

AGENDA
Irving City Council Regular Meeting
Thursday, September 19, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Senior Pastor Freddie Orr, Northgate United Methodist 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 48

CITY COUNCIL AGENDA

1 City Operations Update

-Irving Golf Club Soft Opening Update

2 Ordinance - Adoption of the 2019-20 City of Irving Fiscal Year Budget

Administrative Comments

1. This item has been recommended by the Financial Services Department.
2. **Impact:** The FY 2019-20 budget has been prepared pursuant to discussion with Council and submitted for adoption.
3. Public Hearings were held on June 6, June 20, September 5, and September 10 to allow resident input.

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.

Recommendation

The ordinance be adopted.

3 Ordinance - Ratifying the Fiscal Year 2019-20 Budget Which Increases Property Tax Revenues

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. State law requires this item to be adopted if the proposed budget raises additional revenue from property taxes compared to the prior year.
3. Based on the calculation required by state law, the proposed budget does not raise additional revenue from property taxes compared to the prior year. The cover page of the budget states that the budget will raise less revenue from property taxes. This calculation is impacted by revenues associated with the city's TIF districts.
4. The proposed budget is based on the current tax rate, which exceeds the effective tax rate.
5. Because the proposed budget is based on a tax rate in excess of the effective tax rate, staff recommends adoption of this item.

Recommendation

The ordinance be adopted.

4 Ordinance - Setting the 2019 Tax Rate and Levying the Tax as Required by the State of Texas Property Tax Code

Administrative Comments

1. This item has been recommended by the Financial Services Department.
2. **Impact:** The adoption of the tax rate of \$0.5941 per \$100 of value provides the revenues necessary to balance the proposed FY 2019-20 budget. Additional revenues from property taxes will be used to enhance public safety services, invest in infrastructure improvement and maintain current service levels.
3. The total proposed tax rate is \$0.5941 per \$100 in value. The Texas Property Tax Code requires adoption of the tax rate in its two components, Maintenance and Operations and Debt Service. The proposed tax rate in its component parts is:

Maintenance and Operations Tax Rate	\$0.4741
Debt Service Tax Rate	<u>\$0.1200</u>
Total City of Irving Tax Rate	\$0.5941

4. For comparison, the proposed, current, effective, and rollback rates are:

Proposed Tax Rate	\$0.594100
Preceding Year's Tax Rate	\$0.594100
Effective Tax Rate	\$0.567200
Rollback Tax Rate	\$0.608086

5. The proposed tax rate maintains the same rate as the prior year.
6. The proposed tax rate will raise more taxes for maintenance and operations than last year's tax rate. It is greater than the effective rate
7. The proposed maintenance and operations tax rate will effectively be raised by 6.0 percent and will raise taxes for maintenance and operations on a \$100,000 home by approximately \$26.90.
8. On August 21, 2019 at the Budget Retreat, Council adopted a resolution expressing an intent to adopt a tax rate that does not exceed \$0.5941.

Recommendation

The ordinance be adopted.

5 Ordinance - Adopting the 2019 City of Irving Tax Roll as Required by the State of Texas Property Tax Code

Administrative Comments

1. This item has been recommended by the Financial Services Department.
2. **Impact:** Adoption of the Appraisal Roll with the calculation of tax imposed on each property becomes the City's Tax Roll for collection of this year's taxes.
3. The Tax Assessor has calculated and determined the tax imposed on each piece of property included on the appraisal roll for the City of Irving pursuant to Section 26.09 of the Texas Property Code and has submitted it to the City Council for approval.

Recommendation

The ordinance be adopted.

CONSENT AGENDA

- 6 Approving Budget Retreat Minutes for Wednesday, August 21, 2019**
- 7 Approving Work Session Minutes for Wednesday, September 04, 2019**
- 8 Approving Regular Meeting Minutes for Thursday, September 05, 2019**
- 9 Approving Special Meeting Minutes for Tuesday, September 10, 2019**
- 10 Ordinance - Amending Ordinance No. 2018-10104 Providing Budget Adjustment #8 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, Convention Center Hotel Fund, Irving Golf Club Special Revenue Fund, Property and Casualty Self Insurance Fund, Entertainment Venue Post ARK 2% Fund, General Non-Bond CIP Fund and Vehicle and Equipment Replacement 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.

- 11 Ordinance - Amending Section 2 of Ordinance No. 2019-10238 to Ratify Final Ballot Language for the Special Election for the Purpose of a Home Rule Charter Amendment to be Held on November 5, 2019**

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** This item does not change the specific proposition language previously

approved by the City Council in its August 19, 2019 ordinance calling the special election for a charter amendment, only correcting language to be consistent with ballot requirements in the Election Code.

3. A redlined version of the ordinance changes are included.

Recommendation

The ordinance be adopted.

12 Resolution - Approving the Second Amendment to the System Purchase Agreement with TriTech Software Systems for Cancellation of Services Related to Migration of the Police Department Public Safety System and Reducing the Overall Contract Price to a Total Not-To-Exceed Amount of \$762,563.00

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** Amending the System Purchase Agreement with TriTech Software Systems (“Tritech”) will result in cancellation of certain services that were to be provided under the agreement related to the migration of the police department’s public safety system. The police department will continue using its current Records Management System (RMS) and Jail Management software.
3. On October 22, 2015, the Irving City Council approved RES-2015-396, entering into a System Purchase Agreement with TriTech for the sole source purchase of Public Safety Administration System Software, which included a Computer Aided Dispatch (CAD) system, Records Management System (RMS), and Jail Management software for a total not-to-exceed price of \$981,234.74.
4. Subsequently, the parties executed a First Amendment to the System Purchase Agreement, reducing the contract price to \$977,711.74.
5. On April 28, 2016, Council approved RES-2016-173, approving Change Order No. 1 with Tritech to increase the contract price by an additional \$127,000.00.
6. The CAD system project was completed in 2017. However, the RMS and Jail Management software projects were never completed by Tritech and neither product has been installed. The Police Department has determined that cancelling these services is the most cost effective option and in the city’s best interests.
7. This second amendment cancels the RMS and Jail Management software services and reduces the contract price to a total not-to-exceed amount of \$762,563.00.

Recommendation

The resolution be approved.

13 Resolution - Approving the Special Event Permit Application for the City of Irving's Fall Fest Event, to be Held at Whistlestop Plaza, Located at 123 W. Irving Boulevard, Irving, Texas on October 12, 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 Fall Fest 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. 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.
4. 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.
5. This permit approves staging and road closures along Rock Island Road between Main Street and the entrance of the nearest DART lot, and along Main Street between Rock Island Road and Irving Boulevard, from 6:00 am to 10:00 pm on Saturday, October 12, 2019.
6. City Council has approved funding to support citywide special events.

Recommendation

The resolution be approved.

14 Resolution - Approving the Reimbursement Agreement Between the Las Colinas Association and the City of Irving for the Maintenance of the State Highway 114 Corridor

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** The proposed agreement will continue the appearance of the State

Highway 114 corridor area, at no additional cost to the City.

3. The Las Colinas Association proposes to reimburse the City for mowing and litter control services on State Highway 114, performed by the City's mowing maintenance contractor.
4. The City has an existing Municipal Maintenance Agreement in effect with the Texas Department of Transportation, which permits such maintenance on state rights of way within the City of Irving.
5. The agreement will provide for funding by The Las Colinas Association for six annual mowing and litter control cycles.
6. Funding in the amount of \$54,918.60 for the period of October 1, 2019, through September 31, 2020, is available in the Maintenance Agreement Fund budget within the General Fund, subject to funds being appropriated in Fiscal Year 2019-20.

Recommendation

The resolution be approved.

15 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 86th 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.
5. The local portion of bingo fees is 50% of the total bingo fee with the other 50% paid to the State of Texas. Currently the local portion is divided between Irving and Dallas County at 25% each. If Irving chooses not to continue the fee, the full amount of the local portion will be distributed to Dallas County, unless they also choose not to continue collecting the fee. Dallas County is currently budgeting to continue collecting bingo revenue in their proposed FY 2019-20 budget.

Recommendation

The resolution be approved.

16 Resolution - Authorizing the Exercise of the Right of Eminent Domain and the Initiation of Condemnation Proceedings in Accordance with the City Charter and Chapter 21 of the Texas Property Code to Acquire Real Property Interests for Public Use on Parcel 115-9 (1300 Darr Street) and Parcel 115-10 (1409 N. Walton Walker Blvd)

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Water Utilities Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater, and storm water systems.
2. **Impact:** This authorization is being requested to allow the City to pursue the acquisition of real property interests on Parcel 115-9 (1300 Darr St.) and Parcel 115-10 (1409 N. Walton Walker Blvd.) which are essential to the completion of Phase II of the Diamond Interchange Project. Conventional negotiations to obtain easements from the landowners have proven unsuccessful.
3. **This item will be presented to the Transportation and Natural Resource Committee on September 18, 2019.**
4. Funding in the total estimated amount of \$100,000.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-1, Located at 1901 E. Union Bower Road in the Amount of \$15,892.00

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 0.069 acre utility easement, across Parcel 115-1, situated at 1901 E. Union Bower Road and owned by Gramsn Fuels, Inc.
3. **This item will be presented to the Transportation and Natural Resource Committee on September 18, 2019.**
4. Funding in the amount of \$15,892.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving an Economic Development Incentive Agreement Between the City of Irving and Lennar Trading Company in an Amount Dependent Upon Annual Qualification

Administrative Comments

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Approval of this agreement will provide a business incentive to Lennar Trading Company to establish a centralized purchasing office in the City of Irving that will generate an estimated \$160,000,000 in taxable sales annually.
3. **This item was discussed in Executive Session at City Council meetings on June 19 and July 31, 2019.**
4. The City and the Greater Irving-Las Colinas Chamber of Commerce are working with Lennar Trading Company to locate the company's centralized purchasing office in Irving.
5. Minimum qualification levels for this incentive are for the company to achieve at least \$5,000,000 in annual taxable sales sourced to the City of Irving and retain 50 current Irving employees at an average salary of at least \$64,000 by December 31, 2019 (Year 1) and achieve at least \$20,000,000 in annual taxable sales sourced to the City of Irving and retain 50 current Irving employees at an average annual salary of at least \$58,000 by December 31, 2020 (Years 2-10). Lennar Trading will be allowed to use qualified employees of the company, and/or company affiliates to meet the minimum employee requirement. Minimum threshold eligibility requirements and certification must be achieved on an annual basis throughout the agreement term.
6. The initial term of the agreement is for ten (10) years with one (1) ten-year renewal

option upon City Council approval. Should the company fail to achieve minimum qualifications for two (2) consecutive years after initially meeting the minimum qualifications, the company would be subject to recapture of the previous economic development incentive received from the City in the last year that the grant was paid.

7. The City offers a Sales Tax Rebate, paid in annual installments following achievement of minimum threshold eligibility requirements and annual certification, for reimbursement of the one percent (1%) net new City of Irving sales taxes collected by the company and paid to the City of Irving, which shall be in accordance with the following tables for the respective tax year.

Rebate Eligibility Year 1 (2019)		
Taxable Sales	Employees	Rebate Percentage
\$12,500,000 or more	50	75%
\$6,250,000 - \$12,499,999	50	50%
\$5,000,000 - \$6,249,999	50	25%
Less than \$5,000,000	50	0%
Rebate Eligibility Years 2 - 10 (2020-2028)		
Taxable Sales	Employees	Rebate Percentage
\$50,000,000 or more	50	75%
\$25,000,000 - \$49,999,999	50	50%
\$20,000,000 - \$24,999,999	50	25%
Less than \$20,000,000	50	0%

Recommendation

The resolution be approved.

19 Resolution - Making an Offer to ARK Group of Irving, Inc., for Amendments to the Entertainment Center Lease Agreement and the Entertainment Center Economic Development Incentive Agreement Under Certain Terms Acceptable to the City

Administrative Comments

1. This item supports Strategic Goal No. 3: Economic Development.
2. This item is presented at the direction of City Council.
3. **Impact:** This resolution represents a formal offer by the City Council to ARK Group

of Irving, Inc. (“ARK”), on proposed amendments to Entertainment Center Lease Agreement, and the Entertainment Center Economic Development Incentive Agreement on terms acceptable to the City.

4. The Council approved the Entertainment Center Lease Agreement on September 5, 2013. The first amended and restated Lease Agreement was approved on December 12, 2013, and the second amended and restated Lease Agreement was approved on October 22, 2015.
5. The Council approved an Economic Development Incentive Agreement on September 5, 2013. A revised Economic Development Incentive Agreement was approved on December 12, 2013, and the first amended and restated Economic Development Incentive Agreement was approved on October 22, 2015.
6. ARK Group of Irving, Inc., has requested that the City make additional amendments to the Entertainment Center Lease Agreement and the Economic Development Incentive Agreement for the Entertainment Center project to increase the square footage allowed for office use.
7. The terms of this offer, attached to the resolution, represent the consideration that the City Council expects to receive in return for agreeing to ARK’s requested amendments, and to make the agreements mutually beneficial to both parties.

Recommendation

Take appropriate action based upon the direction of City Council.

20 Resolution - Approving the FY 2019-20 Entertainment Center Maintenance and Operations Annual Work Plan and Budget

Administrative Comments

1. This item is recommended by the City Manager’s Office.
2. **Impact:** The resolution approves the ARK Group of Irving’s submitted Maintenance and Operations Work Plan and Budget. In connection with the City’s FY 2019-20 budget, this item authorizes the City’s Designee to reimburse the ARK Group of Irving for expenditures identified in the Work Plan and budget as revenues become available based on the flow of funds identified in the Lease.
3. The Second Amended and Restated Entertainment Center Lease Agreement (Lease) requires ARK to submit an annual Maintenance and Operations Work Plan and Budget.

4. Brimer Hotel Occupancy Tax (HOT) revenue and Admission Tax revenue are restricted for use on the Entertainment Center project. The Bond Ordinance and Lease provide the order in which Brimer HOT revenue and Admission Tax revenue may be expended.
5. Excess Brimer HOT revenue and Admission Tax revenue are used to reimburse ARK for eligible expenditures. ARK is only eligible for reimbursement based on actual revenues received. ARK must provide invoices and proof of payment for all reimbursements.
6. This item does not amend any provisions in the Lease.
7. Funding in the amount of \$1,082,813 is available in the FY 2019-20 Budget within the Entertainment Venue – Excess Brimer HOT Fund. Funding in the amount of \$2,300,000 is available in the FY 2019-20 Budget within the Entertainment Venue – Admission Tax Fund.

Recommendation

The resolution be approved.

21 Resolution - Adopting a Work Plan and Setting the Consideration for Economic Development Services for FY2019-2020 in the Amount of \$2,422,305.00 for the Agreement Between the City of Irving and the Greater Irving-Las Colinas Chamber of Commerce

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** This resolution adopts the Annual Work Plan and sets the consideration for FY2019-20 for the Economic Development services agreement with the Greater Irving-Las Colinas Chamber of Commerce.
3. On September 9, 2017, Council adopted RES-2017-324 approving an agreement with the Chamber to provide economic development services from October 1, 2017 through September 30, 2022.
4. The five-year agreement provides that the Chamber will carry out a program for economic development services related to business recruitment, business retention and expansion, site selection, marketing and advertising and small business support services. The specific work plan and fees for services are determined annually.
5. In the event the City terminates the agreement after March 31 of any year, an

additional \$100,000.00 is designated “Committed Fund Balance” for the term of the agreement to fund the payment, if any, of the termination fee.

6. The Chamber has submitted their Annual Work Plan with a scope of services for FY2019-20. Consideration for the performance of the services described in the work plan is in the amount of \$2,422,305.00 for fees and \$10,000.00 for annual print services. The consideration for FY2019-20 services reflects a decrease of \$32,300.00 from FY2018-19.
7. Funding in the amounts of \$2,422,305.00 for the FY2019-20 scope of services and for the \$100,000.00 termination fee is available in the Economic Development budget within the Economic Development Fund.

Recommendation

The resolution be approved.

22 Resolution - Adopting a Work Plan and Setting the Consideration for FY2019-2020 in the Amount of \$355,300.00 for the Agreement Between the City of Irving and the Greater Irving-Las Colinas Chamber of Commerce to Provide International Affairs/Sister Cities/Trade Center Services

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** This resolution adopts the Annual Work Plan and sets the consideration for FY2019-20 for the International Affairs-Sister Cities-Trade Center services agreement with the Greater Irving-Las Colinas Chamber of Commerce.
3. On September 9, 2017, Council adopted RES-2017-325 approving an agreement with the Chamber to provide International Affairs-Sister Cities-Trade Center services from October 1, 2017 through September 30, 2022.
4. The five-year agreement provides that the Chamber will carry out a program of exchanges between the City and its participating sister cities, which are focused on business, but may also be cultural, artistic, educational, economic, community, and/or other appropriate forms of exchanges, in keeping with the purpose of the worldwide sister cities program.
5. The Chamber has submitted their Annual Work Plan with a scope of services for FY2019-20. Consideration for the performance of the services described in the work plan is in the amount of \$355,300.00, which reflects a 10% increase of \$32,300.00 over FY2018-19.
6. Funding in the amount of \$355,300.00 for the FY2019-20 scope of services is

available in the Economic Development Department budget within the Economic Development Fund.

Recommendation

The resolution be approved.

23 Resolution - Approving Agreement with Simpleview, Inc., for Services and Web-Based Applications Including Industry-Specific Customer Relationship Management System (CRM) and Content Management System (CMS) Plus Training, in the Average Annual Estimated Amount of \$308,972

Administrative Comments

1. This item is recommended by the Irving Convention & Visitors Bureau and supports Strategic Goal No. 3: Vibrant Economy.
2. **Impact:** The agreement will enable the Irving Convention and Visitors Bureau to redesign our website, as well as to better enhance the promotion of tourism and the convention and hotel industry through their industry-specific Customer Relationship Management system (CRM) and Content Management System (CMS).
3. In the same way that many city systems have interacted through Banner and now with Munis, many of the ICVB functions are run on, or integrated with, the Simpleview system which influences most of what we do and how we do it. Besides being our client database, the CRM allows us to communicate leads from clients to our hotel partners, powers our e-blasts, is the source of information for our bid books, and processes our event registrations. The CMS portion allows us to control many aspects of our websites including imagery, updating links and pages, tracking our web traffic, enhancing our search engine marketing, and works seamlessly with the CRM to provide informational listings for restaurants, hotels, attractions, etc. to visitors viewing our websites and has the functionality that allows viewers to book accommodations without having to leave our website.
4. Simpleview has been the CRM and CMS provider for the ICVB for several years now, and the ICVB has utilized stand-alone pieces of its other services, as well as those of other providers, as individual add-ons to its websites. Simpleview's capacities continually expanded through the ongoing acquisition of supplemental services and development of others, and they continue to be the dominant provider in the CVB landscape. By continuing to integrate all of Simpleview's resources into our websites, the ICVB is better positioned to capitalize on the constantly changing landscape that is internet-based marketing and communications.
5. Simpleview will program, host and maintain the integrated CMS (content

management system) and CRM (customer relationship management) system, provide integrated Search Engine Marketing (SEM) services, and other services and applications useful in the design, programming and maintenance of CMS and CRM as outlined in the attached agreement.

6. The agreement establishes a two-year contract for the continuation of providing systems (CMS/CRM) and services (SEO/SEM), and web-based applications.
7. Funding for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation in the ICVB General Fund.
8. Because this contract runs from October 2019 through September 2021, 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 contract total amount is not exceeded.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Year(s)
Simpleview, Inc.	10/1/19 – 9/30/21	\$269,572.00	2019-20
		\$348,372.00	2020-21
TOTAL		\$617,944.00	

Recommendation

The resolution be approved.

24 Resolution - Approving the Contract with Maloney Strategic Communications, Inc., for Advertising Agency Representation for the Irving Convention & Visitors Bureau for a Two-Year Term in the Total Estimated Amount of \$900,000.00

Administrative Comments

1. This item is recommended by the Irving Convention & Visitors Bureau (ICVB).
2. **Impact:** Advertising agency services directly enhance the efforts of the ICVB to promote the City as a destination for visitors, conventions and meetings.
3. Current data shows that the average “blended rate” for advertising agency services is between \$100-200 per hour, according to multiple advertising industry sources. With the Maloney Strategic Communications, Inc. (MSC) rate maintaining at \$80 per hour, the City continues to receive not only quality work but clearly a best value.
4. As part of the ongoing process and efficiency reviews, the ICVB is able to achieve a savings of approximately \$400,000.00 annually by utilizing an advertising agency

for select projects. In addition to direct project cost savings achieved by MSC’s negotiating power because of its vendor relationships, the ICVB is also able to access considerably more “human” resources to accomplish a wide range of projects.

5. Due to the nature of the industry, and the frequency with which projects with long lead times cross fiscal years, balances for purchase orders associated with this contract have routinely been encumbered.
6. This contract provides advertising agency services for the ICVB. The current contract expires September 30, 2019; the ICVB has been working with this vendor since September 1994.
7. Funding in the amount of \$900,000.00 for Fiscal Years 2019-20 and 2020-21 is subject to budget appropriation.
8. Because this contract runs from October 2019 through September 2021 it is possible that more than the estimated amounts given above may be spent in one operating year or the other, as long as there are budgeted funds available to accommodate that year’s additional purchases and the contract total amount is not exceeded.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Maloney Strategic Communications	10/1/19 – 9/30/21	\$400,000.00	2019-20
		\$500,000.00	2020-21
TOTAL		\$900,000.00	

Recommendation

The resolution be approved.

25 Resolution - Approving the Contract with Tucker & Associates, LLC, for Public Relations/Media Agency Representation for the Irving Convention & Visitors Bureau for a Two-Year Term in the Total Estimated Amount of \$100,000.00

Administrative Comments

1. This item is recommended by the Irving Convention & Visitors Bureau (ICVB).
2. **Impact:** Public relations and media representation services directly enhance the efforts of the ICVB to promote the City as a destination for visitors, conventions and meetings.

3. Current data shows that the average retainer fee charged for specialty public relations agency services ranges from \$2,000-5,000 according to multiple public relations industry sources. With the Tucker & Associates rate maintaining at \$4,000 per month, we continue to receive not only quality work but clearly a best value.
4. As part of its ongoing process and efficiency reviews, the ICVB has identified the amount of staff time and resources it would require to accomplish the deliverables we seek from an agency. It would require hiring a full-time staff member with a minimum of ten years of public relations experience and strong connections to the national media market, plus soliciting part-time representation in New York City. The added salary obligation in addition to the need to still retain New York City representation would be significantly higher than outsourcing this service to a public relations agency.
5. This approval provides public relations/media representation for the ICVB. The current contract expires September 30, 2019. The ICVB has worked with this vendor since October 2014.
6. Funding in the amount of \$100,000.00 for this two-year contract will be available in the ICVB budget within the ICVB General Fund subject to budget appropriation in Fiscal Years 2019-20 and 2020-21.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Tucker Associates	10/1/19 – 9/30/21	\$50,000.00	2019-20
		\$50,000.00	2020-21
TOTAL		\$100,000.00	

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 26-33**

26 Resolution - Approving and Accepting the Proposal from GTS Technology Solutions, Inc., in the Total Estimated Amount of \$767,704.20 for Mobile Data Computers (MDC) and Accessories

Administrative Comments

1. This item is recommended by the Police Department.
2. **Impact:** The purchase of replacement Mobile Data Computers (MDC) is critical to the efficient operation of the police department.

3. The Police Department's existing MDC's are over five years old, have exhausted their warranty and reached the end of their useful life. The reviewing committee members evaluated each proposal submittal and recommended this purchase.
4. A Request for Proposal was issued to 832 vendors for the purpose of supplying 160 MDC's and associated accessories for the Police Department. These MDC's allow the Irving Police Officers to provide quick response to residents, complete offense, incident and accident reports, run license plate and driver's license inquiries, stolen property checks, wanted person checks, as well as share information quickly with IPD communications personnel and other police officers.
5. Twelve proposals were received. GTS Technology Solutions is recommended for award as the respondent scoring the highest number of points based on established evaluation criteria.
6. Funding in the amount of \$767,704.20 is available within the Radio Communications Bond Fund.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
GTS Technology Solutions, Inc.	10/1/19 – 9/30/20	\$767,704.20	2019-20

Recommendation

The resolution be approved.

27 Resolution - Renewing the Contract with URT Texas, Inc., for Wrecker Service and Auto Pound Operations for a Two-Year Period

Administrative Comments

1. This item is recommended by the Police Department.
2. **Impact:** Wrecker service is a critical public safety service which enhances the safety and efficiency of our roadways by promptly removing wrecked or disabled vehicles. It also helps improve the visual impression of the city by keeping wrecked and abandoned vehicles off of streets and out of neighborhoods.
3. Revenue to the city is accrued per vehicle from storage fees of \$20.00 (standard) and \$35.00 (all others) per day and notification fees of \$50.00 when applicable.
4. The vendor receives all towing fees as follows: \$145.00 flat rate for basic tows, \$175.00 hourly rate for medium tows, \$250.00 hourly rate for heavy tows, \$150.00 hourly rate for trailers less than 10,000 lbs. gross vehicle weight and \$175.00 hourly

rate for trailers greater than 10,000 lbs. gross vehicle weight.

5. All fees are collected by the contractor who submits a check to the city with towing charges and impound fees deducted. The check is accompanied by a report which itemizes and categorizes all receipts by type of service.
6. The contract period will be from October 1, 2019 through September 30, 2021.
7. This renewal establishes the continuation of a contract for wrecker service and auto pound operation. This is the second and final two-year renewal option. The current contract expires September 30, 2019 and revenue received to date has been approximately \$230,000.00.

Recommendation

The resolution be approved.

28 Resolution - Approving a Professional Services Agreement Between the City of Irving and Texas Municipal League Intergovernmental Risk Pool (TML-IRP) in the Average Estimated Annual Amount of \$674,577.00 for Property Insurance Coverage for a Three-Year Period

Administrative Comments

1. This item is recommended by the Human Resources Department - Risk Management Division.
2. **Impact:** Property & casualty insurance mitigates the city's exposure to loss.
3. A Request for Proposal (RFP) was issued on July 17, 2019 for Property & Casualty Insurance Coverage & Services. Two proposals were received and scored based on evaluation criteria as established in the RFP. Human Resources recommends awarding property insurance coverage to Texas Municipal League Intergovernmental Risk Pool (TML-IRP) as the single respondent for these coverages and services.
4. TML-IRP's proposal is competitive in the market and offers benefits of a flat wind/hail deductible, flood and earthquake coverage, and automatic coverage for high valued vehicles that the city acquires as well as the opportunity to lower the city's deductible on the Auto Physical Damage coverage for a nominal amount. TML-IRP has provided the city with property insurance coverage since 1985 and has an excellent track record with regard to filing and paying out on claims, allowing the city to continue or restore operations in a timely manner when property losses occur.
5. This award established a three-year contract for the continuation of providing property insurance coverage. It includes two, two-year renewal options. 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
Texas Municipal League Intergovernmental Risk Pool	Property Insurance Coverage	10/1/19 - 9/30/22	\$586,859	\$674,577	\$775,764	\$2,037,200

Recommendation

The resolution be approved.

29 Resolution - Approving a Professional Services Agreement Between the City of Irving and McGriff, Seibels, and Williams of Texas, Inc. in the Average Estimated Annual Amount of \$607,046.00 for Casualty Insurance Coverage and Risk Management Services for a Three-Year Period

Administrative Comments

1. This item is recommended by the Human Resources Department – Risk Management Division.
2. **Impact:** Property & casualty insurance mitigates the city’s exposure to loss.
3. A Request for Proposal (RFP) was issued on July 17, 2019 for Property & Casualty Insurance Coverage & Services. Two proposals were received and scored based on evaluation criteria as established in the RFP. Human Resources recommends awarding excess liability, special event, and cyber liability insurance coverage and risk management services to McGriff, Seibels and Williams (MSW) as the single respondent for these coverages and services.
4. MSW’s proposal offers the same flat fee for securing competitive casualty insurance coverage for the city that they have charged the city since 2008, in addition to providing risk management services. These services include securing and providing quotes from various casualty insurance markets and providing analysis to ensure the city is adequately protected from potential risks and exposures. MSW will also be responsible for providing expertise regarding insurance coverage and compliance inquiries, issuing certificates of insurance on the city’s behalf, and securing actuarial studies for analysis of the city’s Self-Insurance Fund as well as conducting valuations on the city’s high-valued buildings.
5. This award established a three-year contract for the continuation of providing casualty insurance coverage and liability insurance in excess of the city’s self-insured retention, as well as special event liability and cancellation coverage. It includes two, two-year renewal options. 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
McGriff, Seibels, and Williams	Excess Liability, Special Event, and Cyber Liability Insurance Coverage	10/1/19 – 9/30/22	\$500,898	\$549,440	\$602,800	\$1,653,138
	Risk Management Services		\$ 56,000	\$ 56,000	\$ 56,000	\$ 168,000
TOTAL			\$556,898	\$605,440	\$658,800	\$1,821,138

Recommendation

The resolution be approved.

30 Resolution - Renewing the Contracts with Clampitt Paper Company and Western BRW Paper Co., in the Total Estimated Amount of \$133,500.00 for an Annual Contract to Provide Office Paper

Administrative Comments

1. This item is recommended by the Communications Department.
2. **Impact:** This contract provides the majority of paper for the city. Copy paper, letterhead, and envelopes contain 100% recycled content and all other items contain some recycled content or are Forest Stewardship Council certified paper.
3. This renewal establishes the continuation of annual contracts to provide office paper. This is the first of two, one-year renewal options. The current contract expires on September 30, 2019.
4. Funding for Fiscal Year 2019-20 is subject to budget appropriation in various departmental budgets within various funds.

Vendor	Item(s)	Contract Term	Total Est. Exp.
Western BRW Paper Co.	2-12, 17-28, 30-34, 37-52, and 55-58	10/1/19 – 9/30/20	\$124,500.00
Clampitt Paper Company	14, 15, 29, 53 and 54		\$ 9,000.00
TOTAL			\$133,500.00

Recommendation

The resolution be approved.

31 Resolution - Renewing the Agreement Between the City of Irving and ThyssenKrupp Elevator Corporation for Service and Maintenance of All City Facility Elevators, in the Total Estimated Annual Amount of \$125,000.00, Utilizing the Cooperative Purchasing Network (TCPN), Sponsored by Region IV Education Service Center

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** Service and maintenance of city facility elevators provides for the safety and security of residents and employees by ensuring proper orientation of elevators within city facilities.
3. This renewal will provide service, maintenance and as-needed repair services of all City elevators. Elevator service and maintenance fees are \$65,000.00 annually with an additional estimated amount of \$60,000.00 allocated for as-needed repairs.
4. This renewal establishes the continuation of providing elevator maintenance and as-needed repairs for three-years. The current contract expires on September 30, 2019.
5. Funding for Fiscal Years 2019-20 through 2021-22 will be available in various departmental budgets within various funds, subject to budget appropriation.

Vendor	Contract Term	Total Estimated Expenditure	Fiscal Year(s)
ThyssenKrupp Elevator Corporation	10/1/19-9/30/22	\$125,000.00	2019-20
		\$128,250.00	2020-21
		\$131,662.00	2021-22
TOTAL		\$384,912.00	

Recommendation

The resolution be approved.

32 Resolution - Approving a Professional Services Agreement with Pedal Valves, Inc., in a Total Amount Not to Exceed \$700,000.00 for Water Meter Replacement and Advanced Metering Infrastructure (AMI) Endpoint Remediation Services

Administrative Comments

1. This item is recommended by the Water Utilities Department.

2. **Impact: This item supports the city's Investing in Our Future initiative.** This contract will provide additional resources needed to complete the installation and testing of the AMI system and provide detailed water usage data to customers in 2020.
3. **This item will be presented to the Transportation & Natural Resources Committee on September 18, 2019.**
4. The City of Irving currently has a significant investment in its residential and commercial water meters and is working to upgrade both the meters and meter reading system. These services will provide the means to assist staff with water meter replacements, installation and testing of the AMI system to remotely read meters.
5. This award establishes an annual professional service contract for the purpose of water meter replacement and connectivity mitigation with the AMI network for residential and commercial meters. This contract is subject to two one-year renewal options.
6. M/WBE participation in this award is 100%.
7. Funding for Fiscal Year 2019-20 will be available in the Water and Sewer System Non-Bond CIP Fund subject to budget appropriation.

Vendor	Contract Term	Total Amount Not to Exceed	Fiscal Year(s)
Pedal Valves, Inc.	10/1/19 - 9/30/20	\$700,000.00	2019-20

Recommendation

The resolution be approved.

33 Resolution - Approving the Expenditure to Mac Haik Dodge Chrysler Jeep in the Total Estimated Amount of \$126,787.00 for Remounting of an Ambulance Body on a New Cab & Chassis through the Houston-Galveston Area Council of Governments Interlocal Cooperative Purchasing Program (H-GAC)

Administrative Comments

1. This item is recommended by the Fleet Services Division and the Human Resources Department – Risk Management Division.
2. **Impact:** This item provides for remounting of an ambulance body on a new cab and chassis in order to maintain the Fire Department's ambulance fleet at established

levels, allowing them to be able to serve the residents of the City of Irving in the most efficient means possible.

3. This item is supported by a Vendor/Member contract between the City of Irving and Mac Haik Dodge Chrysler Jeep, using HGAC Contract No. AM10-18, which was awarded by RES-2019-25 and expires on September 30, 2020. It provides for the repair of a wrecked 2015 Ford F-450 ambulance, Unit No. 05180. This unit was wrecked in March 2019, however, there was an extended process that required multiple estimates from vendors before reaching a final damage assessment. The unit is covered under the city's property insurance policy with TML and Risk Management has filed a claim.
4. Funding in the total estimated amount of \$126,787.00 is available in the Self-Insurance Fund.

Recommendation

The resolution be approved.

End of Bids

34 Ordinance - Amending Ordinance No. 2019-10182 by Approving a Schedule of Classified Personnel for the Police Department

Administrative Comments

1. This item has been recommended by the Financial Services Department and Police Department.
2. **Impact:** The schedule of classified personnel for the Police Department is being updated to increase the number of Sergeants (+2) and Police Officers (+20) effective October 1, 2019.
3. Civil Service law requires the city to adopt a schedule of classified personnel for the Police Department by ordinance.
4. The FY 2019-20 Proposed Budget includes funding and authorization for two new Sergeant and 20 new Police Officer positions. If City Council adopts the FY 2019-20 Annual Budget as proposed, it is necessary to update the schedule of classified personnel for the Police Department, as well.

Recommendation

The ordinance be adopted.

35 Ordinance - Amending Ordinance No. 2018-10127 by Approving a Schedule of Classified Personnel for the Fire Department

Administrative Comments

1. This item has been recommended by the Financial Services Department and the Fire Department.
2. **Impact:** The schedule of classified personnel for the Fire Department is being updated to increase the number of Fire Prevention Specialists (+1).
3. Civil Service law requires the city to adopt a schedule of classified personnel for the Fire Department by ordinance.
4. The FY 2019-20 Proposed Budget includes funding and authorization for one new Fire Prevention Specialist position. If City Council adopts the FY 2019-20 Annual Budget as proposed, it is necessary to update the schedule of classified personnel for the Fire Department, as well.

Recommendation

The ordinance be adopted.

36 Ordinance - An Ordinance Abandoning, Closing, and Vacating Ceylon Drive, a Road Right-Of-Way Located at 2800 Valley View Lane in the City of Irving, Being Lot 1 and 2 of Block "A" in the Mustang Crossings Business Park Addition, Containing 0.3684 Acres

Administrative Comments

1. This item has been recommended by the Capital Improvement Program Department.
2. **Impact:** Ceylon Drive is a platted but unconstructed road right-of-way, originally designed to be the main ingress and egress of a proposed subdivision development. However, the current land owner, Rochelle Valley Property Development, LLC, has elected to sell this unimproved parcel and is now seeking City approval to abandon the platted road right-of-way in efforts to make the parcel more marketable to potential buyers.
3. **This item will be presented to the Transportation and Natural Resource committee on September 18, 2019.**
4. Traffic and Transportation Department has approved the abandonment of this road right-of-way.

Recommendation

The ordinance be adopted.

37 Ordinance - Second and Final 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.

38 Ordinance - Second and Final 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.

39 Resolution - Adopting Planning and Zoning Fee Schedule

Administrative Comments

1. This item is recommended by the Planning and Community Development Department.
2. **Impact:** Fee increases will cover the cost of providing services as defined on the fee schedule. Additional fees are necessary to accommodate the increased staff activity in response to changes in state law which impose significant restrictions and additional requirements on plat review and processing.
3. Planning and Zoning fees have not been increased since October 1, 2011 and do not reflect the increasing costs to process zoning and platting cases.
4. Fees are proposed to be increased approximately 20-25% but remain around 75% of median as compared to multiple cities in the Dallas-Fort Worth area. Some fees are not increasing since they are already at or above median. This will allow for smaller incremental fee increases in the future to reach median.
5. New fees are being added to cover the time and materials for items that cannot be covered by the application fee such as postponements, excessive or replacement notification signs, re-notification, and increased plat reporting, agenda posting, and coordination to comply with the changes in state law.

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

40 Ordinance - Amending Section 8-26 of Chapter 8 Entitled “Building and Property Maintenance Standards Code” of the Code of Civil and Criminal Ordinances of the City of Irving, Texas, by Providing for Regulations Governing Outside Storage and Parking of Vehicles; and Amending Comprehensive Zoning Ordinance No. 1144 of the City of Irving, Texas by Repealing Section 52-56 “Outside Storage”

Administrative Comments

1. This item has been recommended by the Code Enforcement. This item supports Strategic Goal No. 4.3 – Improve community appearance and protect neighborhood integrity.
2. **Impact:** The adoption of this ordinance is expected to improve neighborhood conditions and reduce parking congestion.
3. The proposed amendments are consistent with those regulations requested by members of the Planning & Development Committee.

4. The requested amendment repeals section 52-56 Outside Storage provisions from Land Development Code 1144 to Chapter 8 of the Irving Building and Property Maintenance Code
5. The repeal of section 52-56 of the Land Development Code was considered by the Planning & Zoning Commission on September 3, 2019. They recommended approval by a vote of 7-0.
6. The proposed changes are supported by the Planning & Development Committee.

Recommendation

The ordinance be adopted.

41 Ordinance - Development Plan DVP19-0002 - Consider Amending Planned Unit Development No. 6 (PUD 6) to Add an Additional 445 Residential Units in Tract E, and Consider Approving a Development Plan for Approximately 345 Multifamily Units and 100 Single Family Units in Tract E - Approximately 32.8 Acres Located on the Southeast Corner of Texas Plaza and Tom Braniff - Two's a Crowd Investment, LLC, Owner - CSE, Applicant

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 19, 2019 – Favorable 6-3 (Commissioners Taylor, Hoedebeck and Zeske, nay).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* land use category is described as “Highest intensity areas of Irving containing a variety of uses in multi-story buildings with pedestrian design streets and buildings with high quality design and materials, and reduced parking”. The net units per acre is recommended to be sixty (60) or more. The proposed zoning change is in conformance with the Comprehensive Plan.
3. **The request is for a PUD Amendment and a Development Plan to allow the property to be developed with an additional 445 residential unit mix of multifamily and single family uses.**

PUD Amendment

4. In November 2015, the City Council approved Planned Unit Development 6 (PUD 6) for the approximately 1000-acre area around the intersections of SH-114, SH-183 and Loop 12. The PUD was divided into 8 Tracts, each with its own character and density requirements. In consultation with the property owners, **Tract E was designated for Mixed Use Village uses**, which included a mixture of traditional

single family homes on 6,000 + sq. ft. lots, cottage homes on 3,000 + sq. ft. lots, townhouses and mixed use residential. Tract E could include up to 436 total residential units (single family and multifamily), along with 438,000 square feet of neighborhood-serving services, retail uses, and a hospital or medical campus. Tract E was identified as the primary location for traditional neighborhood supporting retail, grocery, pharmacy, restaurant, office and similar personal service uses for the surrounding area since the tracts to the east were envisioned for higher-density, mixed use developments.

5. In May 2016, the City Council approved a development plan for a 20.85-acre tract for 95 single family “cottage homes” with four open space lots. In October 2018, the Planning and Zoning Commission approved a development plan and multifamily concept plan for a 10.33-acre tract for 282 multifamily units to the north of this site. Fifty-nine (59) of the originally approved 436 residential units currently remain available.
6. **Approval of this amendment would add an additional 445 residential units to Tract E.** If the corresponding development plan is approved, 59 residential units would still remain available for possible future development in the remainder of Tract E.

Development Plan

7. **The proposed development plan would allow this 32.8-acre property within Tract E to be developed with 345 multifamily units and 100 single family units.**
8. The 19.75-acre single family portion would be developed as R-6 (Single Family) with the following exceptions:

Standard	Required	Proposed
Minimum Lot Size	6,000 square feet	4,950 square feet
Minimum Front Yard Setback	25 feet	20 feet
Minimum Rear Yard Setback	20 feet	15 feet
Minimum Side Yard For Corner Lots	20 feet	15 feet
Minimum Lot Width	50 feet	45 feet
Minimum Lot Width For Corner Lots	75 feet	55 feet
Maximum Lot Coverage (principal building)	40%	55%
Maximum Height Per Structure	2 stories or 25 feet	35 feet

9. The 13.04 acres proposed for multifamily will require approval of a multifamily concept plan and would be developed with the following exceptions:

Standard	Required	Proposed
Front Setback (Texas Drive)	35 feet	20 feet
Parking Setback	30 feet (SH 183 and SH N. Loop 12)	“May be allowed in front of minimum setback lines”.
Density	18 units/acre	26.46 units/acre
Parking Lot Landscaping	A minimum of fifty (50) percent of the total required trees shall be within the interior of the parking lot, and not distributed around the perimeter of the parking lot.	Landscape parking islands not required along Loop 12 or SH 183

10. Currently there has been no development of neighborhood service, retail or medical type uses to support the new residential uses in this area. A letter has been submitted detailing the applicant’s reasons why adding additional residential units to Tract E would be beneficial in this portion of PUD 6. This letter is included in the Council’s packet.
11. In 2015, staff worked with the property owners and the general public to develop a cohesive plan for PUD 6, including for Tract E specifically. During that time, numerous opportunities were presented for the property owners to request or discuss the residential/nonresidential mix in the area, along with the proposed density. Staff does not believe it is appropriate to deviate from the plan for PUD 6 so soon after its adoption, especially given the extensive opportunities for public input; therefore, staff cannot support any additional units beyond the 59 remaining units for Tract E. In addition, during the final deliberations regarding the adoption of the 2017 Imagine Irving Comprehensive Plan, the City Council had multiple discussions about appropriate locations for future multifamily development, and at no time was the addition of more multifamily units in the PUD 6 area considered. Finally, the applicant is requesting several variances from both the single family and the multifamily portions of the development. Since the applicant chose not to submit a Multifamily Concept Plan application concurrent with this request for evaluation by the staff, Commission and Council, staff cannot support the variances requested to the multifamily standards. Accordingly, staff cannot support this request.
12. A total of 14 public notices were mailed. Staff has not received any responses in support and 2 letters and a petition with 39 signatures in opposition to this request. The opposition represents 0.36% of the land within 200 feet of the subject property. Since this is less than 20%, a ¾-vote is not required for approval.
13. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

42 Ordinance - Zoning Change #ZC19-0044 - Considering a Zoning Change from R-6 (Single Family) District to S-P-2 (Generalized Site Plan) District for R-6 (Single Family) District Uses - Approximately 0.21 Acres Located at 3002 Altman Drive - Raul Cerda, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 5-2 (Commissioners Burns and Spurlock, nay; Commissioners Cronenwett and Richards, absent).
2. The applicant is requesting to rezone the property to construct a carport within the front and side yard setbacks.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood* uses for this property. The *Residential Neighborhood* land use category is predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home businesses. The proposed zoning change is in conformance with the Comprehensive Plan.
4. The applicant wishes to construct a 23.6-ft. X 22-ft. wide carport that is 10 feet from the front property line and 3-feet from the side property line.

	Required in R-6	Proposed Carport
Front Setback	25 ft.	10 ft.
Side Setback	5 ft.	3 ft.

5. While there are other carports in the general area, there are none adjacent to this property. Encroachment of a carport into the front setback is not consistent with the other nearby houses.
6. A total of 35 public notices were mailed. Staff has received five (5) responses in support and none in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

43 Ordinance - Zoning Case #ZC19-0049 - Considering a Zoning Change from S-P-2 (Generalized Site) District for C-C (Community Commercial) District Uses to S-P-2 (Generalized Site) District for C-C (Community Commercial) District Uses with Hotel Uses - Approximately 4.8106 Acres Located at 2350 & 2800 Valley View Lane - JDJR Engineers and Consultants, Inc., Applicant - Rochelle Valley Development, LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 5, 2019 – Postpone to August 19, 2019. August 19, 2019 – Postpone to September 16, 2019. September 16, 2019 – Pending.
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. This land use category is an auto-oriented district for retail, office and commercial uses, with parking in front with buildings set back from the street and low to midrise buildings. The requested zoning is in conformance with the Comprehensive Plan.
3. The proposed new hotel provides a total of 175 rooms and approximately 2,000 square feet of meeting space. It offers a “prepared breakfast and pre-packaged food” in lieu of a full service restaurant. It will meet the requirements for lobby space, recreation space and room size.
4. Approximately 1/3 of the site (along the western side of the property) is encumbered by a 140-foot wide Oncor easement that contains power lines. A 40-foot gas easement traverses the northern portion of the site.
5. A total of 187 parking spaces are required. While 202 total parking spaces are being provided, 59 spaces are proposed to be located within the 140-foot Oncor easement that traverses the western boundary of the property. At this time, staff has not received any acknowledgement from Oncor that they will allow any parking within their easement, required or otherwise, and Oncor will not provide such acknowledgement until after construction plans are provided for the site. Since Oncor does not allow **required** parking in its easement, the applicant is in effect asking for only 143 spaces to be required, or a variance of approximately 24%. The site plan notes that the applicant will be providing shuttle service to and from both area airports.
6. Access to the site is proposed with two driveway openings: one from the SH 161 access road and the other from the SH 183 access road. While the access opening from the SH 183 access road has not yet been approved by TXDOT, the applicant understands two points of access will be required, and the site plan will need to be modified to accommodate this requirement prior to construction through an amended Site Plan if TxDOT approval cannot be obtained.
7. Approval of the zoning site plan does not constitute the acceptance of conditions and may need to be amended to match applicable code and engineering standards.
- 8. The applicant is requesting the following variances to the hotel development**

and landscaping and screening standards:

	Required	Requested Exception
Sleeping Rooms	200 Minimum	175
Meeting Or Conference Rooms	Combined minimum area of five thousand (5,000) square feet	2,000 sq. ft.
Restaurant	Full-service restaurant with full kitchen, cooking and service staff on the premise and be open to the general public for breakfast and dinner (minimum) daily	No Restaurant (Prepared breakfast served to guests; pre-packaged food available for purchase)
Parking	187 spaces 1 space/175 rooms = 175 spaces 6/1,000 sf for meeting room = 12 spaces	24% reduction requested = 143 required spaces 131 spaces - 0.75/room 12 spaces for 1,978 sq. ft. Providing 202 spaces 59 spaces provided within Oncor Easement 143 spaces provided outside the Oncor easement <i>Oncor does not permit parking within an easement without written authorization, which will not be granted until zoning is approved.</i>
Landscaping and Setbacks	30-foot parking setback and landscape buffer along SH 161 and SH 183	20-foot parking setback and landscape buffer along right-of-way clip at corner of SH 161 and SH 183
The project as provided on the submitted site plan cannot be constructed until the below items are resolved or the project is redesigned and an amended site plan approved.		
Access from TxDOT ROW	Two driveways are proposed from the SH 161 and SH 183 access roads; access from SH 183 has not been approved by TXDOT. Denial of the SH 183 access point would also affect the Fire Department’s requirement for two points of access.	

9. A landscape plan has not been provided. However, landscaping shall be provided in accordance with the City’s requirements. The applicant is requesting a reduction in the landscape buffer along the right-of-way clip at the intersection of SH 183 and SH 161 as noted in the chart. The reason for this exception is to accommodate the

fire lane radius and parking spaces.

10. Staff acknowledges that the applicant has addressed many of the critical site design issues, and will continue to do so if more changes are necessary. However, staff still cannot support this request for the following reasons:

- **Minimum number of rooms** – Staff cannot support a new dual-branded hotel that has a combined total of less than 200 rooms, per the adopted Hotel Development Standards.
- **Full service restaurant** – Staff cannot support not providing a full service restaurant.
- **Minimum meeting space** – Staff cannot support a new dual-branded hotel that has a 60% reduction in the required meeting space, per the adopted Hotel Development Standards.

11. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation:

The ordinance be denied.

44 Ordinance - Zoning Change #ZC19-0050 - Considering a Comprehensive Plan Amendment Changing the Recommended Land Use from "Commercial Corridor" to "Industrial", and Considering a Zoning Change from R-6 (Single Family) District to ML-20 (Light Industrial) District - Approximately 0.424 Acres Located at 2928 Proctor Street - Godwin Sanchez Construction, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Denial 4-3 (Commissioners Hoedebeck, Patel and McPhail, nay; Commissioners Cronenwett and Richards, absent).

Comprehensive Plan Amendment

2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. The *Commercial Corridor* land use category is an auto-oriented district for retail, office and commercial uses with parking in front with buildings set back from the street. Low to mid-rise buildings. The proposed zoning change is not in conformance with the Comprehensive Plan. The applicant is requesting to amend the Comprehensive Plan Future Land Use Map to Industrial District land use category, which is light to heavy industrial and manufacturing uses.

Zoning Change Request

3. The owner is wishing to rezone to allow an established construction business the ability to use a moderate portion of the property for storage of equipment and supplies. The property is currently developed with a two story building being used for the construction business and the appearance of the site would not change significantly from how it appears today

Request for Postponement

4. Subsequent to the Planning and Zoning Commission public hearing testimony from the applicant, staff inquired further into the existing and planned activities on the site. After discussion with the applicant, it was determined that the applicant was not requesting the correct zoning district for their full range of planned activities. On September 5, 2019, the applicant submitted a request for an indefinite postponement of the case. The case will be re-advertised and brought back to the Planning and Zoning Commission in a form that adequately and accurately addresses the applicant's proposed uses for the site.
5. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

Postpone indefinitely.

45 Ordinance - Zoning Case #ZC19-0058 - Considering a Zoning Change from HCD (Heritage Crossing District) - NMU (Neighborhood Mixed Use) Subdistrict to S-P-2 (Generalized Site Plan) for HCD (Heritage Crossing District) - NMU (Neighborhood Mixed Use) Subdistrict - Approximately 0.606 Acres Locate at 336 and 404 Clark Street - JDJR Engineers and Consultants, Inc., Applicant - Key Life Homes, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 7-0 (Commissioners Cronenwett and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Compact Neighborhood* uses for this property. The *Compact Neighborhood* land use category is described as being “Predominantly single-family homes with a diverse mix of building types.” The proposed zoning change is in conformance with the Comprehensive Plan.
3. The applicant is requesting a zoning change in order to subdivide the property into three lots. A new single family home will be built on proposed lots 1 and 2, respectively. The existing home and detached garage on the third lot will remain. All other accessory buildings on the site will be removed as noted on the site plan.

4. The HCD-NMU (Heritage Crossing District – Neighborhood Mixed Use Subdistrict) does not require a minimum lot width or a minimum lot area. However, Section 35-16(e) of the Subdivision Ordinance (Transitional Lot Requirements) states that the minimum lot width and minimum lot area must be no less than 80% of the surrounding lots.
5. Per Section 35-16(e) stipulates that property zoned S-P-1 or S-P-2 shall be exempt from the transitional lot requirements.
6. **Based on the average lot width of the surrounding properties, the minimum lot width for the proposed lots is 65.50 feet. The proposed lots have a minimum width of 60 feet, for an exception request of 5.5 feet.** Staff believes these lots are comparable to and consistent with the surrounding neighborhood – including the two adjacent lots to the north of the subject property – and are in keeping with the HCD-NMU district.
7. **Based on the average lot area of the surrounding properties, the minimum lot area for the proposed lots is 7,620 square feet. The proposed lots have a minimum area of 7,000 square feet, for an exception request of 620 square feet.** Staff believes these lots are comparable to and consistent with the surrounding neighborhood – including the two adjacent lots to the north of the subject property – and are in keeping with the HCD-NMU district.
8. The NMU subdistrict requires a 5-foot side yard setback. Since the existing garage on the southernmost portion of the property encroaches into the side yard by approximately 1.5 feet, a note has been added to the site plan stating that the existing garage will be allowed to remain in non-conformance. If the garage is ever removed, any new structure will have to comply with the 5-foot setback.
9. All other requirements of the HCD-NMU district regulations are being met.
10. A total of 42 public notices were mailed. Staff has received one (1) response in support and no responses in opposition to this request.
11. Since the proposed lots are similar to or exceed the width and area of the two lots to the north, are in proper context with the surrounding neighborhood, and since the applicant is not requesting any other exceptions, staff can support this request.
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.

46 Ordinance - Zoning Case #ZC19-0059 - 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) and Hotel 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) and Hotel Uses - Approximately 2.637 Acres Located at 455 E John Carpenter Freeway - Shreem Capital, Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: August 19, 2019 – Favorable 8-0 (Commissioner Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. The *Urban District* land use category is for the highest intensity areas of Irving containing a variety of uses in multi-story buildings. It includes pedestrian-design streets and buildings, high quality design and materials, and reduced parking requirements. The proposed zoning change is in conformance with the Comprehensive Plan.
3. On March 22, 2018 the City Council approved Ordinance No. 2018-10033 for 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) and Hotel uses to develop a 150-room, eight-story full service hotel with variances to the requirements for number of rooms and parking spaces, square footage for guest rooms, and for meeting space.
4. **A new developer is requesting to amend the site plan zoning to develop two separate hotels, both with the accessory use of the sale of alcoholic beverages for on-premises consumption, connected by a 2nd floor outdoor plaza and underground two level parking garage.**
5. The proposed Cambria hotel will be an eight-story building with 143 rooms, a 1,200 square foot 50-seat full service restaurant with bar and market, a 992 sq. ft. fitness center, 4,922 sq. ft. of meeting space plus 1,870 sq. ft. of pre-function space. The hotel will have a 1,470 sq. ft. outdoor seating area with fire pit and will “share” a 1,822 sq. ft. pool/pool deck area on the roof of the Indigo hotel.
6. The proposed Indigo hotel will be a 13-story building with 150 rooms, a 2,320 square foot 100-seat full service restaurant with bar and 1,080 sq. ft. terrace, a 920 sq. ft. fitness center, 4,306 sq. ft. of meeting space plus 1,267 sq. ft. of pre-function space. The hotel will “share” a 1,822 sq. ft. pool/pool deck area on roof with the Cambria hotel.
7. Each hotel will be required to meet all of the R-AB zoning requirements.
8. Both hotels share an outdoor plaza on the 2nd floor.
9. The applicant is providing 17 ground level parking spaces and 334 parking spaces

within a two-level underground parking garage accessible and to be shared by both hotels. Total parking provided is 351 parking spaces; 399 parking spaces are required. The applicant is requesting the 12% reduction due to providing an airport shuttle service that will pick-up and drop-off guests at D/FW Airport, and the increased use of ridesharing platforms.

10. The landscaping shall be provided as shown on the attached landscape plan which meets the zoning landscape regulations.
11. The applicant has noted on the site plan that the site is not to be divided and will remain as one lot. The functionality of the garage and breezeway could possibly prevent the subdivision of the site. However, staff believes that the proposed layouts of the buildings appear to function as two separate entities and not as a true dual-brand hotel as seen with other hotel developments which typically share the same structure, entry, and some amenities. These hotels would more than likely be supported if they were separate cases with a limited amount of variances being requested. Staff's belief is that the two will function as two separate hotels and should be treated as such for zoning purposes.
12. The sale of alcoholic beverages is subject to all requirements of Section 52-49 of the zoning ordinance including the ratio of food sales to alcoholic beverage sales.
13. Since S-P-1 (R-AB) is a detailed site plan district, any future rezoning for modifications to the site plan would affect both hotel buildings. For example, if the owners of the restaurant in the Cambria hotel ever wanted to expand the seating, both hotel buildings would require rezoning.
14. Since staff believes each hotel will function independently except for a shared garage, staff has evaluated each building separately to the hotel design standards (Section 52-35b):

	REQUIRED	CAMBRIA TOWER (West building)	INDIGO TOWER (East building)
Height	8 stories preferred	8 stories	13 stories
Sleeping Rooms	200 Minimum	143 rooms (57 room variance)	150 rooms (50 room variance)
Meeting Or Conference Rooms	Combined minimum area of five thousand (5,000) square feet	4,922 sq. ft. (78 sq. ft. variance)	4,616 sq. ft. (384 sq. ft. variance)

Parking	400 total spaces required	351 spaces in shared parking garage – airport shuttle service provided (12% variance)	
	<u>Cambria</u> 1 space/143 rooms = 143 spaces 8/1000 sq. ft. for meeting rooms = 40 spaces 1 space/5 restaurant seats = 10		
	<u>Indigo</u> 1 space/150 rooms = 150 spaces 8/1,000 sf for meeting room = 37 spaces 1 space/5 restaurant seats = 20		
Swimming & Recreation	1,000 sq. ft.	992 sq. ft. Fitness Center (8 sq. ft. variance)	2,742 sq. ft., including 1,822 sq. ft. pool and 920 sq. ft. Fitness Center
Restaurant	Full-service (open to general public for at least breakfast and dinner)	Yes – 50 seats	Yes – 100 seats

15. A total of 13 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.

16. Viewed independently, the only significant variance to the hotel development standards is the number of rooms. The parking variance is just over 12 percent, which is similar to other parking variances granted for hotels with shuttle service in recent years. The meeting space variance for both towers is minimal, as is the variance to the recreation area for the Cambria Tower. Both towers meet or exceed the requirements for all other requirements. Since the two towers will function independently, and since the proposed product is an improvement over the project approved in 2018, staff can support this request.

17. 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 Change #ZC19-0068 - Considering a Zoning Change from S-P-1 (Detailed Site Plan) for C-C (Community Commercial) District to C-C (Community Commercial) District - Approximately 1.248 Acres Located at 5140 N. Belt Line Road - JM Civil Engineering, Applicant - Sun-Age, LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 3, 2019 – Favorable 7-0 (Commissioners Cronenwett and Richards, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Business District* uses for this property. The *Business District* 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 proposed zoning change is in conformance with the Comprehensive Plan.
3. On April 27, 2000 the City Council approved Ordinance No. 99-4992 for S-P-1 (Detailed Site Plan) for C-C (Community Commercial) within the State Highway 161 Overlay District with variances to the required landscaping, building and parking setbacks. In November of 2001 an amended site plan was administratively approved with modifications to the lot layout, the building footprint, the landscaping, driveways, and easements.
4. A new owner/developer has since acquired the property and would like to develop it with a convenience store with gasoline sales but with a different lot layout. The applicant is not proposing any variances and will meet all of the requirements of the C-C (Community Commercial) and State Highway 161 Overlay Districts for setbacks, parking and landscaping.
5. All of the proposed uses are currently allowed either by the existing zoning or the overlay district. Since the use of the property is not changing, and no variances are being requested, staff can support this request.
6. A total of 17 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
7. This item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

APPOINTMENTS AND REPORTS

48 Mayor's Report

Adjournment