

AGENDA
Irving City Council Regular Meeting
Thursday, November 14, 2019 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Organizational Service Announcements

Invocation

Bishop Kevin K. Dickerson, Dayspring Family 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 53

CITY COUNCIL AGENDA

1 City Operations Update

CONSENT AGENDA

2 Approving Work Session Minutes for Wednesday, October 23, 2019

3 Approving Regular Meeting Minutes for Thursday, October 24, 2019

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 Resolution - Accepting the Citizens Bond Task Force Capital Improvements Report and Recommendations

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. On August 1, 2019, the City Council appointed eighteen citizens to the Citizens Bond Task Force Committee.
3. The committee has been meeting diligently, assembling public input, conducting research, and reviewing technical and financial materials regarding the need for permanent public improvements within the city.
4. The committee has presented a list of public improvements it believes are necessary and desirable to ensure the highest quality of life and the continued success, health, safety, and welfare of the citizens of the City.
5. This report is being presented to the City Council for formal acceptance.

Recommendation

The resolution be approved.

5 Resolution - Approving and Adopting the Tarrant County 9-1-1 District 2019-20 Annual Budget

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** The Tarrant County 9-1-1 District is requesting its' members to approve and adopt the district's annual operating budget for 2019-20. District boundaries include all of Tarrant County, all areas outside Tarrant County included in the corporate limits of a member city, plus DFW International Airport and the City of Irving.
3. As a member city, Irving receives logistical services from the Tarrant County 9-1-1 District to interface Irving's Public Safety Answering Point (PSAP) with phone carriers.
4. The Tarrant County 9-1-1 District Board of Managers approved the 2019-20 annual operating budget at their board meeting on July 15, 2019.

Recommendation

The resolution be approved.

6 Resolution - Approving the Professional Services Agreement Between Tiburon, Inc. and the City of Irving and Authorizing Expenditures in the Total Not-To-Exceed Amount of \$169,137.50 for the Update and Support of the Irving Police Department CAD and RMS Servers and Software and NIBRS Conversion

Administrative Comments

1. This item is recommended by the Police Department and the Information Technology Department.
2. **Impact:** This rehost and server migration keeps the Police Department's Tiburon public safety administration system, which includes records (RMS) and jail management software operating efficiently by moving the applications and interface programs to new servers running the Windows 2012 Server Operating System. Additionally, the upgraded system supports the communication with the National Incident-Based Reporting System (NIBRS), which is the required system of collecting and reporting data on crime for law enforcement agencies.
3. This software facilitates rapid, accurate communication to the field and promotes safety of personnel, as well as, enabling communication with other agencies in a crisis situation. Tiburon RMS and Jail are designed as an integrated, modular solution, providing the foundation to fully automate law enforcement operations. The system supports record processing from the entry of an event from dispatch through closing and assignment of a final disposition.
4. Funding is available in the Information Technology Department budget within the General Fund.

Recommendation

The resolution be approved.

7 Resolution - Accepting Grant Funds through the Fiscal Year 2019 Emergency Management Performance Grant (EMPG) Offered by the Governor's Division of Emergency Management and Designating the Mayor as the Authorized Official to Execute Any Necessary Grant Documents on Behalf of the City

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This grant assists local governments in maintaining viable emergency management/homeland security programs.

3. This reimbursement grant is for the period of October 1, 2018 to March 31, 2020.
4. This grant will reimburse the city up to 50% of allowable Emergency Management program costs, totaling \$50,163.05, which covers a portion of staff payroll, benefits, travel, and general administrative expenses for the Emergency Management Office.
5. The City has participated in this EMPG program since 2003.

Recommendation

The resolution be approved.

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

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Objective 4.1: Safeguard public safety, security and health.
2. **Impact:** This grant will allow the City of Irving to continue funding and implementing emergency management and homeland security projects that significantly improve local and regional terrorism prevention, preparedness, response, and recovery capabilities.
3. The City of Irving has been awarded a FY2019/20 Homeland Security Grant Program (HSGP) for a total of \$46,500.00 for the purchase of x-ray equipment.
5. The grant is for the period of October 1, 2020, to March 31, 2020.
6. Pursuant to the conditions contained in the grant sub-recipient agreement with the Office of the Governor (Texas)/Texas Homeland Security State Administrative Agency, this is a reimbursement grant which reimburses 100% of allowable expenditures.

Recommendation

The resolution be approved.

9 Resolution - Approving Amendment No. 3 Renewing the Intergovernmental Lease Agreement Between the City of Irving and the Texas Health and Human Services Commission (HHSC), on Behalf of the Texas Department of Family and Protective Services, for the Lease of 4,175 Square Feet of Office Space at the Family Advocacy Center Located at 600 West Pioneer

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:** The approval of this lease agreement renewal will ensure that services provided by the Texas Department of Family and Protective Services will continue to be available at the Family Advocacy Center for families and victims of crime in the City of Irving.
3. This renewal shall be for the period of 12 months commencing on December 1, 2019 and ending on November 30, 2020 unless sooner terminated as provided.
4. This lease is provided at no cost to the Texas Health and Human Services Commission due to the government services they provide at the Irving Family Advocacy Center.

Recommendation

The resolution be approved.

10 Resolution - Approving the Special Event Permit Application for the City of Irving's 2019 Holiday Parade and Tree Lighting Event, to be Held in the Irving Heritage District at 217 Main Street and City Hall at 825 West Irving Boulevard, Irving, Texas on December 7, 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 Holiday Parade and Tree Lighting 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.
3. City Council has approved funding to support citywide special events.
4. If the estimated number of participants and spectators exceeds 2,500 during any day of the special event or any portion of the event is to take place on city property, the City of Irving Special Events Team will coordinate with Risk Management to procure and keep in full force and effect, for the duration of the event, insurance written by an insurance company approved by the State of Texas and acceptable to the City and issued in the standard form approved by the Texas Department of Insurance.

5. To fulfill the safe execution of City of Irving special events, spearheaded by the Parks and Recreation Department, there is a logistical need for street closures and/or traffic management and security services by the Irving Police Department as it relates to this event.
6. This permit approves staging and road closures along Rock Island from MacArthur to O'Connor, along O'Connor from Rock Island to Second, along Second from O'Connor to Lucille, along Lucille from Second to Irving Boulevard, and along Irving Boulevard from Lucille to Sowers, between 2:00 pm and 6:30 pm, on December 7, 2019.

Recommendation

The resolution be approved.

11 Resolution - Approving the Fiscal Year 2019-2020 Rate Setting Documents and Agreement Amendment and Extension with Dallas Area Agency on Aging (DAAA) for Reimbursement of Expenses Related to the Congregate Meal Program Provided at Heritage Senior Center in an Amount Not to Exceed \$58,559.73.

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** Approval of the attached FY2019-20 Rate Setting Documents and Agreement Amendment and Extension with Dallas Area Agency on Aging (DAAA) allows the City to request Title III State funding for the reimbursement of congregate meals provided at Heritage Senior Center.
3. The City of Irving purchases congregate meals from Visiting Nurses Association of Texas (VNA) and Dallas Area Agency on Aging (DAAA) provides reimbursement funds. The provision of these meals is vital for some senior residents and enhances their quality of life.
4. An estimated 15,050 meals are projected to be served in FY2019-20.
5. The agreement with DAAA also provides seniors access to additional services and benefits including counseling, information and referrals, health screenings, nutritional education, and other resources.
6. This agreement is for the period of October 1, 2019 through September 30, 2020.

Recommendation

The resolution be approved.

12 Resolution - Approving Two Letters of Authorization Between the City of Irving and the North Central Texas Council of Governments and Authorizing Fiscal Year 2020 Funding in the Amount of \$82,557.00 for the Regional Stormwater Monitoring and Management Programs

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and stormwater systems
2. **Impact:** Participation in these programs meet the Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) permit requirements for municipal stormwater discharges including regional wet weather monitoring.
3. **This item will be discussed at the Transportation and Natural Resources Committee on November 13, 2019.**
4. The firm of Atkins North America, Inc. has been contracted by the North Central Texas Council of Governments (NCTCOG) to provide regional monitoring program assistance through September 30, 2022.
5. The Interlocal Agreement for the Stormwater Management Program, effective October 1, 2017 through September 30, 2022, allows for the participation of additional smaller cities and entities. The Interlocal Agreement requires annual Letters of Authorization that provide the following:
 - a. Fiscal Year 2020 funding in the amount of \$73,659.00 for the Regional Stormwater Monitoring Program, which provides for stormwater sampling and analysis.
 - b. Fiscal Year 2020 funding in the amount of \$8,898.00 for the Regional Stormwater Management Program, which provides for administrative and implementation assistance.
6. Funding for this annual expenditure was approved by the adoption of the FY19-20 Municipal Drainage Utility (MDU) budget.
7. Funding in the amount of \$82,557.00 is available in the Municipal Drainage Utility Fund.

Recommendation

The resolution be approved.

13 Resolution - Approving a License Agreement Between the City of Irving and Dallas Area Rapid Transit (DART) for ADA Improvements at the Irving Convention Center Light Rail Station (Orange Line)

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 roadway from Promenade Parkway to DART Irving Convention Center Station.
2. **Impact:** The Promenade Court project will build a paved roadway to drop off or pick up DART Orange Line Light Rail passengers. This will allow for more ridership and allow a safer route for pedestrians to and from the Irving Convention Center.
3. **This item will be presented at the Transportation and Natural Resources Committee on November 13, 2019.**
4. The agreement is for constructing, installing, operating and maintaining the permitted improvements of the terms of agreement.
5. The City of Irving's contractor, SYB Construction, has already been granted the right-of-entry to do work on the DART owned property where ramps and stairs are proposed to be constructed.

Recommendation

The resolution be approved.

14 Resolution - Awarding a Contract to Kimora Custom Roofing LLC, in the Total Estimated Amount of \$109,766.29 for Roof Replacements at Fire Stations No. 6 and 11 through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Capital Improvement Program. It supports Strategic Goal 2.5 – Support strategic investments in city facilities.
2. **Impact:** This work replaces the roofing systems, at two facilities, that have been damaged by weather. Replacement of each roof will prevent water damage and avoid costly structure damage and unsafe conditions.
3. This project utilizes TIPS Contract #181101-3132, which was awarded to Stringer Construction Management on January 4, 2019, and expires on January 31, 2021.
4. Kimora Custom Roofing LLC will be performing this work as a duly authorized

Assignee of Stringer Construction Management, subject to all contractual rights and obligations under the specified TIPS contract for the purpose of completing this project.

5. Funding in the amount of \$109,766.29 is available within the self-insurance fund. The buildings are covered under the City's property insurance policy with the Texas Municipal League (TML) and Risk Management has filed a claim. TML has confirmed coverage and is processing the claim. The applicable deductible for this line of coverage is a collective \$75,000.

Recommendation

The resolution be approved.

15 Resolution - Approving an Interlocal Agreement Between the City of Irving and the Irving Flood Control District I (IFCDI) in the Amount of \$21,600.00 for the Desiltation and Maintenance Related to District Waterways

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater, and stormwater systems.
2. **Impact:** This Interlocal Agreement between the City of Irving and IFCDI provides for funding assistance for all design, construction, permitting, repairs, operations, and maintenance of the District's levees, sumps, channels, interior drainage facilities and pump stations using District engineers, contractors and personnel.
3. **This will be discussed at the Transportation and Natural Committee on November 13, 2019.**
4. This Interlocal Agreement meets a requirement of the Texas Commission on Environmental Quality (TCEQ) for the city's Texas Pollutant Elimination System (TPDES) Stormwater Permit to preserve the water quality of the city's waterways. Funding in FY 19-20 will provide for improvement and repairs to District levees, maintenance and improvements to the District's stormwater and flood control sumps and pumping stations, erosion control projects, engineering, improvements and maintenance required by FEMA and US Army Corp of Engineers, and the East Cell Levee Remediation Project.
5. Funding for this annual expenditure was approved by the adoption of the FY 2019-20 Municipal Drainage Utility (MDU) budget and is the city's annual assistance to the District.
6. Funding in the amount of \$21,600.00 is available in the Municipal Drainage Utility

Fund.

Recommendation

The resolution be approved.

16 Resolution - Approving an Interlocal Agreement Between the City of Irving and the Dallas County Utility Reclamation District (DCURD) in the Amount of \$520,000.00 for the Desiltation and Maintenance Related to District Waterways

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and stormwater systems.
2. **Impact:** This Interlocal Agreement between the City of Irving and DCURD provides funding assistance for the dredging of District canals, lakes and waterways to maintain proper depths and water quality as well as to provide adequate cross sections for water conveyance and for the maintenance of the levee, waterway slopes and structures.
3. **This item will be discussed at the Transportation and Natural Resources Committee on November 13, 2019.**
4. This Interlocal Agreement meets a requirement 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.
5. Funding in FY 19-20 will provide for dredging and waterway maintenance for the Cottonwood Creek System, Hackberry Creek System, Lake Sitatunga, Loch Kilpatrick, Lake Fugahwe, Quail Creek, Las Colinas Blvd Lakes, Royal Lane Lakes, Beaver Creek, Lake Bobcat, Southfork Hackberry, Lake Carolyn, Disposal Basin maintenance, pump station outfall – Elm Fork and Rochelle Lakes.
6. Funding for this annual expenditure was approved by the adoption of the FY 2019-20 Municipal Drainage Utility budget.
7. Funding in the amount of \$520,000.00 is available in the Municipal Drainage Utility Fund.

Recommendation

The resolution be approved.

17 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-8, Located at 1212 N. Walton Walker Blvd., in the Amount of \$10,800.00

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:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on October 18, 2019.**
4. 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.
5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.036 acre utility easement, across Parcel 115-8, owned by Tenairs Partners, LTD.
6. Funding in the amount of \$10,800.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

18 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-NA10, Located at 1515 N. Walton Walker Blvd., in the Amount of \$18,000.00

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:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on November 13, 2019.**

4. 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.
5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.062 acre utility easement, across Parcel 115-NA10, owned by Mr. and Mrs. Adrian Sagrero.
6. Funding in the amount of \$18,000.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

19 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-NA5, Located at 1125 N. Walton Walker Blvd., in the Amount of \$23,090.00

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:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on November 13, 2019.**
4. 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.
5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.118 acre utility easement, across Parcel 115-NA5, owned by Sayre Enterprises III L.P.
6. Funding in the amount of \$23,090.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

20 Resolution - Approving the Acquisition of Public Utility Easements on Parcel 115-15, Located at 1500 N. Walton Walker Blvd., in the Amount of \$96,556.25

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:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on November 13, 2019.**
4. 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.
5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of (1) one, 0.349 acre utility easement and (1) 0.005 acre DCDA easement, across Parcel 115-15, owned by 1500 E. Airport Freeway, LLC.
6. Funding in the amount of \$96,566.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

21 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-20, 20B, Located at 1600 North Loop 12 in the Amount of \$116,937.00

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:** Approval of this item will provide an essential easement related to the Diamond Interchange Project.
3. **This item will be presented to the Transportation and Natural Resource Committee on October 18, 2019.**
4. 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.

5. Therefore, the City must acquire several new easements on adjacent privately owned lands. The purpose of this agenda item is for acquisition of a 0.298 acre utility easement, across Parcel 115-20, 20B, owned by Spoon Industries, Inc.
6. Funding in the amount of \$116,937.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

22 Resolution - Approving the Acquisition of a Public Utility Easement on Parcel 115-86, Located at 2615 Spur 482 in the Amount of \$479,690.00

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 1.882 acres utility easement, across Parcel 115-86. In addition this project will require a temporary construction easement that will run parallel to the permanent easement and consist of 2.4 acres all of which is owned by Villagewalk RE LLC.
3. Acquiring this parcel serves a dual purpose its acquisition is not only necessary for the Diamond Interchange Project but also for the construction of the Jamison Line a separate project in where a local project advance funding agreement (LPAFA) was entered into with the City of Grand Prairie allowing the City of Irving to recover approximately 50% of the parcel acquisition cost.
4. **This item will be presented to the Transportation and Natural Resource Committee on October 18, 2019.**
5. Funding in the amount of \$479,690.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

23 Resolution - Approving an Interlocal Agreement Between Dallas Area Rapid Transit and the City of Irving for the Implementation of City of Irving Street Repair and Local Assistance Program (LAP) Projects to Reimburse the City for Road Improvements Along the 501 Bus Route in an Amount Not-To-Exceed \$750,261.00

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** This agreement allows for release of DART LAP Funds to be used for road improvements along the 501 Bus Route.
3. **This agreement was presented to the Transportation and Natural Resources Committee on November 13, 2019.**
4. No funding required.

Recommendation

The resolution be approved.

24 Resolution - Nominating Abbott Laboratories to the Office of the Governor, Economic Development and Tourism through the Economic Development Bank for Designation as a Qualified Business and an Enterprise Project Under the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code

Administrative Comments

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Nomination of Abbott Laboratories for participation in the Texas Enterprise Zone Program will allow for business operations expansion in Irving and the addition of approximately 800 employees.
3. The Texas Enterprise Zone Act allows a governing body to nominate projects within its jurisdiction to the Office of the Governor for incentives provided by the State of Texas. Should Abbott Laboratories be selected for the Enterprise Project designation, they will receive a State sales tax reimbursement (State portion) that will be reinvested in the Irving facility.
4. Abbott Laboratories is pharmaceutical and medicine manufacture. The company is continuing rapid growth nationally and globally. They have outgrown their current existing building and has purchase an adjacent building.
5. With the current application, Abbott Laboratories estimates that it will invest

approximately \$30 million over the next five years, retain 800 jobs throughout the five year designation, and add an additional 200 jobs with an average annual salary of \$65,400 at the qualified business site in the Irving facility located at 1921 Hurd Drive. The investment will be spent on machinery and equipment to support the retention of over 800 jobs and the creation of over 200 new jobs in Irving.

7. Abbott Laboratories also commits to hiring at least 25% economically disadvantaged individuals, and/or veterans for its new personnel as required by the Texas Enterprise Zone Statute.
8. The Enterprise Zone designation will terminate on December 2, 2024.

Recommendation

The resolution be approved.

25 Resolution - Resolution – Approving Certification of a Texas Enterprise Project Name Change Application to the Office of the Governor, Economic Development and Tourism to Change the Project Designation from Nokia Siemens Networks US LLC to Nokia Solutions and Networks US LLC; and Approving the Assignment of the Nokia Solutions and Networks US LLC Enterprise Project Status to Nokia of America Corporation

Administrative Comments

1. This item is recommended by the Economic Development Department.
2. **Impact:** Certification of this name change application will change the project designation from Nokia Siemens Networks US LLC to Nokia Solutions and Networks US LLC. Approval of this Resolution will also assign the enterprise project status from Nokia Solutions and Networks US LLC to Nokia of America Corporation.
3. On May 23, 2013, the Irving City Council nominated Nokia Siemens Networks US LLC for enterprise project status by RES-2013-168. Nokia Siemens Networks US LLC estimated that it would invest in excess of \$5 million over the next five years in the Irving facility. The investment was to be primarily for product development software and equipment and information technology upgrades needed to continue to provide innovative network infrastructure solutions and services for its clients across North America.
4. The enterprise project designation took effect on June 3, 2013 and expired on June 3, 2018.
5. On August 16, 2013, Nokia Siemens Networks US LLC changed their name to

Nokia Solutions and Networks US LLC.

6. On January 1, 2018, Nokia Solutions and Networks US LLC merged with and became part of Nokia of America Corporation a new distinct entity operating in the City of Irving. On that date, everything that previously belonged to Nokia Solutions and Networks US LLC became property of Nokia of America Corporation, including the Irving operations.
7. An assignment of the enterprise project status is necessary because Nokia Solutions and Networks US LLC and Nokia of America of Corporation are distinctly different entities (i.e. different taxpayer numbers), as opposed to a single entity simply changing its name. Approval of the assignment will allow Nokia of America Corporation to receive the benefit of the enterprise project designation during the final six (6) months (January 1, 2018 to June 3, 2018) of the enterprise project designation term.

Recommendation

The resolution be approved.

26 Resolution - Approving a First Amendment to the Interlocal Cooperative Agreement Between the City of Irving and the Trinity River Authority (TRA) Relating to Design and Construction of a New Wholesale Wastewater Meter to Reimburse the City in an Amount Not-To-Exceed \$675,000.00

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 agreement provides the City funding for the design and construction of a Trinity River Authority (TRA) wholesale wastewater meter that will be constructed as part of the Urban Center Lift Station Project.
3. **This item will be presented to the Transportation and Natural Resources Committee on November 13, 2019.**
4. A new wholesale wastewater meter for TRA has been designed and is being constructed as part of the Urban Center Lift Station Project to measure wastewater flow entering TRA's system.
5. The new wholesale wastewater meter has been designed and is being constructed per TRA requirements.
6. The original engineer's estimate for construction of the new wholesale wastewater meter was \$625,000.00 which TRA paid to the City prior to advertisement of the

bids for the Urban Center Lift Station Project. The City currently has Crescent Constructors, Inc., under contract to build the TRA meter station as part of the Urban Center Lift Station Project.

7. Additional funding in excess of the \$625,000.00 is required to accommodate changes in how Oncor will provide power to the wholesale wastewater meter. The First Amendment to the Interlocal Cooperative Agreement with TRA will provide an additional \$50,000.00 to the City to fund additional work required to construct the meter station. This increases the total funding that TRA will provide to the City to \$675,000.00. A final cost accounting of all design and construction costs associated with the wholesale wastewater meter will occur upon completion of the lift station project to determine if any additional funding is required.
8. TRA approved the First Amendment to the Interlocal Agreement at their October 23, 2019 Board Meeting. It is anticipated that construction of the Urban Center Lift Station Project will be completed by the summer of 2020.

Recommendation

The resolution be approved.

27 Resolution - Approving Change Order No. 2 in the Not to Exceed Amount of \$44,321.00 to Crescent Constructors, Inc., for the Urban Center Lift Station

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact: This item support the city's Investing in our Future initiative.** This change order provides for additional required work at the Urban Center Lift Station.
3. **This item will be presented to the Transportation and Natural Resources Committee on November 13, 2019.**
4. This change order includes an item for modifications to the power feed to the Trinity River Authority's (TRA) meter station included with this project. The costs associated with this change order will be reimbursed by TRA.
5. During construction, changed site conditions were discovered. Oncor removed the existing power pole adjacent to the proposed meter station that was designed as the power source. The revised power feed will come from the new Urban Center Lift Station transformer located 265 feet away.
6. The total amount of the change order is \$44,321.00. This will increase the total contract amount to \$11,472,886.00.

7. An additional 42 calendar days was added to bring the final completion date to March 1, 2020 to account for the additional work.
8. Funding in the amount of \$44,321.00 is available in the Water Utilities budget within the Sanitary Sewer Bond Fund. This amount will be reimbursed by TRA.

Recommendation

The resolution be approved.

28 Resolution - Approving Addendum No. 4 to the Engineering Design Services Agreement with Alan Plummer Associates, Inc., in the Amount of \$115,024.00 for Design of the Urban Center Lift Station

Administrative Comments

1. This item is recommended by the Water Utilities Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact: This item supports the city's Investing in our Future initiative.** This project will protect the wastewater collection system within the Urban Center when flooding occurs on the Elm Fork Trinity River and when the Trinity River Authority's (TRA) Central Regional Wastewater System backs up into Irving's System.
3. **This item will be presented to the Transportation and Natural Resource Committee on November 13, 2019.**
4. Construction of the Urban Center Lift Station was originally anticipated to last 18 months, but significant flooding in late September of 2018 shut down most of the project and work did not resume in all areas until March of 2019.
5. The agreement with Alan Plummer Associates, Inc. (Plummer) planned on an 18 month construction schedule. The scope of Addendum No. 4 includes an additional 8 months of construction phase services to provide services through the end of construction of the Urban Center Lift Station. Additionally, this addendum will reimburse Alan Plummer for additional construction phase services which have included working with the contractor on revised excavation plans after the flooding and resulting failure as well as required coordination with Explorer Pipeline and the TRA.
6. The cost for these additional services is \$115,024.00. This increases the total value of the agreement to \$1,976,933.00.
7. Funding in the amount of \$115,024.00 is available in the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

29 Resolution - Approving a Single Source Agreement Between the City of Irving and HOV Services, in the Total Amount of \$103,665.50 for Renewal of Hyland OnBase Support and Maintenance

Administrative Comments

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

Recommendation

The resolution be approved.

30 Resolution - Approving Additional Funds for As-Needed Purchases from Presidio Networked Solutions Group, LLC, in the Total Estimated Amount of \$300,000.00 for CISCO Branded Equipment and Related Services through the State of Texas Department of Information Resources (DIR)

Administrative Comments

1. This item is recommended by the Information Technology Department.
2. **Impact:** Use of this contract will allow the city to purchase CISCO branded equipment and related services under the best possible terms and conditions for the city.
3. CISCO blade servers, wireless equipment, switches, and gateway equipment compose the backbone of the city's data and telephone networks, allowing city employees to communicate and share information with each other, as well as

providing the ability for residents and other city contacts to communicate with us through email, the internet, and by telephone.

4. These purchases are supported by a Vendor/Member contract between the City of Irving and Presidio Networked Solutions Group, LLC, which was approved by RES-2018-482 on December 13, 2018. This contract supports utilization of DIR-TSO-4167 which expires July 3, 2020.
5. Funding for Fiscal Year 2019-20 is available in various funds within various accounts.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year
Presidio Networked Solutions Group, LLC	11/14/19 – 7/3/20	\$300,000.00	2019-20
TOTAL		\$300,000.00	

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 31-39**

31 Resolution - Approving and Accepting the Proposal from Martin & Martin Design in the Total Estimated Amount of \$164,800.00 for Art Services and Fine Arts Handling

Administrative Comments

1. This item is recommended by the Irving Arts Center.
2. **Impact:** The contracted services will ensure that art handling and fine arts services necessary for the mounting of exhibitions and care of artwork at the Irving Arts Center and Museum will be performed in a safe, professional manner consistent with industry standards, lenders’ expectations and contractual requirements. Services include, but are not limited to, transportation, framing, fabrication, conservation, installation and packing.
3. This award establishes an annual contract for the continuation of providing art services and fine arts handling. This award is for one year with two, one-year renewal options.
4. Funding is available in the Irving Arts Center General Fund and the Heritage and Museum Fund.

Vendor	Contract Term	Total Est. Amount	Fiscal Year
Martin & Martin Design	11/15/19 – 11/30/20	\$150,000.00	2019-20
		\$ 14,800.00	2020-21
TOTAL		\$164,800.00	

Recommendation

The resolution be approved.

32 Resolution - Approving a Professional Services Agreement with Walter P Moore in the Total Estimated Amount of \$300,000.00 for Annual Structural Engineering Services

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact:** This annual contract will allow for the analysis of structural integrity and design of structural engineered members and/or components for bridges, retaining walls, parking garages, large custom storm water junction boxes, etc. These individual services may be requested for CIP projects, city facilities, Parks projects, or by other departments. Utilization of these services has averaged \$142,000 over the past five fiscal years.
3. **This item will be discussed with the Transportation & Natural Resources Committee on November 13, 2019.**
4. Requests for Qualifications (RFQ) were solicited for these services; qualifications were received from eleven firms. Of the four (4) firms chosen to be interviewed, Walter P Moore was determined to be the most highly qualified provider for the services solicited.
5. Staff has negotiated a fair and reasonable agreement with Walter P Moore for these services and recommends award.
6. Minority- and/or Women-owned Business (MWBE) participation in this award is 30%.
7. This award established an annual contract for the continuation of providing structural engineering services. The contract may be renewed by mutual agreement of the parties for additional one-year terms. The current contract expires on December 24, 2019.
8. Funding for Fiscal Year 2019-20 is available in various project funds, while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Walter P Moore	12/26/19 – 12/25/20	\$225,000.00	2019-20
		\$ 75,000.00	2020-21
TOTAL		\$300,000.00	

Recommendation

The resolution be approved.

33 Resolution - Approving a Professional Services Agreement with Criado & Associates, Inc., in the Total Estimated Amount of \$600,000.00 for Annual Sub-Surface Utility Exploration (Potholing) Services

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department.
2. **Impact: This annual contract supports Road to the Future**, Municipal Drainage Utility, and various CIP projects. Sub-surface utility exploration (potholing) is used to locate existing underground dry utilities and City of Irving wet utilities. It provides the precise location horizontally and vertically to determine if there is an underground conflict with proposed water, wastewater, storm drainage pipes, franchise utilities, or paving within City of Irving rights-of-way for CIP.
3. **This item will be discussed with the Transportation & Natural Resources Committee on November 13, 2019.**
4. Requests for Qualifications (RFQ) were solicited for these services; qualifications were received from six firms. Of these firms, Criado & Associates, Inc., was determined to be the most highly qualified provider for the services solicited.
5. Staff has negotiated a fair and reasonable agreement with Criado & Associates, Inc., for these services and recommends award.
6. Minority- and/or Women-owned Business (MWBE) participation in this award is 100%.
7. Utilization of these services has averaged approximately \$93,000 annually over the past five fiscal years; however, usage is expected to increase significantly in order to support Road to the Future projects. Recent infrastructure projects utilizing these services include, but are not limited to, Lindy Lane, MacArthur Boulevard, and Cedar Drive.
8. This award establishes an annual contract for the continuation of providing sub-surface utility exploration (potholing). The contract may be renewed by mutual agreement of the parties for additional one-year terms.

9. Funding for Fiscal Year 2019-20 is available in various project funds, while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Criado & Associates, Inc.	12/26/19 – 12/25/20	\$500,000.00	2019-20
		\$100,000.00	2020-21
TOTAL		\$600,000.00	

Recommendation

The resolution be approved.

34 Resolution - Renewing the Annual Contract with Assured Comfort Services DbA Innovation HVAC Services LLC, in the Total Estimated Amount of \$125,000.00 for Plumbing Services

Administrative Comments

1. This item is recommended by the Capital Improvement Program Facilities Division
1. **Impact:** Plumbing problems must be responded to quickly and efficiently in order to maintain the security and safety of city facilities.
2. This contract will help to maintain the safety and security of City facilities in an efficient manner.
3. This renewal establishes the continuation of an annual contract to provide plumbing services. This is the first of two, one-year renewal options. The current contract expires November 30, 2019.
4. Minority- and/or Women-Owned Business participation in this award is 100%.
5. Funding for Fiscal Year 2019-20 is available in various departmental budgets within various funds, while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Assured Comfort Services dba Innovation HVAC Services, LLC	12/01/19 – 11/30/20	\$100,000.00	2019-20
		\$ 25,000.00	2020-21
TOTAL		\$125,000.00	

Recommendation

The resolution be approved.

35 Resolution - Approving Additional Funds for As-Needed Repairs from Air Conditioning Innovative Solutions (ACIS) in the Total Estimated Amount of \$200,000.00 for HVAC Solutions and Services through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Capital Improvement Program (CIP) Department – Facilities Maintenance Division.
2. **Impact:** The agreement provides for HVAC equipment, installation, repairs and parts on an as-needed basis and will allow the CIP Department - Facilities Maintenance division to respond to HVAC needs, of the more than 60 city facilities that may require the services of this agreement, in a timely and efficient manner.
3. A Vendor/Member contract between the City of Irving and ACIS was approved on June 6, 2019 by RES-2019-216, in an estimated amount of \$200,000.00 for as needed purchases. The contract supports utilization of TIPS Contract No. 180205 for Trades, Labor & Materials 2 (JOC), in an amount not to exceed \$200,000.00 for as-needed repairs.
4. To date, approximately \$170,000.00 of the \$200,000.00 has been expended. Due to HVAC equipment failure at the Family Advocacy Center, this agreement allowed the replacement of equipment to begin immediately. The CIP Department recommends increasing the spending allowance by an additional estimated amount of \$200,000.00 for the remainder of the contract term, in order to fulfill the replacement of the equipment, due to City’s aging infrastructure.
5. Funding for Fiscal Year 2019-20 is available in various departmental budgets within various funds.

Vendor	Spending Term	Total Estimated Amount	Fiscal Year(s)
Air Conditioning Innovative Solutions (ACIS)	11/15/19 – 4/26/20	\$200,000.00	FY 2019-20
TOTAL ESTIMATED AMOUNT		\$200,000.00	

Recommendation

The resolution be approved.

36 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Centerline Supply, Inc. and Authorizing As-Needed Expenditures in the Total Estimated Amount of \$125,000.00 for Highway Safety and Traffic Control Products through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)Traffic Products

Administrative Comments

1. This item is recommended by the Traffic & Transportation and Parks & Recreation departments.
2. **Impact:** Establishment of a Vendor/Member contract between the City of Irving and Centerline Supply, Inc., for utilization of BuyBoard Contract No. 534-17, which expires on May 31, 2020, will allow the city to purchase highway safety and traffic control products under the best possible terms and conditions for the city.
3. **The item was presented to Transportation and Natural Resources Committee on October 2, 2019.**
4. This contract will allow Traffic & Transportation and Parks & Recreation to procure parts and materials for installing and maintaining traffic markings and signs.
5. Funding is available in the Traffic & Transportation and Parks & Recreation departments' budgets within the General Fund.

Vendor	Spending Term	Additional Amount Requested	Fiscal Year(s)
Centerline Supply, Inc.	11/15/19 – 5/31/20	\$125,000.00	2019-20

Recommendation

The resolution be approved.

37 Resolution - Renewing the Annual Contract with SLM Landscaping & Maintenance in the Total Estimated Amount of \$53,441.00 for Mowing, Litter Control, and Landscape Maintenance for Water Utilities Facilities

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** This contract allows Water Utilities to ensure all of the water facilities are maintained with continuous mowing and litter control.

3. This renewal establishes the continuation of an annual contract to provide mowing, litter control, and landscape maintenance for Water Utilities facilities.
4. Funding for Fiscal Year 2019-19 is available in the Water and Sewer System Fund, while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Expenditure	Fiscal Year(s)
SLM Landscaping & Maintenance	12/1/19 – 11/30/20	\$35,627.33	2019-20
		\$17,813.67	2020-21
TOTAL		\$53,441.00	

Recommendation

The resolution be approved.

38 Resolution - Approving the Purchase from Siddons-Martin Emergency Group, LLC, for a Pierce 100' Aerial Platform Ladder Truck and a Pierce Pumper Truck in the Total Estimated Amount of \$2,137,385.33 through the Houston-Galveston Area Council of Governments (H-GAC) Interlocal Cooperative Purchasing Program

Administrative Comments

1. This item is recommended by the Fire Department and approved by the Fleet Operations Division.
2. **Impact:** Purchase of these fire apparatus from Siddons-Martin Emergency Group, LLC, will allow the Fire Department to maintain uniformity with most of their front-line equipment which ensures familiarity for our members and shop personnel required to service the apparatus.
3. The platform truck will replace equipment #05130 and the pumper will replace equipment #05108, both of which will be retired upon receipt of the new equipment.
4. The difference between the budgeted amount and the actual cost will be used to purchase the equipment for both apparatus which includes the hoses, nozzles, tools, rescue equipment, etc. Siddons-Martin Emergency Group, LLC is applying a pre-payment discount of \$76,228.00 and a preferred customer discount of \$26,355.67 for a total of \$102,583.67.
5. This purchase is supported by a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Siddons-Martin Emergency Group, LLC, utilizing H-GAC Contract No. FS12-17 which expires on November 30, 2019.
6. Funding in the amount of \$2,137,385.33 is available in the Equipment Replacement Fund.

Recommendation

The resolution be approved.

39 Resolution - Approving the Purchase from Caldwell Country Chevrolet of Various Vehicles in the Total Estimated Amount of \$1,104,008.11 through the State of Texas Local Government Statewide Cooperative Purchasing Program (BuyBoard)

Administrative Comments

1. This item is recommended by various departments and approved by the Fleet Services Division.
2. **Impact:** Purchase of the vehicles shown below will allow for replacement of older vehicles in order to reduce vehicle downtime as well as adding supplemental vehicles to increase effectiveness and better support the needs of City departments and the residents of Irving.
3. These purchases are supported by a Vendor/Member contract between the City of Irving and Caldwell Country Chevrolet. The contract was approved by Administrative Award No. 6057 on September 25, 2018 utilizing BuyBoard 521-16 which was renewed on December 1, 2018 and expires on November 30, 2019.
4. There will be a \$400.00 BuyBoard fee added to each department's purchase order. Budgeted replacements are as follows:
5. Funding is available in the Equipment Replacement Fund.

Department	Item Description	Qty	Total Expenditure	Fund
Police	2019 Chevrolet Traverse LS 1NB56	9	\$256,045.00	Equipment Replacement
	2020 Chevrolet Tahoe PPV CC15706	13	\$636,952.23	
	2020 Chevrolet Tahoe PPV CC15706	2	\$81,531.82	
	2020 Chevrolet Tahoe PPV CC157706	1	\$46,142.41	
Code Enforcement Services	2020 Chevrolet Traverse	1	\$33,725.00	
Court Services	2020 Chevrolet Tahoe PPV	1	\$49,611.65	
TOTAL			\$1,104,008.11	

Recommendation

The resolution be approved.

End of Bids

40 Ordinance - Canvassing the Returns and Declaring the Results of the Special Election Held on November 5, 2019; for the Purpose of Adoption or Rejection of a Home Rule Charter Amendment

Administrative Comments

1. This item has been recommended by the City Secretary's Office
2. **Impact:** The City Council placed a home rule charter amendment on the November 5, 2019 ballot to remove the limitations on contributions for retirement benefits.
3. It is required that the Council affirm the approval of the canvass after the Ballot Board has certified the election results.

Recommendation

The ordinance be adopted.

41 Ordinance - Authorizing the Issuance and Sale of City of Irving, Texas, Hotel Occupancy Tax Revenue Refunding Bonds, Series 2019, Providing for the Security and Payment Thereof; Awarding the Sale Thereof; Authorizing the Execution and Delivery of an Escrow Agreement and a Paying Agent-Registrar Agreement; Approving the Official Statement; and Prescribing Other Matters with Respect Thereto

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this Ordinance will allow for the refinancing of the 2014B Hotel Occupancy Tax Bonds (HOT Bonds) at a lower interest rate.
3. The HOT Bonds represent the City's capital contribution to the construction of the Toyota Music Factory. The current principal balance is \$36,625,000. Market conditions continue to move in a favorable direction that will result in savings for the City if this bond issue is refunded.
4. Standard and Poor's has reaffirmed the BBB+ rating on the HOT Bonds. The HOT Bonds are funded solely with the 2% Venue Hotel Tax (Brimer) and are not considered a General Obligation of the City.
5. The City estimates total net debt service savings of approximately \$10.2 million and average annual debt service savings of approximately \$425,000.
6. There is no change to the term of the HOT Bonds. The final maturity date remains August 15, 2043.
7. Final pricing and bond issue amounts will be determined via a negotiated sale on November 14, 2019. The results will be communicated to Council at their scheduled meeting the same evening. It is expected the bonds will be delivered to the City on December 12, 2019.

Recommendation

The ordinance be adopted.

42 Ordinance - Authorizing the Abandonment and Vacation of a Certain Stormwater Drainage Easement in Lot 5R, Block A, at Dallas Ramada at DFW and Atlas Airpark

Administrative Comments

1. This item has been recommended by the Capital Improvement Program. This item

supports Objective 2.4: Maintain and extend water, wastewater and storm water systems.

2. **Impact:** The 20 foot stormwater drainage easement being abandoned is not now needed for public utility purposes and will not be needed in the future for such purposes
3. **This item will be discussed at the Transportation and Natural Resources Committee on November 13, 2019.**
4. Capital Improvement Program Department has approved the abandonment of this easement.

Recommendation

The ordinance be adopted.

INDIVIDUAL CONSIDERATION

43 Resolution - Consideration of Discontinuing Receipt of the City of Irving's Share of Bingo Prize Fees

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Approval of this resolution will allow the city's allocation of bingo revenue to be retained by the charitable organizations.
3. House Bill 914, enacted by the 86th Texas Legislature, required an affirmative vote of the City Council in order for the city to continue receiving bingo revenue after January 1, 2020. On September 19, 2019, Council adopted RES 2019-322 to continue receiving the revenue.
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 had not voted to continue the fee, the full amount of the local portion would have been distributed to Dallas County.
6. After November 1, Council now has the option of continuing to receive the fee or allowing the city's portion of the bingo fee (25%) to be retained by the charitable organizations. Council directed staff to bring this item back for consideration at the earliest opportunity.

Recommendation

The item be presented for council consideration.

44 Resolution - Authorizing an Amendment to the Agreement with Clear Channel Outdoor, LLC for the Management of Three Theme Tower Structures Located at 2000 N. Walton Walker Blvd., 1700 E. John Carpenter Freeway, and 2700 N. Walton Walker Blvd.

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department.
2. **Impact:** This item supports the managing, operating, and servicing of the City owned Theme Tower structures. Initial payment on January 1, 2020 will equal \$525,000 (\$350,000 + \$175,000).
3. **This item will be presented at the Transportation and Natural Resources Committee on November 13, 2019.**
4. The Greater Irving-Las Colinas Chamber of Commerce had entered into an agreement with Clear Channel Outdoor, LLC, (the "Theme Tower Management Agreement") dated May 20, 2009, for a period of time ending December 31, 2019.
5. The City Council adopted RES-2009-406 on September 24, 2009, approving an economic development services agreement with the Greater Irving-Las Colinas Chamber of Commerce to provide for the management and leasing of the three theme towers owned by the City of Irving.
6. The City Council adopted RES-2017-378 on October 12, 2017, approving an assignment of the Theme Tower Management Agreement and Consent to Assignment between the Greater Irving – Las Colinas Chamber of Commerce and the City of Irving
7. The rent to be paid by Clear Channel Outdoor, LLC to the City of Irving is the greater of \$350,000 per year, or fifty percent (50%) of the gross receipts for the displays on the Structures, after agency commission of fifteen percent (15%). Initial payment (\$175,000) includes an up-front payment for the final 6 months term.

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

- 45 **Ordinance - Zoning Case #ZC19-0010 - Considering a Comprehensive Plan Amendment Changing the Recommended Future Land Use from "Business District" to "Neighborhood Commercial", and Considering a Zoning Change from S-P-1 (Detailed Site Plan) District for Single Family and Nursery Greenhouse Uses to S-P-1 (Detailed Site Plan) District for C-O (Commercial Office) and Senior Independent Living Facility Uses - Approximately 1.511 Acres Located at 4216 S. Greenview Drive - JDJR Engineers and Consultants, Inc., Applicant - Segu D. Jameel, Owner (Postponed from October 24, 2019)**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: September 16, 2019 – Postpone to October 7, 2019, 9-0. October 7, 2019 – Favorable subject to providing additional sound attenuation from the freeway, 4-3 (Commissioners Taylor, Cronenwett, Zeske, nay; Commissioners Patel and Richards, absent).
2. The applicant is requesting to amend the 2017 Imagine Irving Comprehensive Plan Future Land Use Map from *Business District* to *Neighborhood Commercial* and rezone the property from S-P-1 (Detailed Site Plan) for Single Family and Nursery Greenhouse and R-6 (Single Family) District to S-P-1 (Detailed Site Plan) for C-O (Commercial Office) and Senior Independent Living Facility allow a 50-unit senior independent living facility.

Comprehensive Plan Change

3. The Comprehensive Plan recommends Business District uses for this property since it is adjacent to SH 161 and was part of the airport mitigation program for the former Greenwood Hills and Highlands neighborhoods. The applicant is requesting the Neighborhood Commercial land use category which is for mixed-use commercial areas along major corridors. This provides opportunities for residential and commercial infill and reinvestment with a net residential units per acre of 10-150.
4. The applicant has provided a letter requesting to amend the Comprehensive Plan. The letter provided that the approval of residential by the Council in the past near the Airport that included noise attenuation at the time of construction, the possibility of a new city park nearby, and the lack of commercial development in the area since the surrounding property was bought by DFW Airport justified the change in future land use and the requested use.
5. **The property is well within the adopted 70 DNL noise contour line and is approximately 9,600 feet from the end of runway 17L/35R, and approximately 11,200 feet from runway 18C/35C.** For a frame of reference, this is less than the length of the main runways (such as 17C/35C), which are 13,400 feet long.

Additionally, **the property is adjacent to State Highway 161**, and is subject to the noise created by the roadway as well.

6. **The subject property is adjacent to and surrounded on three sides by property owned by DFW Airport.** While this area is zoned “R-6”, most of the property is owned by DFW Airport and **can never be redeveloped for any residential uses.** In the 1990’s, the construction of a new runway on the eastern side of the airport caused the areas near the ends of the runways to be affected by aircraft noise and placed in the noise contour. As a result, the majority of homes in two fully built out single family residential subdivisions, Greenwood Hills and Highlands, were purchased by the airport using funding from the FAA. The purchased homes were removed, leaving vacant land and streets. Regulations for use of the federal funding for the purchase do not allow future residential use of this property. The owners of the subject property at the time chose not to participate in the buy out.
7. City staff has begun discussions with DFW Airport staff to consider future appropriate uses for the former subdivisions. These uses could include commercial, light industrial and open space. There will be no residential uses of any type.
8. While the applicant’s letter discusses the possibility of a future park in the area, no such plans have been finalized, and the area is just as likely to redevelop with commercial or industrial uses. **Based on these issues and that senior independent living functions as a full time, higher density residential use, staff cannot support an amendment to the Future Land Use Map that would allow residential uses at this location.**

Zoning Change

9. The property is currently zoned S-P-1 (Detailed Site Plan) for Single Family and Nursery Greenhouse and still has existing residential and commercial buildings.
10. **The applicant requests to redevelop the property with a 4-story, 50-unit senior independent living facility. The facility will include 20 one-bedroom units and 30 two-bedroom units.**
11. The applicant has provided on the site plan that the proposed senior independent living facility will be “a facility that provides services to elderly residents. These services include planned activities, exercise, eating, and other incidental activities. These services are performed in a residential environment 24 hours per day. Although residents may have health care problems, the senior living facility is not considered or licensed to be a skilled nursing facility or similar licensed facility including without limitation a licensed personal care facility, save and except any such license may be required by government regulators to operate an “independent living” retirement residence.” This is generally consistent with the State Highway 161 Overlay District, which states that such a facility is “A development providing dwelling units specifically designed for the needs of elderly persons. In addition to housing, this type of facility may provide convenience services, such as meals,

housekeeping and transportation, and community facilities, such as central dining rooms and activity rooms.”

12. The applicant’s site plan states that “At least 80% of the occupied units are occupied by at least one person who is 55 years of age or older. The age restriction shall be enforced by onsite management of the facility.”

13. According to the National Council for Aging Care, typical services and amenities for independent living facilities include:

- a. Payment of all electric, gas and water bills;
- b. Housekeeping services;
- c. Laundry services;
- d. Transportation, in addition to residents’ own cars;
- e. Organized social activities and special events;
- f. Security and property surveillance;
- g. Extra storage spaces on site;

Additionally, some facilities offer restaurants/dining, gyms, pools, spas, and salons. Not all of these services may be included in the standard rates, but independent living facilities generally have a majority of these services available.

14. The following amenities and services are stipulated on the site plan:

- a. A multi-purpose room that accommodates communal dining and special events, along with “interior common areas...to support resident activities and programs”;
- b. Qualified and reputable transportation providers shall be made available to residents;
- c. Limited and controlled access, including security gates;
- d. Grab bars and easy access handles in common areas;
- e. Passive and active exterior spaces; and
- f. Emergency call systems with alarms in bedrooms and bathrooms; with “response services by an independent specialty senior medical home alert service provider.”

15. While the proposed facility does not appear to provide all of the typical services of an independent living facility as defined by the National Council on Aging Care, the site plan does define the facility as one whose services “include planned activities, exercise, eating, and other incidental activities.” Since this is a stipulation on the site plan, **staff believes it meets the minimum requirements of an “independent living facility” as defined by the State Highway 161 Overlay District.**

16. Section 33A-3 of the Land Use Development Code requires all buildings, structures

and fences to be set back 40 feet from the State Highway 161 right-of-way. **The applicant is proposing a 30-foot building setback, and a 6-ft tall wrought iron fence along the property line within the setback.** In addition, the applicant is proposing that the landscape setback also be used as “outdoor activity space” for the residents. **Staff does not believe that it is appropriate to put “outdoor activity space” adjacent to the highway right-of-way.** Furthermore, the site plan does not specifically state that all other landscaping requirements will be met.

17. The stipulation of the Commission has been met.
18. A total of five (5) public notices were mailed. Staff received no responses in support and one (1) response in opposition to this request. **The opposition represents 55.26% of the land within 200 feet of the subject property. Since this is greater than 20%, a ¾-vote is required for approval.**
19. While staff acknowledges the need for senior independent living facilities in Irving, the proposed project is in an area influenced by DFW Airport where residential uses are considered incompatible, and no additional residential use will ever be built on the surrounding properties, leaving this completely isolated from any other residential use or other supportive services. Additionally, the outdoor activity space is not in a usable area, with no noise barrier between it and the highway. Therefore, staff cannot support this request.
20. Staff recommends denial, based on the proximity to the airport runway, location in the 70 DNL noise contour (not 65 DNL which is the threshold for limiting residential uses), and the location adjacent to DFW Airport-owned property purchased to minimize residential development in the noise area.
21. The consideration of this item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

46 Ordinance - Zoning Case #ZC19-0041 - Considering a Comprehensive Plan Amendment Changing the Recommended Land Use from "Residential Neighborhood" to "Neighborhood Commercial", and Considering a Zoning Change from S-P (Site Plan) District for Retail and Multifamily Uses to C-N (Neighborhood Commercial) District - Approximately 1.165 Acres Located at 2308 W. Pioneer Drive - American 786, LLC, Applicant/Owner (Postponed from October 24, 2019)

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 7, 2019 – Postpone to October 21, 2019, 7-0 (Commissioners Patel and Richards, absent). October 21, 2019 – Postpone to November 4, 2019, 6-1 (Commissioner Spurlock, nay; Commissioner Burns, abstain; Commissioner Zeske, absent). November 4, 2019 – Postpone to November 18, 2019, 6-0 (Commissioners Zeske, Richards and Burns, absent).

Comprehensive Plan Amendment

2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood District* uses for this property. The *Residential Neighborhood District* 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 not in conformance with the Comprehensive Plan. **The applicant is requesting to amend the Comprehensive Plan Future Land Use Map to Neighborhood Commercial District land use category, which includes mixed-use commercial areas along major corridors with opportunities for residential and commercial infill and reinvestment.**
3. The Comprehensive Plan provides that if an area that is designated as residential desires to transition to nonresidential uses, the City should require the following:
 - a. The area is physically appropriate for nonresidential use;
 - b. The area is adjacent to nonresidential zoning and not separated from other nonresidential zoning by a major thoroughfare;
 - c. The rezoning does not allow nonresidential traffic to negatively impact established and proposed future neighborhoods, schools, and parks;
 - d. The rezoning does not leave any residential residual tracts;
 - e. The rezoning provides an appropriate transition between nonresidential and residential uses through separation by distance, screening or land use; and
 - f. The nonresidential use is the same intensity or is compatible in density and intensity with the existing adjacent/surrounding land uses

Staff believes the proposed use meets these criteria.

4. A letter has been provided from the applicant with various reasons for changing the Comprehensive Plan to neighborhood commercial uses. This property lies within a

mixture of retail, office, single-family, multifamily and church uses. The proposed future land use and zoning district would eliminate the multifamily use and allow the office use. The proposed rezoning would allow some office and additional retail uses to be provided to the mixture of existing single family and multifamily uses already established in the area.

Zoning Change Request

5. In 1970, the City Council approved Ordinance No. 70-1420 for S-P (Site Plan) for Retail and Multifamily uses. This approved site plan is specific with regard to the number and type of multifamily units, size of building footprints, number of parking spaces and with a small portion of the site for retail uses. The site plan labeled the small portion of the site as a “dry cleaners”, and in December of 2001, an amended site plan was administratively approved to change the “dry cleaners” label to “retail” as referenced in the approved ordinance. The multifamily units have never been constructed.
6. A new owner/developer has since acquired the property and would like to develop it with a two-story building for office and retail uses. Since the existing site plan shows a detailed site layout for multifamily development on this portion of the property, the property must be rezoned to allow the office and retail uses.
7. The applicant is not proposing any variances to the C-N (Neighborhood Commercial) District for setbacks, parking and landscaping. Since the applicant is able to meet the regulations of the district, the applicant prefers to use the requirements of the base zoning district. The applicant requested that the case be postponed to the October 21, 2019 Planning and Zoning Commission meeting to allow the property to be re-advertised as a C-N zoning case and remove the S-P site plan requirement.
8. The applicant is calculating parking on the site as office and retail uses, per the zoning ordinance. If any uses are desired in the future that require a larger ratio of parking, such as restaurants, the applicant must add these parking spaces or request a variance.
9. At the October 7, 2019 meeting, a number of the surrounding property owners spoke in opposition to this case regarding existing drainage issues and concerns about the height, drainage and traffic that this proposed development would add to the existing neighborhood. A drainage study is completed and drainage issues are typically addressed during the platting process. Additionally, the Transportation Department reviewed the site for any traffic issues and did not believe the increase in traffic requires a separate traffic study.
10. At the October 21, 2019 meeting, the Planning and Zoning Commission requested that the applicant postpone the case to the November 4, 2019, Planning and Zoning Commission meeting to provide a site plan for their proposed request.
- 11. On October 30, 2019, the applicant requested that the case be postponed to the November 18, 2019 Planning and Zoning Commission meeting to allow for**

additional time to prepare the site plan as requested by the Planning and Zoning Commission.

12. A total of 48 public notices were mailed. Staff received no responses in support, and 16 responses and a petition with 31 signatures in opposition to this request. The opposition represents 27.31% of the land within 200 feet of the subject property. Since this is over 20%, a $\frac{3}{4}$ -vote will be required for approval.

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

Recommendation

Postpone to December 12, 2019.

- 47 Ordinance - Zoning Case #ZC19-0061 - Considering a Comprehensive Plan Amendment Changing the Recommended Land Use from "Neighborhood Commercial" to "Industrial", and 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 C-W (Commercial Warehouse) District 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 on Tract 1 and S-P-2 (Generalized Site Plan) District for C-W (Commercial Warehouse) Uses Including Overnight Parking of Commercial Vehicles as a Principal Use on Tract 2 - Approximately 7.95 Acres Located at 101, 200 and 300 N. Rogers Road - Freight Operations Services, LLC, Applicant - SJ Irving Properties, LLC, Owner (Postponed from October 24, 2019)**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: Favorable 5-2 (Commissioners Taylor and Cronenwett, nay; Commissioners Patel and Richards, absent).

Comprehensive Plan Amendment request

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. **Commercial truck parking is an industrial use and not consistent with the intent of the Neighborhood Commercial future land use. The proposed use is not in conformance with the Comprehensive Plan.**

Zoning change request

3. The subject property consists of two tracts of land on either side of N. Rogers Road.

Tract 1 is on the west side of N. Rogers Rd. and Tract 2 is on the east side.

4. In 2016, the site was rezoned to allow a dance hall, exhibition hall and restaurant with the sale of alcoholic beverages for on-premises consumption in the existing 51,170 square foot building on Tract 1. Tract 2 was included in the zoning case to provide additional area for required parking.
5. **On Tract 1, the owner plans to continue to operate the existing dance hall/restaurant uses.** In the 2016 zoning case that was approved, a total of 610 parking spaces were required (due to the size of the dance hall/restaurant) and 612 were provided. Of that total, 288 parking spaces were located on Tract 2. In order to satisfy parking requirements fully on Tract 1 for the use as proposed, the number of seats in the restaurant portion of the building has been reduced from 650 to 350, requiring 140 parking spaces. The dance hall/exhibition hall will contain 18,000 square feet and require 180 parking spaces. A total of 320 spaces are required on Tract 1 and 324 will be provided. If either of these businesses expands to a greater number of seats or square footage without providing the proper amount of required spaces, it will be considered a violation of zoning which could result in Code Enforcement action.

	Prior	Current
# restaurant seats	650	350
Dance/exhibition hall size (sq/ ft.)	18,000	18,000
Required Parking total	610 required 612 provided	320 required 140 for restaurant 180 for dance hall
Provided on Tract 1	324	324
Provided on Tract 2	288	0

6. On Tract 2, the owner now has an operator that would like to use the property **for overnight parking/storage of commercial vehicles.** C-W was the original underlying zoning on Tract 2 before it was rezoned to be included as a parking area for the dance hall/restaurant. Tract 2 consists of two legally platted lots. There is an existing 4,065 square-foot building on Lot 2 that will provide 18 passenger vehicle parking spaces. It is proposed to serve as an office for the proposed business on Lot 3 but the owner did not want to combine the lots to have the flexibility of keeping it as a stand-alone operation. On Lot 3, the applicant is proposing 10 passenger vehicle parking spaces and approximately 35 commercial vehicle spaces. Of the 35 commercial vehicle spaces, 23 can accommodate tractor trailers.
7. The commercial vehicle parking/storage will be screened from Rogers Road by an 8-foot tall board-on-board solid wood fence set back 80 ft. from the road to allow space for entrance through a gate. The site plan shows screening from West Irving

Boulevard only by the existing natural tree line along the existing chain link fence. The tree line appears to consist of deciduous trees that do not create a full visual block from the view of Irving Blvd. The fencing on the adjacent properties to the south and north also appear to have chain link fencing adjacent to Irving Blvd.

8. No additional landscaping is proposed to what already exists on both Tracts. No additional landscaping is proposed along N. Rogers Road. There is adequate room in the 10-foot landscape buffer along N. Rogers Road to add at least two trees.
9. The commercial vehicles would be stored on a milled asphalt surface. While vehicle parking is required to be on a paved asphalt or concrete surface, vehicle storage may be on an alternative, dust-free surface such as milled asphalt. The operator will be responsible for keeping dust on the property and not tracked onto the public streets or airborne.
10. While Irving Boulevard is designated as a commercial truck route by the city, no direct access to Irving Boulevard exists from this site. N. Rogers Road, indicated as a Minor Collector on the Comprehensive Master Thoroughfare Plan, intersects Irving Boulevard just to the north of the property and provides primary access to the site. **As the existing uses in the area are heavily auto repair and other light commercial uses that do not generate large truck traffic, Staff believes it is not appropriate to introduce an operation to this area that would encourage heavy commercial truck traffic.**
11. A new narrative was not provided for the restaurant portion of this case. Staff has included the narrative from the previous zoning case in the packet.
12. A total of 23 public notices were mailed. Staff received one (1) response in support and one (1) response in opposition to this request. The opposition represents 1.88% of the land within 200 feet of the subject property. Since this is less than 20%, a $\frac{3}{4}$ -vote is not required for approval.
13. On October 24, the applicant requested postponement of this request at the City Council public hearing to November 14, 2019. **Staff has reached out to the applicant on multiple occasions. As of November 7, staff has not received any revisions or new information from the applicant.**
14. Staff does not believe the proposed rezoning is appropriate on the site. The proposed use **is not in compliance with the Neighborhood Commercial category of the Master Land Use Plan.** Auto repair, light commercial, retail and residential are currently the predominant uses in the area. Rather than uses that lean toward heavier commercial or industrial attributes, the Master Plan is setting a vision to encourage more neighborhood-friendly commercial uses as this area evolves. Since the proposed use is not in compliance with the Master Land Use Plan and is not consistent with the existing uses in the area, staff recommends denial of both the Comprehensive Plan amendment and the zoning change.
15. The consideration of this item supports Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

The ordinance be denied.

- 48 **Ordinance - Zoning Case #ZC19-0072 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for FWY (Freeway) District and Retail Uses to S-P-1 (Detailed Site Plan) District for C-O (Commercial Office), Hotel and Related Uses - Approximately 5.251 Acres Located at 5101 N. O'Connor Boulevard - Type Six Development, Applicant - Las Colinas TH2, LLC, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 21, 2019 – Favorable 8-0 (Commissioner Zeske, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Urban District* uses for this property. This land use category is described as being for high-intensity areas of Irving containing a variety of uses in multi-story buildings. The area should be characterized by pedestrian-design streets and buildings, high quality design and materials and reduced parking requirements. The requested zoning is in conformance with the Comprehensive Plan.
3. On January 7, 1999 the City Council approved Ordinance No. 7399 for S-P-2 (Generalized Site Plan) for FWY (Freeway) and Retail uses to develop this property with a multi-story office building and parking garage, with variances to the setbacks, percentage of compact parking, parking requirements, and square footage of allowed retail. The property has never been developed.
4. **The developer is wishing to develop the property as a Hotel/Office Complex consisting of four hotels and offices in three buildings.** A combination of two Marriott-flagged hotels, *AC Hotel* and *Residence Inn*, are proposed for a 10-story building which includes a 3-story parking garage. A combination of two Hilton-flagged hotels, *Home2 Suites* and *Tru Hotel*, are proposed for a 9-story building which includes a 3-story garage. The northwest portion of the site will be developed with a 4-story office building that will share parking within the 3-story garage that is part of the 9-story Hilton-flagged hotel. The Las Colinas APT bisects the site, which is also adjacent to a canal. Access to the APT will be available from the Urban Towers station to the north.
5. The proposed 10-story Marriott *AC Hotel* and *Residence Inn* provides a total of 248 rooms, divided into a 114 room *AC Hotel* and a 134 room *Residence Inn*. The Marriott building will have

- a. 1,677 square feet of lounge/waiting area
 - b. 1,450 square feet of lobby area
 - c. 4,875 square feet of pool deck and surface area, and
 - d. 741 square feet for a fitness center
6. The proposed 9-story Hilton *Home2 Suites* and *Tru Hotel* provides a total of 225 rooms, divided into a 110 room *Home2 Suites* and a 115 room *Tru Hotel*. The Hilton building will have
 - a. 2,411 square feet of lounge/waiting area
 - b. 1,335 square feet of lobby area, and
 - c. 4,693 square feet of pool deck and surface area
7. The two buildings will share 5,185 square feet of meeting space, an 18,500 square foot courtyard and a 2,520 square foot “canal terrace”. The site is approximately 1,000 feet from the Toyota Music Factory, and will have access to the Urban Towers APT station on the adjacent property to the north.
8. The proposed 4-story office building will be 40,000 sq. ft., and will rely exclusively on the shared parking with the Hilton building’s garage and with the shared surface parking.
9. The applicant is planning to construct two hotels and an office building as a hotel/office complex with the following standards (variances to standards are noted in red):

Hotel Development Standards	Requirement	Marriott		Hilton		Office	
		AC Hotel	Residence Inn	Home2 Suites	Tru Hotel		
Guest Rooms	200 minimum	114	134	110	115		
Total rooms (per building)		248		225			
Full Service Restaurant	Shall provide	Provided	Not Provided	Not Provided	Not Provided		
Restaurant in Building?		Yes		No* (Intend to use restaurant in Marriott building)			
Lobby Space	5 sq ft/guest room	Meets requirement (1,450 sq ft)		Meets requirement (1,335 sq ft)			
Lounge Space	5 sq ft/guest room	Meets requirement (1,677 sq ft)		Meets requirement (2,411 sq ft)			
Meeting Space	5,000 sq. ft.	5,185 sq ft		No* ("share" with Marriott)			
Room Size	300 sq ft	Provided	Provided	Provided	Provided		
Swimming Pool / Recreation Facilities	1,000 sq ft combined	Meets requirement (5,616 sq ft of pool, pool deck, fitness ctr)		Meets requirement (4,693 sq ft of pool and pool deck)			
Daily housekeeping	Shall provide	Provided	Provided	Provided	Provided		
24-hr Staff	Shall provide	Provided	Provided	Provided	Provided		
Landscaping	Various	Shall meet requirements		Shall meet requirements			
Parking							
Guest Rooms	1 space/room	114 rooms = 114 spaces		225 rooms = 225 spaces			
Guest Rooms w/kitchenette	1.1 space/room	134 rooms = 148 spaces		0			
Guest Rooms w/kitchenette	1.5 space/room	0		0			
Restaurant/Lounge Seating	1 space/5 seats	100 seats = 20 spaces		0* (Staff requesting verification)			
Meeting Space	1 space/125 sq ft	5185 sq ft = 42 spaces		0			
Office	(8 spaces for first 1000 sq ft + 1 space/300 sq ft thereafter)						138 spaces* (Shared w Hilton building garage)
Subtotal parking required		303 spaces		225 spaces			138 spaces
Total parking required		303 spaces		358 spaces			
Subtotal parking provided	Garage + surface (32 total)	225 + 16 = 241 spaces		225 + 16 = 241 spaces			
	Parking Variance	62 spaces (20.5%)		117 spaces (32.7%)			

10. A total of 32 ground level parking spaces are being provided on the site along with the two hotel parking garages. Each garage provides 225 parking spaces each for a total of 482 parking spaces (241 spaces for each building).

11. A total of 661 parking spaces are required for all buildings. Since the office building is only using surface parking and the Hilton building garage, the parking for the Marriott building is being calculated separately from the Hilton and office building. The Marriott building requires 303 parking spaces and 241 are provided (20.5% variance). The Hilton and office building require 358 parking spaces and 241 are

provided (32.7% variance). The applicant has submitted a parking study and is proposing a variance due to providing an airport shuttle service, the close proximity to DART, the increased use of ridesharing platforms, and variations in peak demand for the office and hotel uses.

12. The applicant has noted on the site plan that the site is not to be divided and will remain as one lot; however, this is not an enforceable provision. However, staff notes that the functionality of the garage providing parking for the office building could possibly prevent the subdivision of the site.

13. The site plan includes a note stating that, if the site is to be phased, the office building and the Marriott tower (which includes the restaurant and meeting space) will be constructed together in the first phase.

14. A total of ten (10) public notices were mailed. Staff has not received any responses in support of or in opposition to this request.

15. Staff can support this request since the proposed hotel and office buildings function as a unified development and the trend in the market appears to be dual brand, shared amenity hotels.

16. 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 #ZC19-0074 - Considering a Zoning Change from R-40 (Single Family) District to S-P-2 (Generalized Site Plan) District for R-6 (Single Family) District Uses - Approximately 2.02 Acres Located on the East Side of North Lake Road and South of Canoe Drive - Kimely-Horn & Associates, Applicant - GRBK Edgewood LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: October 7, 2019 – Postponed to November 4, 2019, 7-0 (Commissioners Patel and Richards, absent). November 4, 2019 – Favorable 6-0 (Commissioners Zeske, Richards and Burns, absent).

2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Residential Neighborhood District* uses for this property. The *Residential Neighborhood District* land use category is for predominantly single-family detached homes or duplexes with some mix of non-residential uses, particularly in-home

businesses. The proposed zoning change is in conformance with the Comprehensive Plan.

3. The applicant is proposing to rezone the property to develop it with seven (7) single family lots and one (1) open space lot.
4. This property became part of the City of Irving when the Irving City Council passed Ordinance No. 2019-10243 on September 5, 2019, and the City of Dallas passed Ordinance No. 31354 on October 23, 2019. These ordinances adjusted the common boundary between the City of Dallas and the City of Irving in order to incorporate this property as part of the South Haven development in Irving. All property annexed or incorporated into the City of Irving is automatically designated as R-40 (Single Family).
5. In 2017, the City Council approved Ordinance No. 2017-9929 rezoning the surrounding properties to S-P-2 (Generalized Site Plan) district for R-6 (Single Family) uses. This property is known as the South Haven Development.
6. A second point of access is needed for the original subdivision to support fire and emergency vehicles and connect to Belt Line Road prior to the issuance of building permits. The South Haven Addition plat approved in February of 2017 by the City of Dallas dedicates North Lake Road and Canoe Drive. The connection of Canoe Drive to North Lake Road through the subject property provides that second point of access.
7. This proposed rezoning would allow the property to be platted into eight (8) lots and develop in the same manner as the remainder of the South Haven development. The following exceptions to the R-6 (Single Family) district requirements are requested:

Standard	Required	Provided
Minimum Lot Area	6,000 square feet	5,000 square feet
Minimum Lot Width	50 feet	40 feet at Cul-de-sacs, Elbows and Curved streets
Minimum Lot Depth	100 feet	90 feet
Rear Yard Setback	20 feet	5 feet
Front Yard Setback	25 feet	15 feet (22 feet to Garage Door)
Side Yard Setback on Corner Lots	20 feet	15 feet (22 feet to Garage Door)
Maximum Lot Coverage by Principal Building	40 percent	65 percent

The requested exceptions are consistent with the approved zoning case for the adjacent South Haven development. All other requirements of the R-6 (Single Family) district will be met. Platting will be required prior to development.

8. At the October 7, 2019 meeting, this case was postponed to the November 4, 2019 meeting to allow time for the boundary adjustment to be approved by the City of Dallas. On October 23, 2019, the ordinance adopting the boundary adjustment was approved by the City of Dallas.
9. A total of eight (8) public notices were mailed. Staff received one (1) response in support and no responses in opposition to this request.
10. Since Canoe Drive provides the second point of access to the overall subdivision, the requested zoning is consistent with the adjacent zoning, and since the property was specifically incorporated into the City of Irving to be a part of the existing development, staff can support this request.
11. 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.

- 50 Ordinance - Zoning Case #ZC19-0081 - Consider Repealing Ordinance No. 8627 Which Granted 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) as an Additional Available Use Within the PUD (Planned Unit Development) and Reinstating the Previous PUD (Planned Unit Development) for C-C (Community Commercial) District Uses - Approximately 0.121 Acres Located at 660 Walnut Ridge Drive - Glenn Engineering, Applicant - Pinky Properties, Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: November 4, 2019 – Favorable 6-0 (Commissioners Zeske, Richards and Burns, absent).
2. **The applicant is seeking to rezone to repeal Ord. #8627 and reinstate the previous PUD (Planned Unit Development) for C-C (Community Commercial) uses.**
3. The 2017 Imagine Irving Comprehensive Plan recommends *Business District* uses for the subject property, which is a flexible use district for retail, office and commercial uses. It is characterized predominantly by mid-rise buildings with a mix of surface and structured parking. The proposed rezoning is in conformance with

the Comprehensive Plan.

4. The subject property has been the site of several restaurants, and the building has been damaged by fire. The owner is requesting to repeal the R-AB zoning in order to redevelop the site.
5. Repealing the current zoning district will re-establish the PUD (Planned Unit Development) for C-C (Community Commercial) uses previously approved with Development Plan #12, 20th Revision, PUD 2. A Development Plan application to request C-C (Community Commercial) uses with C-O (Commercial Office) standards to allow office development has been submitted, and will be forwarded to The Planning and Zoning Commission once the rezoning is completed.
6. A total of nine (9) public notices were mailed. Staff has received two (2) responses 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 Resolution - Casting City of Irving's Vote for the Fourth Member of the Board of Directors of the Dallas Central Appraisal District

Administrative Comments

1. This item is recommended by the City Council.
2. **Impact:** A Suburban Voting Representative on the Board of Directors of the Dallas Central Appraisal District assures positive representation of the interest of the cities in Dallas County, other than Dallas.
3. Each city has the right to nominate, by resolution, one candidate. On October 3, 2019 Irving nominated Dianne Cartwright. This item is to cast a vote for one of the five nominees.
4. The cities of Desoto, Duncanville and Richardson nominated Michael Hurt, the city of Lancaster nominated Mona Dixon, the city of Sachse nominated Brett Franks, and the city of Hutchins nominated Steve Nichols.

Recommendation

The resolution be approved.

52 Resolution - Annual Appointments to Boards, Commissions, and Committees, to Fill Two-Year Terms and Various Unexpired Terms

Administrative Comments

1. This item is recommended by the City Secretary's Office.
2. **Impact:** Appointment of Irving residents to boards, commissions, and committees assures that our residents have a voice in city government.
3. Council conducted interviews for various vacancies on October 14, 21 and 28.
4. The terms for most of these appointments expire in November 2021.

Recommendation

The resolution be approved.

53 Mayor's Report

Adjournment