess Enterprises, LLC, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 5, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan recommends *Neighborhood Commercial* uses for the subject property, which allows mixed-use commercial areas along major corridors, and opportunities for residential and commercial infill and reinvestment. The proposed use is in conformance with the Comprehensive Plan.
3. The subject property is an 8,582 sq. ft. *Mariscos La Marea Restaurant* in a multi-tenant retail building. **The applicant is proposing rezoning to allow the restaurant to sell alcoholic beverages for on-premises consumption.**
4. The multi-tenant building is part of a 16-acre retail center with shared parking.
5. The restaurant has 200 interior seats. A total of 80 parking spaces are required at one space for each 2.5 seats. The parking is provided as part of the retail center.
6. The request complies with all requirements of the S-P-1 for R-AB ordinance.
7. A total of six (6) public notices were mailed. Staff has not received any responses in support or in opposition to this request.
8. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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



**46 Ordinance - Zoning Case #ZC19-0043 - Considering a Zoning Change from C-W (Commercial Warehouse) District to R-6 (Single Family) District - Approximately 0.215 Acres Located at 1825 Parkside Avenue - Frank and Maria Flores, Applicant/Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 5, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. The applicant is seeking approval to develop a vacant lot with a single family house.
3. The 2017 Imagine Irving Comprehensive Plan recommends *Compact Neighborhood* uses for the subject property, which allows predominantly single-family homes with a diverse mix of building types including small cottage homes, clustered courtyard homes, townhouses, rowhouses, and small-scale apartments. Some mix of non-residential uses, especially at intersections and commercial corners, is supported. The proposed use is in conformance with the Comprehensive Plan.
4. The subject property is an undeveloped 9,365 sq. ft. platted lot. It is one of several lots fronting on Parkside Avenue that were zoned and developed under the “A” Single Family district under the City’s previous zoning ordinance before 1973.
5. The majority of these lots were zoned to C-W (Commercial Warehouse) district in 1973 by zoning case no. 73-1846, by an applicant who gathered a petition on behalf of the property owners. Some were converted to commercial uses, some remained residential and were made conforming again through subsequent zoning cases. As a result, the block is a mix of residential and commercial uses on the north side and industrial uses on the south side, adjacent to the rail line.
6. The two lots adjacent to the east of the subject property were rezoned and developed under the R-6 (Single Family) district. The adjacent property to the west is zoned C-W but is developed with a single family home which remains as a legal nonconforming use.
7. A total of 30 public notices were mailed. Staff received 3 in support and 2 in opposition to this request. The opposition represents 10.53% 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.
8. Since the request complies with the Comprehensive Plan and the use is consistent with the residential on the north side of the block, staff can support this rezoning request.
9. 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.

**47 Ordinance - Zoning Case #ZC19-0045 - Considering a Zoning Change from ML-20 (Light Industrial) District to S-P-1 (Detailed Site Plan) District for ML-20 (Light Industrial) District Uses - Approximately 1.45 Acres Located at 3245 Royalty Row - Precision Formed Plastics, Applicant - J Jones 3205 Royalty Row, LLC, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 19, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. **The applicant is requesting a zoning change for an exception to the minimum side yard setback to allow the property to be divided through the building by separate plat.** The existing industrial land uses will remain.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* uses for the property. This land use category is a “Flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking.” The current land use of light industrial will continue which does not cause a Comprehensive Plan Amendment for this request.
4. The property is currently developed with a single story building that is occupied by two tenants. The ownership of the building and the lot on which it is built has been divided between the two tenants. The owners have also submitted a replat to legally subdivide the property into two separate lots.
5. Since the proposed property line divides the building, an exception is needed for the required side yard setback of 10 feet to be eliminated. The new side yard setback will be zero.
6. All other requirements of the ML-20 District regulations will be met.
7. The owners have complied with building and fire code regulations in creating the internal, physical separation between the two spaces in the building.
8. A total of 20 public notices were mailed. Staff has received one (1) response in support and none in opposition to this request.
9. Since the proposed request will allow the existing uses to function in the building while doing so under separate ownership, staff can support this request.
10. 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.

**48 Ordinance - Zoning Case #ZC19-0051 - Considering a Zoning Change from R-MH (Manufactured Home) District to R-6 (Single Family) District - Approximately 0.358 Acres Located at 1819 Etain Road - DH2 Homes, LLC, Applicant/Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 5, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. **The applicant is seeking rezoning to plat the property into two lots to develop two single family detached dwellings on the tract.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Residential Neighborhood* uses for the subject property, which allows predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. The proposed use is in conformance with the Comprehensive Plan.
4. The subject property is a 16,770 sq. ft. unplatted lot with an existing single family dwelling on the southwest corner of Etain Road and Eighteenth Street. The property was part of a former manufactured home park that has been rezoned and redeveloped into single family homes, but this lot was left with R-MH zoning because it was already developed with a single family dwelling.
5. The applicant is requesting R-6 zoning to replat the property into a 9,600 square foot lot on the corner, and a 6,490 square foot lot on the south portion, and develop two single family dwellings fronting on Etain Road. Since a significant right-of-way dedication is required on Etain, and corner lots are required to be 75 feet wide, the lots are configured to front on Etain like the single family on the opposite side.
6. The applicant has submitted the Hernandez Etain Road Addition plat, and it is in review.
7. A total of 46 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
8. Since the request complies with the Comprehensive Plan, staff can support this rezoning request.
9. 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.

**49 Ordinance - Zoning Case #ZC19-0057 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for C-C (Community Commercial) District and Other Uses to S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption), Movie Theater and Related Uses - Approximately 1.58 Acres Located at 8505 Walton Road - Takkar Developers, Applicant - PASMAA Theater, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 5, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. **The applicant is requesting rezoning to allow the *Fun Movie Grill* movie theater to have the attendant accessory use of the sale of alcoholic beverages for on-premises consumption.**
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* for this property. This is described as a flexible use district for retail, office and commercial uses, with predominantly mid-rise buildings with a mix of surface and structured parking. This request is in conformance with the Comprehensive Plan.
4. The subject property is an existing stand-alone, Fun Movie Grill movie theater with 16 individual theaters. The owner is redesigning the lobby area to accommodate a bar, alcohol serving area, and a future entertainment area. They are also planning to refurbish several of the theaters to be able to have food and beverage service.
5. The consumption of alcohol will be permitted in the designated lobby area and the movie theaters in which food and beverages will be served. Access to the bar and alcohol storage area will be limited to TABC-certified staff, and other food and beverages will be sold from a different location within the lobby. A note has been placed on both sheets of the site plan that states: “Alcoholic beverages may be carried and consumed by customers anywhere within the theater space, but may not be carried into the parking lot.”
6. Parking will be provided in accordance with City’s requirements.
7. The proposed request meets all requirements of the R-AB zoning district requirements.
8. A total of 27 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
9. This items supports Strategic Objective 3.5 – Effectively plan and manage land use.

**Recommendation**

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

- 50 **Ordinance - Zoning Case #ZC19-0060 - Considering a Zoning Change from S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) Uses to C-N (Neighborhood Commercial) District - Approximately 0.077 Acres Located at 508 N. O'Connor Road - Time Manner Construction, Applicant - Joe Inki Chung, Owner**

**Administrative Comments**

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 19, 2019 – Favorable 8-0 (Commissioner Richards, absent)
2. **The applicant is seeking the repeal of the current 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) zoning district in order to create new retail spaces.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Main Street* uses for the subject property, which strives for mixed-use walking districts with single and multi-story buildings, continuous street wall, on-street parking, and pedestrian-design streets and buildings. The proposed use is in conformance with the Comprehensive Plan.
4. The subject property is the site of the former Danal's restaurant, which was destroyed by fire. The restaurant is not re-occupying the space in the renovated retail center. The owner is creating multi-tenant retail spaces in its place.
5. Rezoning of the site to the C-N (Neighborhood Commercial) district is consistent with the surrounding property.
6. A total of nine (9) public notices were mailed. Staff has received 1 response in support and none in opposition to this request.
7. Since this request complies with the recommended land use for this area, staff can support the 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.

## **APPOINTMENTS AND REPORTS**

- 51 **Mayor's Report**

**Adjournment**