

AGENDA
Irving City Council Regular Meeting
Thursday, June 25, 2020 at 7:00 PM
City Hall, First Floor, Council Chambers
825 W. Irving Blvd., Irving, Texas 75060

Members of the City Council and public may participate in the Regular Meeting by telephone conference or videoconference call. Sign-in via telephone or online will be from 6:00 p.m. to 7:00 p.m. on June 25, 2020. Citizens that would like to provide a presentation to Council must submit their presentation(s) to Information Technology no later than 2:00 p.m. on the Tuesday prior to the work session or council meeting at councilpubpres@cityofirving.org. All participants by telephone conference or videoconference will be able to speak when called upon, however video images of the citizen participants will not be available. The phone numbers to sign-in and participate are **1-888-475-4499** (Toll Free) or **1-877-853-5257** (Toll Free) or online at <https://zoom.us/j/92448095175> Meeting ID: 924 4809 5175

Organizational Service Announcements

Invocation

Pastor Jonathan Tony, Hackberry Creek 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 46

CITY COUNCIL AGENDA

1 City Operations Update

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.

2 Public Hearing - Public Hearing #2 on the 2020-21 City of Irving Fiscal Year Budget

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. In accordance with the Fiscal Year 2020-21 Budget Calendar, public hearings have been scheduled for June 4, 2020 and June 25, 2020 City Council meetings.
3. Notice of the public hearings have been published in the City Spectrum and on the City's website.
4. Public comments can also be submitted through the city website.

Recommendation

Input be taken under advisement.

CONSENT AGENDA

3 Approving Work Session Minutes for Thursday, June 04, 2020

4 Approving Regular Meeting Minutes for Thursday, June 04, 2020

5 Resolution - Take Appropriate Action Concerning Declaration of Local Disaster for Public Health Emergency to Address COVID-19

Administrative Comments

1. This item is recommended by the City Manager's Office and the Office of Emergency Management.
2. **Impact:** The proposed resolution would ratify the local state of disaster declared by the Mayor on March 12, 2020, and extend it to July 16, 2020, which is the date of the next City Council meeting.
3. On March 12, 2020, Mayor Richard H. Stopfer issued a proclamation declaring a local state of disaster resulting from a public health emergency caused by the 2019 Coronavirus Disease (COVID-19). This order was effective through 11:00 a.m. on March 20, 2020.
4. On March 19, 2020, City Council ratified and extended the Declaration of Local Disaster for Public Health Emergency until April 18, 2020. On April 16, 2020, City Council ratified and extended the Declaration until May 8, 2020. On May 7, 2020, City Council ratified and extended the Declaration until May 20, 2020. On May 20,

2020, City Council ratified and extended the Declaration until June 4, 2020. On June 4, 2020, City Council ratified and extended the Declaration until June 25, 2020.

Recommendation

The resolution be approved.

6 Resolution - Approve Allocating Use of Debt Service Sub-Fund Revenues and Fund Balance as an Internal Fund Loan to Provide Payment Relief to a Portion of the Combination Tax and Hotel Occupancy Tax Revenue Refunding Bonds, Series 2017 (Convention Center Bonds), and the Terms of Repayment of the Internal Fund Loan

Administrative Comments

1. This item is recommended by Financial Services. It supports Strategic Objective 1.1 – Contain costs and increase operational efficiency.
2. **Impact:** This resolution documents the Council's direction to use Debt Service Sub-Fund Revenues and Fund Balance to cover the debt service associated with the Convention Center Bonds and provides a method for repayment from the two-sevenths Hotel Occupancy tax when that revenue exceeds debt service needs.
3. The City Council adopted an ordinance on December 9, 1999, which levied a tax upon the cost of occupancy of any room furnished by any hotel equal to 7% of the consideration paid by the occupant of the room.
4. The ordinance also provided that the revenue derived from two-sevenths of the hotel occupancy tax be used for the purpose of planning, constructing and equipping a convention center project.
5. The City Council adopted an ordinance on January 8, 2009 authorizing the issuance and sale of Combination Tax and Hotel Occupancy Tax Revenue Certificates of Obligation, Series 2009 in an amount not to exceed \$130,000,000 for the purpose of constructing and equipping the Convention Center and the City Council adopted an ordinance on August 10, 2017 authorizing the issuance and sale of Combination Tax and Hotel Occupancy Tax Revenue Refunding Bonds to refunding the Series 2009 bonds.
6. During certain periods of the HOT revenue cycle, the two-sevenths of the HOT revenue may not be adequate to cover debt service due on the Convention Center Bonds.
7. This resolution intends to create a mechanism for an internal fund loan from the General Debt Service Sub-Fund to the Hotel Occupancy Tax Sub-Fund in any year as is necessary to pay the Convention Center Bonds and the repayment of the internal fund loan when the two-sevenths of the HOT revenue is in excess of the

amount required to cover the debt service due in any year on the Convention Center Bonds.

8. Resolution 2010-330 created an interfund loan related to the Combination Tax and Hotel Occupancy Tax Revenue Certificates of Obligation, Series 2009. As of September 30, 2019, the balance on that interfund loan was \$5,810,015. The amount of the internal fund loan created by this Resolution will be in addition to the \$5,810,015 already approved through resolution 2010-330.

Recommendation

The resolution be approved.

7 Resolution - Authorizing Publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation; Authorizing the Preparation of a Preliminary Official Statement and Notice of Sale; and Providing for Other Matters Incidental Thereto

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** The impact of the 2020 Certificates will allow the City to provide cost efficient funding for improvements to support the Drainage Solutions for Tomorrow program.
3. The resolution provides notice that the City, on or about August 20, 2020 intends to issue up to \$15,000,000 principal amount of Combination Tax and Revenue Certificates of Obligation, Series 2020.
4. The attached notice reads that the estimated interest rate on the certificates is 4%.
5. The rate on the certificates will be fixed. Variable rates are not a part of this financing structure.
6. The certificates will be used to provide funding for public infrastructure projects to improve drainage capacity.
7. The City is required to place two consecutive notices in the newspaper. The notice will be published once a week for two consecutive weeks. The date of the first publication being not less than the 45th day prior to the date of passage of the ordinance authorizing the certificates.

Recommendation

The resolution be approved.

8 Resolution - Authorizing Additional Expenditures in the Total Estimated Amount of \$843,000 to Fund the Automatic Renewal of the Clinical Services Agreement with CareATC, Inc., to Continue Providing an Employee Health Clinic and Medical Services for a One-Year Term

Administrative Comments

1. This item is recommended by the Human Resources Department. It supports Strategic Goal No. 1.1 Contain cost and increase operational efficiency and Strategic Goal No. 6.2 Recruit, retain, and develop a diverse municipal workforce.
2. **Impact:** This renewal will continue to provide an employee health clinic for employees, spouses, dependents and pre-65 retirees that are on the city's health plan. The clinic is staffed with a full-time physician, clinic staff, and nurse practitioners. Services offered by the clinic include, but are not limited to primary care, prescriptions, laboratory tests, and health assessments.
3. Employees on our PPO plans will continue to have access to the clinic at no cost, while employees on our High Deductible plan will continue to be charged a Fair Market Value rate of \$40, which is mandated by the IRS.
4. Funding for Fiscal Year 2020-2021 in the amount of \$843,000.00 is being requested to allocate into the Health Self-Insurance Fund for the continued operations of the clinic. Funding for the remainder of the current fiscal year was secured from council resolution (RES-2018-237).

Recommendation

The resolution be approved.

9 Resolution - Approving an Interlocal Agreement for School Resource Officers Between the City of Irving and the Carrollton-Farmers Branch Independent School District (CFB ISD) to Maintain the School Resource Officer Program at CFB ISD Campuses Located in the City of Irving

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 agreement will provide security and peace officer services to protect Carrollton - Farmers Branch ISD (CFB ISD) property and the safety and welfare of CFB ISD students and personnel.
3. This is an annual agreement which takes effect August 1, 2020, and expires July 31, 2021, subject to additional renewal by the parties.
4. The Carrollton – Farmers Branch Independent School District shall pay the City

50% of the costs for two School Resource Officers' salaries, retirement, health insurance, workers compensation insurance, and unemployment insurance. The City's portion is estimated at \$120,303.00, not including overtime. The funds are available in the Police Department budget.

5. Payments will be in three equal payments as compensation due on December 1, April 1, and August 1, in each year which this agreement is effective.

Recommendation

The resolution be approved.

10 Resolution - Approving a Memorandum of Agreement Between the City of Irving and the City of North Richland Hills for the Purpose of Reimbursement of Overtime Salary Costs Directly Related to Work Performed by Officer(S) in Providing Resources to Assist the North Texas Anti-Gang Center Task Force.

Administrative Comments

1. This item is recommended by the Police Department. It supports Strategic Goal No. 4.1: Safeguard public safety, security and health.
2. **Impact:** This Memorandum of Agreement (MOA) is entered between the City of Irving Police Department and the City of North Richland Hills to participate in the North Texas Anti-Gang Center Task Force.
3. Participation in this MOA allows the Irving Police Department to provide resources to assist the North Texas Anti-Gang Center Task Force (TAG). TAG offers a centralized point of coordination for law enforcement agencies to focus on the activities of organized gangs, and engage in investigative and preventative efforts in the region and community of Irving.
4. This item requires no funding.

Recommendation

The resolution be approved.

11 Resolution - Approving an Agreement Between the City of Irving and University of Texas at Dallas for the EMS School Students to Complete Their Supervised Field Instruction with the Irving Fire Department

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** This agreement allows the University of Texas at Dallas EMS, EMT, and Paramedic Students to complete their supervised field instruction experiences with the Fire Department’s EMS personnel.
3. This Agreement shall become effective on July 1, 2020, for a term of one (1) year, and shall automatically renew for five additional one (1) year terms unless terminated by either party.

Recommendation

The resolution be approved.

12 Resolution - Renewing the Contract with Greener Pastures Landscaping, LLC, in the Total Estimated Amount of \$495,203.80 for Mowing & Litter Control on TxDOT Rights of Way

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** Landscape maintenance services help to enhance the visual impression of the city by providing mowing and litter control on TxDOT Rights of Way I-635, Loop 12 and Hwy 114.
3. This renewal establishes the continuation of a contract to provide mowing and litter control on city rights of way and public properties. This is the first of two, two-year renewal options. The current contract expires on June 30, 2020.
4. Funding for Fiscal Year 2019-20 is available in the Parks & Recreation Department budget within the General Fund, while funding for Fiscal Years 2020-21 and 2021-22 is subject to budget appropriation.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year(s)
Greener Pastures Landscaping, LLC	7/1/20 – 6/30/22	\$ 71,106.10	2019-20
		\$ 247,601.90	2020-21
		\$ 176,495.80	2021-22
TOTAL		\$ 495,203.80	

Recommendation

The resolution be approved.

13 Resolution - Approving Amendment #1 to the Municipal Maintenance Agreement Between the City of Irving and the Texas Department of Transportation (TxDOT) for Partial Reimbursement for Mowing and Litter Control Along the Loop 12 and Interstate Highway 635 Corridor Areas

Administrative Comments

1. This item is recommended by the Parks and Recreation Department.
2. **Impact:** The proposed Amendment #1 to agreement will improve the appearance of the Loop 12 and Interstate Highway 635 rights of way areas.
3. The Texas Department of Transportation (TxDOT) proposes to reimburse the City for mowing and litter control services along Loop 12 and Interstate Highway 635, performed by the City's mowing maintenance contractor.
4. The City has an existing Municipal Maintenance Agreement in effect with the Texas Department of Transportation, which permits such maintenance on state rights of way within the City of Irving.
5. The agreement will provide partial funding by TxDOT for three annual mowing cycles and up to 12 litter control cycles.
6. Funding in the amount of \$21,627.00 for the period of July 1, 2020, through June 30, 2023, is available in the Maintenance Agreement Fund budget within the General Fund, the balance of the contracted amount will be funded in the Maintenance Agreement Fund budget within the General Fund, subject to budget approval Fiscal Year 2020-21, Fiscal Year 2021-22, and Fiscal Year 2022-23, as shown in the chart below.

Reimbursing Entity	Contract Term	Estimated Reimbursement	Fiscal Year(s)
Texas Department of Transportation	7/1/20 - 6/30/23	\$ 21,627.00	2019-20
		\$ 75,627.00	2020-21
		\$ 78,893.00	2021-22
		\$ 57,265.00	2022-23
		\$ 233,412.00	

Recommendation

The resolution be approved.

14 Resolution - Awarding a Contract to McMahon Contracting LP, in the Amount of \$375,407.30 for the Kinwest Debris Interceptors Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective: 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This project will address trash and litter washing under and across SH 635 and into Hackberry Creek. The project will improve water quality in Irving's drainage system.
3. This project will place eleven trash baskets on a concrete drainage apron before the channel drains under Kinwest Parkway.
4. Bids were received from four (4) bidders. McMahon Contracting LP submitted the lowest responsive responsible bid of \$375,407.30. This is (8.98%) above the project estimate.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 30%.
6. Funding in the amount of \$375,407.30 is available within the Municipal Drainage Utility Non-Bond CIP Fund.

Recommendation

The resolution be approved.

15 Resolution - Awarding a Contract to SYB Construction Company, Inc. in the Amount of \$1,433,949.00 for the Parkside Avenue Water & Wastewater Improvements Project

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department. It supports Strategic Objective 2.4 – Maintain and extend water, wastewater and storm water systems.
2. **Impact:** This work is part of the priority replacements for the Water Utilities Department and will replace a portion of the transmission water main and wastewater mains along Parkside Avenue from Brown Drive to Irby Lane.
3. This project impacts approximately 16 residential properties and 21 commercial properties and will improve water and wastewater systems.

4. Bids were received from two (2) bidders and an additional two (2) bidders were declared non-responsive for not properly submitting their project experience records as clearly stated in the solicitation. SYB Construction Company, Inc. submitted the lowest responsive responsible bid of \$1,433,949.00. This is \$491,427.00 (25.52%) below the funding allocated for this project.
5. Minority and/or Women-owned Business (M/WBE) participation in this award is 100%.
6. Funding in the amount of \$1,433,949.00 is available within the Water and Sewer System Non-Bond CIP Fund.

Recommendation

The resolution be approved.

16 Resolution - Approving the Acquisition of a Public Right of Way Easement Located at 1316 E. Irving Blvd in the Amount of \$19,177.36

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Traffic and Transportation Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact: This project is part of the Road to the Future Program.** The requested acquisition will allow paving, drainage, water and wastewater installation along Glenmore Street, Shepherd Street, and Irving Blvd (SH 356). The work to be performed under this contract is to rebuild both of the existing barrow ditch roads being approximately 1,675 square feet, near 1316 E. Irving Blvd, owned by JWH Real Estate Investments LLC. The negotiated amount for this acquisition is the appraised value of \$19,177.36.
3. Funding in the amount of \$19,177.36 is available within the General Fund Non-Bond CIP.

Recommendation

The resolution be approved.

17 Resolution - Approving the Acquisition of a Public Right of Way Easement and Real Property in Fee Simple for the Cedar Drive Roadway Expansion Project in the Amount of \$8,850.00, and Acknowledging Receipt of the Trust Agreement Identifying the True Owner of the Property to be Purchased by the City of Irving in Accordance with Section 2252.092, Texas Government Code - Located at 512 Cedar Drive - Williamjon Bleeker Patton - Trustee, Property Owner

Administrative Comments

1. This item is recommended by the Capital Improvement Program Department and Traffic and Transportation Department. It supports Strategic Objective 2.4 - Maintain and extend water, wastewater and storm water systems.
2. **Impact: This project is part of the Road to the Future Program.** The requested acquisition will support construction for paving and utility improvement projects along Cedar Drive. This easement will allow for relocation of power poles at 512 Cedar Drive, owned in Trust by Williamjon Bleeker Patton as Trustee. The negotiated amount for this acquisition is the appraised value of \$8,850.00.
3. This acquisition includes a right-of-way and 625 square feet of land and fee.
4. Funding in the amount of \$8,850.00 is available within the General Fund Non-Bond CIP.

Recommendation

The resolution be approved.

18 Resolution - Approving Addendum No. 2 to the Engineering Design Services Agreement with Civil Associates, Inc. for Design of the Conflans Road Extension Project in an Amount Not to Exceed \$222,874.22

Administrative Comments

1. This item is recommended by the Traffic and Transportation Department.
2. **Impact:** The purpose of this addendum is to adjust the budget for the Conflans Project thereby allowing additional U.S. Army Corp. of Engineers 404 permitting under the Nationwide Permit, additional surveying, Quality Level "A" Subsurface Utility Engineering, and additional engineering work for bridge design, roadway design (retaining walls), and drainage design from schematics modified from the original scope of work.
3. This project was approved for Surface Transportation Block Grant (STBG) Funding. The federal government, through the Texas Department of Transportation (TxDOT), will provide 80% of the funding, with the City of Irving being responsible for the remaining 20% of the total cost.
4. This Resolution does not include construction phase services and right-of-way and

easement acquisition.

5. Funding in the amount of \$222,874.22 is available within the Street Improvement Bond Fund 40104201 700010.

Recommendation

The resolution be approved.

19 Resolution - Approving an Amended and Restated Parking Agreement with Provident Group-Irving Properties, LLC Relating to the Irving Convention Center Headquarters Hotel

Administrative Comments

1. This item is recommended by the City Manager's Office. It supports Strategic Objective 3.4 – "Complete signature projects."
2. **Impact:** This resolution approves an Amended and Restated Parking Agreement with Provident Group–Irving Properties, LLC (Provident) for the Parking Facility at the Irving Convention Center Headquarters Hotel.
3. On January 12, 2017, the City Council approved RES-2017-5 for a Parking Agreement with Provident relating to the Parking Facility at the Irving Convention Center Headquarters Hotel. The Agreement reserves up to 300 spaces within the Parking Facility for Hotel use for which Provident pays the City a monthly parking fee equal to \$20,625 per month that is indexed annually to the Consumer Price Index (CPI).
4. The Parking Facility is operated by the Irving Convention and Visitors Bureau (ICVB).
5. The proposed Amended and Restated Parking Agreement includes the following amendments that address issues raised by the Hotel operator and the City. It also better reflects the day-to-day operations of the Parking Facility using the capabilities of an access system.
 - a. The definition of Hotel Guests has been changed to Hotel Invitees and includes all guests of the hotel, including daytime guests of the hotel facilities and hotel employees.
 - b. The 300 spaces reserved for Hotel Invitees will be monitored by the Access System and may be anywhere within the parking structure. Parking fees paid by Hotel Invitees will be retained by the Hotel.

- c. In the event Hotel Invitees occupy spaces in excess of the 300 reserved for the Hotel, Provident will pay the City the then current hourly rate charged by the City for each parking spot in use for each hour that the parking spot is used.
- d. The Hotel may from time to time due to demand from an event in the general area, authorize the general public to occupy a portion of the 300 parking spaces reserved for the Hotel. When this occurs, the Hotel will retain 90% of the Hourly Payment parking fee for any of the 300 reserved spaces occupied by the general public.
- e. The period during which Provident is required to make monthly payments to the City for use of the parking garage is agreed to have commenced on August 1, 2019. Revenue from these payments is deposited in the ICVB account, and is used by the ICVB to pay for the Parking Facility maintenance and operations.
- f. The Damages to Automobiles provision has been amended in a manner agreeable to both parties, to reflect that Hotel invitees are not signing releases when entering the parking facility.

Recommendation

The resolution be approved.

**Bids & Purchasing Items
Items 20-31**

- 20 Resolution - Approving a Professional Services Agreement between the City of Irving and Weaver and Tidwell, L.L.P., in the Estimated Annual Amount of \$199,500.00 for Professional Auditing Services Relating to Fiscal Years 2019-20, 2020-21, and 2021-22 and in the Estimated Annual Amount of \$45,000.00 for As-Needed Compliance Audit Project Assistance**

Administrative Comments

1. This item is recommended by the Financial Services Department.
2. **Impact:** Providing audited financial statements is required by City Charter and is necessary to meet bond covenants and provide financial information to the public. The additional as-needed services included as part of this contract will allow agreed-upon procedures for services related to the Entertainment Center and internal contract compliance projects.
3. Weaver & Tidwell, LLP (“Weaver”) is a Texas-based firm which has been serving Texas clients for over 65 years. The team assigned to the City of Irving has extensive specific governmental audit experience and has performed well.
4. This item establishes a contract for the continuation of providing professional

auditing services. The city’s previous agreement with Weaver, which expires on June 30, 2020, was awarded to the firm scoring the highest points through a request for proposal process. Due to the city’s implementation of the financial portion of the Tyler Munis enterprise resource planning platform on October 1, 2019 and the planned implementation of the human resources/payroll portion in January 2021, it is to the city’s advantage to remain with the same audit firm for the next three years. Weaver has agreed to hold pricing as established for the Fiscal Year 2019 audit for the three year term, as well as for two, one-year renewal options should the city decide to exercise them.

5. In addition, this agreement includes additional professional services for:
 - Testing compliance with contracts and assisting with other compliance audit projects for which a specific scope of work will be developed as needed in the estimated annual amount of \$20,000.00
 - Testing compliance of contracts related to the Entertainment Center, upon receiving specific direction from the city with regard to the particular compliance to be tested in the estimated annual amount of \$25,000.00
6. Funding for Fiscal Year 2019-20 is available in the Non-Departmental Budget within the General Fund, while funding for Fiscal Years 2020-21 through 2022-23 is subject to budget appropriation.

Vendor	Services	Contract Term	FY 2019-20 Est. Exp.	FY 2020-21 Est. Exp.	FY 2021-22 Est. Exp.	FY 2022-23 Est. Exp.	TOTAL
Weaver & Tidwell, L.L.P.	Professional Auditing Services	7/1/20 – 6/30/23	---	\$199,500.00	\$199,500.00	\$199,500.00	\$598,500.00
	Compliance Audit Services		\$25,000.00	\$ 45,000.00	\$ 45,000.00	\$ 20,000.00	\$135,000.00
	TOTAL		\$25,000.00	\$244,500.00	\$244,500.00	\$219,500.00	\$733,500.00

Recommendation

The resolution be approved.

21 Resolution - Approving a Contract with Metro Fire Apparatus Specialist, Inc., in an Annual Amount Not to Exceed \$50,000 for the Purchase of Fire Hose

Administrative Comments

1. This item is recommended by the Fire Department.
2. **Impact:** By purchasing this fire hose, the Fire Department will be able to replace aging hose while maintaining an essential component of firefighting.
3. This award establishes an annual contract for the purchase of fire hose. This award is for two years with two one-year renewal options.
4. Funding for Fiscal Year 2019-20 is available in the Fire Department budget within the General Fund and in the Infrastructure Fund, while funding for Fiscal Years 2020-21 and 2021-22 is subject to budget appropriation.
5. Because this annual contract runs from June 2020 through June 2022, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Est. Amt.	Fiscal Year(s)
Metro Fire Apparatus Specialist	6/26/20 – 6/25/22	\$50,000.00	2019-20
		\$50,000.00	2020-21
			2021-22
TOTAL AMOUNT NOT EXCEED		\$100,000.00	

Recommendation

The resolution be approved.

22 Resolution - Approving and Accepting the Bid of Texas Fiberglass Pools, Inc., in the Total Estimated Amount of \$136,300.00 for North Lake Natatorium Pool Fiberglass Surface Replacement for City of Irving

Administrative Comments

1. This item is recommended by the Parks & Recreation Department.
2. **Impact:** North Lake Natatorium pool interior shell surface replacement, refurbishment of bulkhead surface, replacement of lane line and turn target tiles, and initial period chemical balancing, maintenance, and start up will ensure that

Parks & Recreation aquatic facilities are maintained to the highest safety, functional, and aesthetic standards for our customers.

3. Proposals were received from two bidders. Texas Fiberglass Pools, Inc., scored the highest points based on established best value bid criteria and is recommended for award of the base bid in the amount of \$131,800.00. Alternate 2.5 is also recommended for award in the amount of \$4,500.00 in order to provide all chemicals and maintenance required to rebalance the pool chemicals after the pool is refilled. No other alternate items are being awarded.
4. Funding in the total estimated amount of \$136,300.00 is available in the Park Improvement Bond Fund and in the Parks & Recreation Department budget within the General Fund.

Vendor	Project Description	Total Est. Amt.	Fund(s)
Texas Fiberglass Pools, Inc.	North Lake Natatorium Pool Fiberglass Surface Replacement	\$132,388.00	Park Improvement Bond
		\$ 3,912.00	General
TOTAL		\$136,300.00	

Recommendation

The resolution be approved.

23 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and McMillan James Equipment Company, LLC in the Total Estimated Amount of \$290,000.00 for Service and Repairs of Pumping Systems and Equipment through The Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

1. This item is recommended by the Parks & Recreation and Capital Improvement Program departments.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and McMillan James Equipment Company, LLC, for utilization of TIPS Contract No. 200201 for service and repair of pumping systems and equipment which expires on April 30, 2022, will allow the city to procure these goods and services under the best possible terms and conditions for the city.
3. Approval of this contract supports service and repairs of various park facility

pumping systems and the Dectron units located at Heritage Senior Center. Utilization of this contract will enable both departments to respond in a timely and efficient manner when repairs or service is required.

- Funding for Fiscal Year 2019-20 is available in the Parks & Recreation and Capital Improvement Program department budgets within the General Fund, while funding for Fiscal Years 2020-21 and 2021-22 is subject to budget appropriation.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
McMillan James Equipment Company, LLC	6/26/20 – 4/30/22	\$ 45,000.00	2019-20
		\$160,000.00	2020-21
		\$ 85,000.00	2021-22
TOTAL		\$290,000.00	

Recommendation

The resolution be approved.

24 Resolution - Approving and Accepting the Proposal of Hoffman Southwest Corporation dba Professional Pipe Services (Pro-Pipe) in an Amount Not to Exceed \$750,000.00 for Annual Storm & Wastewater Systems Cleaning, Inspection & Reporting

Administrative Comments

- This item is recommended by the Capital Improvement Program (CIP) Department.
- Impact: This contract supports the Road to the Future initiative.** Cleaning, inspecting and reporting of existing storm and wastewater mains provides condition assessments which will help the CIP and Water Utilities departments determine if existing storm and/or wastewater systems are: in good working order; can be rehabilitated; or should be replaced. Utilization of these services will help to determine if newly installed mains are installed without exception or have deficiencies such as joint separation or pipeline sags, as well as helping to ensure longevity of the City’s storm sewer and wastewater infrastructure.
- A Request for Proposals was issued on April 17, 2020 and closed on May 8, 2020 seeking proposals from qualified companies to perform this work. Five firms submitted proposals which were received by the stated due date. The proposal from Pro-Pipe received the highest scores based on staff’s evaluation of the criteria as published in the Request for Proposals.

4. Minority- and/or Women-owned Business (M/WBE) participation in this award is anticipated to be 4%.
5. Funding for Fiscal Year 2019-20 is available in various project budgets within various funds, while funding for Fiscal Year 2020-21 is subject to budget appropriation.
6. Because this contract runs from July 2020 through June 2021, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year's additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Estimated Expenditure	Fiscal Year
Hoffman Southwest Corporation dba Professional Pipe Services (Pro-Pipe)	7/1/20 – 6/30/21	\$180,000.00	2019-20
		\$570,000.00	2020-21
TOTAL AMOUNT NOT TO EXCEED		\$750,000.00	

Recommendation

The resolution be approved.

25 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement between the City of Irving and Mart, Inc., and Authorizing Expenditures in the Total Estimated Amount of \$385,000.00 for Minor Construction, Repair, and Renovation 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 and Parks & Recreation departments, and the Financial Services Department – Purchasing Division.
2. **Impact:** Establishment of a Vendor/Member Contract between the City of Irving and Mart, Inc., for utilization of TIPS Contract No. 200201 which expires on April 30, 2022, will allow the city to obtain trades, labor and materials services for the purpose of construction, renovation and facility repairs under the best possible terms and conditions for the city.
4. Approval of this contract supports as-needed small construction projects, minor remodeling, and emergency response situations. This allows these projects to be

handled in a timely and cost effective manner during heavy work load periods for Building Services, keeping service levels high. In addition, this contract will ensure that Parks & Recreation facilities are repaired in a timely, efficient, and cost effective manner for our residents.

- 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	Spending Term	Estimated Amount	Fiscal Year(s)
Mart, Inc.	6/26/20-4/30/21	\$ 96,250.00	2019-20
		\$288,750.00	2020-21
TOTAL		\$385,000.00	

Recommendation

The resolution be approved.

26 Resolution - Approving a Vendor/Member Contract Pursuant to a Cooperative Purchasing Agreement Between the City of Irving and Air Conditioning Innovative Solutions, Inc. (ACIS), and Authorizing Expenditures in the Total Estimated Amount of \$400,000.00 for As-Needed HVAC Equipment Purchases, Installation, Repair, and Parts through the Interlocal Purchasing System (TIPS) Program Administered by the Region VIII Education Service Center

Administrative Comments

- This item is recommended by the Capital Improvements Program Department – Facilities Maintenance Division and the Financial Services Department – Purchasing Division.
- Impact:** Establishment of a Vendor/Member Contract between the City of Irving and ACIS for utilization of TIPS Contract No. 200201 for Trades, Labor & Materials (JOC) which expires on April 30, 2022 will allow the city to procure these goods and services under the best possible terms and conditions for the city.
- Approval of this contract supports as-needed purchases of HVAC equipment, installation, and repairs which will allow the Facilities Division to respond to the HVAC needs of the more than 60 city facilities that may require the services of this agreement in a timely and efficient manner.
- 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	Spending Term	Total Estimated Amount	Fiscal Year(s)
ACIS	6/26/20 – 4/30/21	\$133,333.00	2019-20
		\$266,667.00	2020-21
TOTAL ESTIMATED AMOUNT		\$400,000.00	

Recommendation

The resolution be approved.

27 Resolution - Approving and Accepting the Bid from Wildcat Electric Supply, Inc., in an Amount Not to Exceed \$350,000.00 to Provide Valmont Traffic Signal Poles, Roadway Lighting Steel Pole with Dual and Single Arm Assemblies

Administrative Comments

1. This item is recommended by the Traffic & Transportation Department.
2. **Impact:** These purchases will provide matching interchangeability with existing infrastructure equipment and foundations necessary for the safety of the motorists and the sustaining transportation system.
3. This award establishes an annual contract for providing traffic signal and roadway lighting steel poles with dual and single arm assemblies. The contract is for one-year with two, one-year renewal options
4. Funding for Fiscal Year 2019-20 is available in the Street Improvement Bond Fund, while funding for Fiscal Year 2020-21 is subject to budget appropriation.
5. Because this annual contract runs from July 2020 through June 2021, it is possible that more than the estimated amounts shown in the chart below may be spent in one operating year or the other as long as there are budget funds available to accommodate that year’s additional purchases and the total contract award amount is not exceeded.

Vendor	Contract Term	Total Estimated Amount	Fiscal Year(s)
Wildcat Electric Supply, Inc.	7/1/20-6/30/21	\$100,000.00	2019-20
		\$250,000.00	2020-21
TOTAL AMOUNT NOT TO EXCEED		\$350,000.00	

Recommendation

The resolution be approved.

28 Resolution - Approving and Accepting the Bids of Core & Main, LP and ACT Pipe & Supply, Inc. , in the Total Estimated Amount of \$158,406.52 for Fire Hydrant Parts

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** This annual contract provides fire hydrant parts in order to repair and perform preventive maintenance on approximately 8,000 fire hydrants in the city.
3. This award establishes an annual contract for the continuation of supplying fire hydrant parts. This contract is for one year with two, one-year renewal options.
4. Funding for Fiscal Year 2019-20 is available in the Water and Sewer System Fund while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Groups	FY19-20 Est. Exp.	FY20-21 Est. Exp.	Total Estimated Expenditures
Core & Main, LP	I-V, VII, VIII	\$46,360.00	\$ 92,719.17	\$139,079.17
ACT Pipe & Supply, Inc.	VI	\$ 6,442.40	\$ 12,884.95	\$ 19,327.35
TOTAL		\$52,802.40	\$105,604.12	\$158,406.52

Recommendation

The resolution be approved.

29 Resolution - Approving a Vendor Member Contract Pursuant to a Cooperative Purchase Agreement between City of Irving and Wesco Distribution, Inc., for the Purchase of Uninterrupted Power Supply (UPS) Equipment in The Total Estimated Amount of \$58,945.00 through the National Intergovernmental Purchasing Alliance Company dba Omnia Partners, Public Sector (Omnia Partners)

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** Establishment of the Vendor/Member Contract between the City of Irving and Wesco Distribution, Inc., for utilization of Omnia Partners Contract No. R192008 which expires on March 31, 2023 for Maintenance, Repair & Operations (MRO) Supplies & Related Services will allow the city to procure these items on an as-needed basis under the best possible terms and conditions for the city.
3. The attached quote for the represent the first purchase to be made under this contract. This purchase allows the department to replace the (UPS) which is critical to maintain power and functionality to the SCADA system during a loss of power. The SCADA system monitors and controls both water and wastewater systems in the city.
4. Funding in the total estimated amount of \$58,945.00 is available in the Water and Sewer Non-Bond CIP Fund.

Recommendation

The resolution be approved.

30 Resolution - Renewing the Annual Contract with ITRON, Inc., in the Total Estimated Amount of \$300,000.00 for ITRON Equipment

Administrative Comments

1. This item is recommended by the Water Utilities Department.
2. **Impact:** ITRON equipment allows water meters to be read remotely. This contract will allow staff to continue to upgrade the current metering system as the city transitions over to a fixed network system through the Advanced Metering Infrastructure (AMI) project.
3. This renewal establishes the continuation of an annual contract to supply ITRON equipment including Encoder Receiver Transmitters (ERTs) for meters, remote antennas for ERTs, through the lid mount kits for ERTs, network repeaters, network collectors (CCUs), network tower collectors (TCUs), and other ancillary items required to read meters remotely. This is the second and final of two optional one

year renewals. The current contract expires June 30, 2020.

- Funding for Fiscal Year 2019-20 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 Estimated Expenditure	Fiscal Year(s)
ITRON, Inc.	7/1/20 – 6/30/21	\$150,000.00	2019-20
		\$150,000.00	2020-21
TOTAL		\$300,000.00	

Recommendation

The resolution be approved.

31 Resolution - Renewing the Annual Contract with Atlas Utility Supply Company in the Total Estimated Amount of \$962,852.00 for Water Meter Boxes

Administrative Comments

- This item is recommended by the Water Utilities Department.
- Impact:** This annual contract allows the department to purchase water meter boxes that are specially manufactured for the electronic radio transmitters (ERTs) that are required for the Advanced Metering Infrastructure (AMI) Project.
- This renewal establishes the continuation of an annual contract for water meter boxes. This is the first of two one-year renewal options. The current contract expires July 31, 2020.
- The system includes approximately 50,000 meters.
- Funding for Fiscal Year 2019-20 is available in the Water and Sewer Operating and Water and Sewer Non-Bond CIP funds, while funding for Fiscal Year 2020-21 is subject to budget appropriation.

Vendor	Contract Term	Total Est. Exp.	Fiscal Year(s)
Atlas Utility Supply Company	8/1/2020 – 7/31/2021	\$320,950.00	2019-20
		\$641,902.00	2020-21
TOTAL		\$962,852.00	

Recommendation

The resolution be approved.

End of Bids

32 **Ordinance - Approving a Second Amended and Restated Development Agreement with Vaquero Ventures Management, LLC for the Sale of 313 W. Irving Boulevard**

Administrative Comments

1. This item is recommended by the Office of Economic Development.
2. **Impact:** Approval of this Second Amended and Restated Development Agreement with Vaquero Ventures would allow for the closing date for the sale of city-owned property at 313 W. Irving Blvd. to be extended, enabling the developer to obtain all necessary closing documents, such as an executed lease with Starbucks for the occupancy of the building to be constructed.
3. On October 3, 2019, City Council approved ORD-2019-10268 approving a Development Agreement with Vaquero Ventures Management, LLC to redevelop the city's property located at 313 W. Irving Blvd. by building a Starbucks coffee store with indoor seating, patio, and drive through.
4. The sale price of the city land is \$119,390.00. The Development Agreement includes certain criteria that must be included at the time of closing. Those criteria include (i) an executed lease with Starbucks to operate a Starbucks store with an initial term of not less than five (5) years; (ii) a Performance Bond in the full amount of the Purchase Price, guaranteeing the purchaser will take all actions reasonably necessary and required by the City to construct and occupy a minimum 2,100 square foot Starbucks coffee store on or before the Date of Occupancy; (iii) if necessary, obtain proper Zoning for the site plan; and, (iv) obtain a building permit for the construction of the coffee store.
5. Per the original agreement, closing was to occur on February 7, 2020, and Starbucks was to occupy the building by December 31, 2020.
6. Due to ongoing lease negotiation between the purchaser and Starbucks, Vaquero requested an extension to the closing date in order to submit all required documents at closing. Council approved an amendment to the Agreement on January 30, 2020, to extend the closing date by five (5) months to July 7, 2020.
7. Purchaser is still negotiating a Lease with Starbucks, which is due at closing. Purchaser estimates an additional 60 days for executed lease, plus an additional 30-60 days for ordering plans and permitting; therefore, has requested to extend the closing date by 150 days.

8. The Second Amended and Restated Development Agreement would extend the Closing Date to December 4, 2020. The Purchaser will deposit an additional \$10,000 Earnest Money, non-refundable except for Seller's Default and amend Date of Occupancy to October 28, 2021.

Recommendation

The resolution be approved.

33 Ordinance - Amending Chapter 16A "Hotel Occupancy Tax" of the Code of Ordinances of the City of Irving, Texas to Update the Penalty Provision

Administrative Comments

1. This item is recommended by Financial Services.
2. Impact: This Ordinance amends the Hotel Occupancy Tax section of the code of ordinances.
3. The penalty and interest charged on delinquent accounts is being changed to match State law. Interest will be charged at a rate of nine percent (9%) per annum beginning the first day of delinquency. A penalty of 15% will be charged beginning once the account is delinquent for a municipal fiscal quarter.

Recommendation

The ordinance be adopted.

INDIVIDUAL CONSIDERATION

34 Resolution - Approving the Allocations of the Community Development Block Grant COVID-19 Funds to Non-Profit Organizations in the Amount of \$293,400

Administrative Comments

1. This item is recommended by the Planning and Community Development Department.

2. **Impact:** This action will provide funding to local non-profit organizations to prevent, prepare for, and respond to the coronavirus (COVID-19).
3. On March 27, 2020, President Donald Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. This act allocated additional Community Development Block Grant Funds (CDBG-CV) and Emergency Solutions Grant Funds (ESG-CV) to states, counties, and local governments to address a range of housing and community development activities that prevent, prepare for, and respond to the coronavirus (COVID-19).
4. The City of Irving as an entitlement city received \$1,356,438 in CDBG-CV funds and \$678,434 in ESG-CV funds.
5. On May 20, 2020, the City Council approved \$800,000 of the CDBG-CV funds to be allocated to area agencies to assist with the prevention, preparation for, and response to the coronavirus (COVID-19).
6. The Planning and Community Development Department solicited applications from agencies from May 13 through May 22, 2020. The Housing and Human Services Board sub-committee reviewed all the submitted applications and recommended funding all the requests totaling \$293,400.
7. Funding in the amount of \$293,400 is available in the Outside Services budget within the Community Development Block Grant COVID-19 Fund.

Recommendation

The resolution be approved.

35 Resolution - Approving the Allocations of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds to Non-Profit Organizations in an Amount Not to Exceed \$6,250,000

Administrative Comments

1. This item is recommended by the City Manager's Office.
2. **Impact:** This action will provide funding to local non-profits organizations to prevent, prepare for, and respond to the coronavirus (COVID-19).
3. On March 27, 2020, President Donald Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The \$2 trillion economic relief package was designed to assist the nation's welfare and economy.
4. This act allocated \$250 million to Dallas County. Dallas County will distribute approximately \$75 million to 29 cities throughout the county. City of Irving will

receive \$13,223,100.

5. On June 4, 2020, City Council approved an Interlocal Agreement with Dallas County to facilitate the funding. In addition, City Council supported the preliminary funding recommendations presented by staff.
6. Within the funding recommendations, staff presented four programs for Economic Assistance Initiatives, which include Small Business Assistance, Housing & Utility Assistance, Childcare Center Assistance, and Childcare Payment Assistance.
7. Programs are to be administered by a third party organization.

Economic Assistance Initiatives Funding Allocations	
Small Business Assistance – (up to \$20,000)	\$2,500,000
Rent/Mortgage/Utility Assistance - \$6,000 (up to \$2,000 per month for 3 months.); eligibility 81-120% AMI	\$2,500,000
Childcare Center Assistance - \$5,000 per provider	\$500,000
Childcare Payment Assistance - \$2,550 each (up to \$850 per month, for 3 months)	\$750,000
Total Expenses	\$6,250,000

Recommendation

The resolution be approved.

ZONING CASES AND COMPANION ITEMS

- 36 Resolution - Considering Sign Variance Case #S2002-0032 to Allow an Electronic Monument Sign to be Less Than 100 Feet from a Residential Property Line- Property Located at 1004 South Story Road - Oak View Baptist Church, Applicant/Owner**

Administrative Comments

1. The applicant is seeking approval of a Sign Variance to allow a new electronic monument sign within 100 feet of a residential property line.
2. The Oak View Baptist Church is located at 1004 South Story Road in a residential area zoned R-6, therefore properties on all sides are zoned R-6. The location of the proposed sign is approximately 74 feet from the nearest property line across the

street.

3. The proposed monument sign is seven (7) feet tall and nine (9) feet wide, with a total of 63 square feet.
4. Chapter 7, Section 7-3 (6)c of the City of Irving Land Development Code states, "Electronic Signs shall be located one hundred (100) feet or more from a residentially-zoned property."
5. The proposed sign faces north and south, on the east side of Story Road. The affected residential properties are on the west side of the road.
6. The sign cannot be located in the existing sight and utility easement.
7. The existing pole sign in the City's right-of-way will be removed.
8. Since the sign is on an arterial road and does not directly face any single family homes, staff can support this request.

Recommendation

The Resolution be approved.

37 Ordinance - Zoning Case ZC19-0083 - Considering a Zoning Change from R-6 (Single Family) District Uses to S-P-2 (Generalized Site Plan) District for R-6 (Single Family) District Uses - Approximately 0.17 Acres Located at 2325 Spanish Trail - Don and Nancy Peters, Applicants/Owners

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: December 2, 2019 – Postponed Indefinitely 9-0. June 1, 2020 – Denial 6-1 (Commissioner McPhail, nay; Commissioners Zeske and Collins, absent)
2. The 2017 Imagine Irving Comprehensive Plan recommends *Residential Neighborhood* uses for the subject property, which allows predominantly single-family detached homes or duplexes with some mix of non-residential uses. This case does not meet any of the City's long term goals in the 2017 Imagine Irving Comprehensive Plan.
3. The owner is requesting a zoning change to allow a 24-foot by 25-foot carport attached to the front wall of the house in front of the garage. It appears the garage has not been converted to living space.
4. **An exception is being requested for the carport encroaching into the required 25-foot front setback by 9' 10", resulting in a 15'2" setback from the front property line.**
5. The front wall of the existing dwelling on this property is approximately 31.5 feet

from the front property line. The applicant has indicated the garage to which the carport will be attached is 40 feet from the front property line. A 25-foot long carport attached to the garage will measure 15'2" from the front property line.

	Required in R-6	Proposed
Front Setback	25 feet	15 feet 2 inches

6. The site plan provides that the carport will be constructed with brick posts and have a pitched roof. However, as of September 1, 2019, the city may no longer require or enforce any materials beyond those allowed by the building code.
7. There is currently one carport on this block of Spanish Trail between Story and Pearl Streets, on the south side of the street. This carport is constructed of metal with a flat roof and was previously approved by an S-P-2 (Generalized Site Plan) zoning case. Within a quarter mile, there are four (4) other carports, three of which received S-P-2 zoning approval for the carport. The fourth carport on Meadow Lark to the east appears to have been constructed without a building permit. At the P&Z hearing, the applicant provided the locations of other carports further than ¼ mile from the subject property.
8. A total of 32 public notices were mailed. Staff has received two (2) responses in support and none in opposition to this request.
9. This item supports Strategic Objective 3.5 – Effectively plan and manage land use:

Recommendation

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

38 Ordinance - Zoning Case #ZC19-0093 - Considering a Zoning Change from C-C (Community Commercial) District Uses to S-P-1 (Detailed Site Plan) for C-C (Community Commercial) District Uses - Approximately 0.724 Acres Located at 4900 W. Airport Freeway - Trax, Inc., Applicant/Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: February 3, 2020 – Postpone Indefinitely 9-0. June 1, 2020 – Denial 5-2 (Commissioners McPhail and Joy, nay; Commissioners Zeske and Collins, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. This land use category is described as auto-oriented district for retail, office and commercial uses with parking in front with buildings set back from the street. The requested zoning is in conformance with the

Comprehensive Plan.

3. Comprehensive Plan Strategy 1.5.8 is to approve new development that is consistent with and enhances existing development.
4. The property is currently developed with a 2,510 sq. ft. convenience store and gas station. The owner is proposing to expand the existing building in order to add a liquor store. The existing car wash will be remodeled to be incorporated into the proposed liquor store, which would encompass the car wash area as part of the expansion.
5. **The State Highway 183 Overlay District requires any nonresidential structure being expanded by 30 percent or more of its current value or area to be brought into compliance with the current standards of the zoning ordinance. The proposed liquor store will be 2,278 sq. ft. which includes the existing car wash. This will expand the building to 4,788 sq. ft., which is a 91% increase in area.**
6. The State Highway 183 Overlay District also requires that parking areas between the State Highway 183 right-of-way and a building be landscaped. Additionally, because the expansion is more than 30 percent of the current building size, **the applicant is required to provide a 30-foot wide landscape buffer along State Highway 183.** The property has an existing gas station canopy that is not being affected by the principal building expansion.
7. **The applicant is requesting an exception not to provide the 30 ft buffer or new landscaping on the site** due to location of the existing improvements, including the gas canopy and dumpster enclosure.
8. The site plan notes that the existing drive-through menu and the northwest drive approach to the existing car wash will be removed. No drive-through services will be provided, in accordance with the zoning ordinance requirements.
9. The State Highway 183 Overlay District requires one (1) parking space for every 250 square feet of retail use. Accordingly, 20 parking spaces are required for the expanded building. The proposed site plan shows an additional four (4) parking spaces being added and a total of 20 parking spaces for the site.
10. The State Highway 183 Overlay District was enacted specifically to guide new development and enhance the State Highway 183 corridor. Since the applicant is expanding the structure greater than 30% which triggers compliance with Section 52-64d (e)(1)b and (e)(2) of the State Highway 183 Overlay District, the applicant is required to install a full 30-foot deep landscape buffer.
11. A total of seven (7) public notices were mailed. Staff has received two (2) responses in support and none in opposition to this request.
12. This item support Strategic Objective 3.5 – Effectively plan and manage land use.

Recommendation

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

- 39 Ordinance - Zoning Case # ZC20-0010 - Considering a Comprehensive Plan Amendment from "Commercial Corridor" and "Open Space" to "Compact Neighborhood", and Considering a Proposed Zoning Change from M-FW (Freeway) District Use and R-SFA (Single Family Attached) District Use to S-P-2 (Generalized Site Plan) District Use for R-TH (Townhouse) Uses- Approximately 20.71 Acres Located at 920 S. Belt Line Road and 3324 W. Shady Grove Road - Frye Road 9 Acres LLC, Owner. JDJR Engineers Inc, Applicant (Postponed from the May 7, 2020 City Council Meeting)**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation – April 20, 2020 – Approval of R-TH zoning with no exceptions 5-3 (Commissioners Zeske, McPhail, and Collins, nay; Commissioner Patel, absent).
2. The applicant is requesting to amend the Comprehensive Plan recommendation of “Open Space” and “Commercial Corridor” to “Compact Neighborhood” and a zoning change to develop approximately 173 townhomes with exceptions to the R-TH development standards.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends *Commercial Corridor* uses for this property. This land use category is described as an auto-oriented district for retail, office and commercial uses. The requested zoning is not in conformance with the Comprehensive Plan
4. One of the major issues analyzed during the formation of the 2017 Imagine Irving Comprehensive Plan was the need to identify suitable tracts of land for residential development (especially a variety of types and of higher density than standard large lot single-family detached) to address Irving’s share of housing the anticipated population growth in the region out to the year 2040. This site would be ideal for the proposed townhouse use with needed retail/restaurant/commercial within 1-2 miles of the site to the north, east and south. This proposed development would support Strategies 1.5.7 and 1.5.8 of Goal 1 promoting a variety of single-family residential types and densities and approving new development that is consistent with and enhances existing development.
5. The subject property is a 20.71 acre undeveloped tract on the southeast corner of S. Belt Line Road and W. Shady Grove Road, with approximately 1,750 feet of frontage on S. Belt Line Road, and 117 feet of frontage on W. Shady Grove Road.

The applicant is requesting a zoning change to allow a 173-unit townhouse development with variances to the lot area, front yard setback, building height, distance between structures, and maximum lot coverage.

6. The majority of the property is currently zoned M-FW (Freeway) district, and a portion adjacent to W. Shady Grove is zoned R-SFA (Single-Family Attached) district. Right-of-way had previously been dedicated to widen Belt Line Road, and large utility easements exist adjacent to the Belt Line frontage. Large culverts were constructed as part of the drainage work which limits the driveway accessibility to Belt Line Road. Both floodplain and floodway cover a large portion of the western and southern portions of the property.
7. A commercial parcel is on the southeast corner of S. Belt Line Road and W. Shady Grove Road, northwest of the subject property. The Graff Farms residential development is adjacent to the east, rezoned in 2004 and developed for 361 R-6 (Single Family) lots.
8. The applicant has modified the site plan since the postponement request from the May 7 City Council hearing and is now asking for **the following exceptions to the R-TH zoning district:**

	Required for R-TH	Requested at PZ	Revised	Variance to TH Standards
Minimum lot area	2,240 sq. ft.	1,750 sq. ft.	2,125 sq. ft.	115 sq. ft.
Minimum lot depth	80 ft.	70 ft.	85 ft.	N/A
Front yard setback	25 ft.	15 ft.	10 ft.	15 ft.
Rear yard setback	25 ft.	10 ft.	25 ft.	N/A
Min. Distance b/w structures	12 ft.	10 ft.	10 ft.	2 ft.
Garage door setback (from alley)	25 ft.	10 ft.	25 ft.	N/A
Maximum lot coverage	70%	80%	80%	10%
Maximum building height	30 ft.	3 stories or 45 ft.	3 stories or 45 ft.	1 story or 15 ft.

The revised site plan **eliminates previous exception requests** to the lot depth, rear yard setback, and garage door setback. The revised site plan also reduces the exception to the minimum lot area. The exception to the front yard setback is increased; however, this is appropriate given the increase to the rear yard setback to allow for a driveway and additional parking.

9. Some of the property is located in FEMA floodplain and floodway. Significant changes were made to the property several years ago during a major drainage

improvement. **No floodplain studies have yet been submitted for this development to identify necessary mitigation.**

10. Two fire access points are required for the number of units in the development. Staff can support the proposed access points and bridge location. In addition, the applicant is aware that the height of the buildings over 30 ft. require a 26 ft. fire lane. This will be provided within the right of way at the time of platting and construction plans. Any on street parking limitations and related signage will be provided at that time.
11. The property must be platted prior to development. **The drainage/floodplain and access issues are typically addressed in the platting process.**
12. The site plan notes that a six-foot tall masonry screening wall will be constructed in private easements for the frontages along S. Belt Line Road and Shady Grove Road, subject to sight visibility and existing or proposed utility easements which will be provided in the platting process. The HOA will maintain these walls and a note will be provided at the time of platting. A fence is not required between the residential townhouse and single family uses nor is one provided on the site plan, however it is expected that the townhouse developer will provide a screening fence where one does not exist.
13. Open space is provided between the townhomes and the commercial property to the north, Belt Line Road to the west, and on scattered lots throughout the subdivision. All open spaces will be maintained by the HOA.
14. The proposed site plan establishes a minimum of 1,600 sq. ft. of air-conditioned living space per unit with two parking spaces to be provided within **rear garages with alley access.**
15. Comments made by Platting (Subdivision Ordinance), CIP, TxDOT, Fire, Parks and Water Department staff cannot be waived through the S-P-1 or S-P-2 site plan approval process. Approval of the zoning site plan does not constitute the acceptance of conditions and may need to be amended to match applicable code and engineering standards.
16. A total of 61 public notices were mailed. Staff has received no responses in support and 15 responses in opposition to this request. The opposition represents 8.09% 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.
17. The property is suitable for both the Compact Neighborhood land use and the R-TH zoning, and the development provides for housing needed by the community. Staff believes the exceptions requested in the revised site plan are appropriate, and can support this request.

Recommendation

The ordinance be approved with the site plan as revised.

40 Resolution - Special Fence Project Plan #ZC20-0019 - Considering a Variance to Chapter 15 of the City of Irving Land Development Code to Allow a Fence Along the Side Property Line Along Marie Lane - Property Located at 122 W. Vilbig Street - Marcus James, Applicant/Owner (Postponed from the June 4, 2020 City Council Meeting)

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendations: May 4, 2020 - Approval subject to the fence being limited to six (6) feet tall, 7-0 (Commissioners Kliner and Patel, absent). A revised site plan was provided to address the recommendations of the Planning and Zoning Commission.
2. The subject property is a 12,500 square foot single family lot in the Caster Estates 5 Addition. **The applicant is proposing a special fence project plan to allow an eight (8) foot tall fence along the side property line within a projected front yard along Marie Lane.** The applicant would be removing the existing 8-ft tall fence that is built over the property line.
3. The site is currently developed with a single family home that was constructed in 1955. The property is a corner lot and has double frontage on both W. Vilbig Street and Marie Lane. If built today, the house would have been constructed to face Marie Lane, like the home adjacent to it, in order to avoid creating a back yard that was adjacent to a front yard, also known as a “key lot.” However, the home was constructed to face W. Vilbig Street, and established the side yard on Marie Lane.
4. The current owner bought the home in 2019. Shortly thereafter, they received a Code Enforcement complaint regarding the portion of the fence along Marie Lane. At that time, it was discovered that the fence was constructed without a permit by the previous owners and within the projected front yard. (A projected front yard occurs when the side property line of one house is next to the front yard of the next house.) The fence is solid wood and is eight (8) feet tall along Marie Lane and connects to a six (6) foot solid wood fence along the south property line. The owner was cited for the fence not having a permit, the poor condition of the fence at the southeast corner of the lot, and the height and material of the fence.
5. The owner was instructed to obtain a fence permit, to repair the damaged areas, and to either alter the height of the fence to 4 feet with 50 percent through-visibility for a front yard fence or request a Special Fence Project Plan for the needed exceptions for height and a solid fence. Staff also realized, upon inspection of a survey of the property, that the fence was inadvertently constructed several inches into the right-of-way for Marie Lane. The fence must be moved so that it is no longer within the right-of-way. An exception cannot be given to this item.

6. Sec. 15-10 prohibits fences within the front yard or exterior side yard setback from exceeding four (4) feet in height, and such fences must also allow for 50 percent through-visibility. The applicant originally requested an exception to allow a solid wood fence that is eight (8) feet in height on the property line adjacent to Marie Lane. At the May 4, 2020 Planning and Zoning Commission meeting, the applicant agreed to reduce the height of the fence to six (6) feet, per the Planning and Zoning Commission request, and provided a revised site plan.
7. The applicant maintains that the reason for the request is to provide increased privacy, safety, and security for their side yard. The air conditioning units and other electrical boxes are located within the side yard and, additionally, the owner has a child whose bedroom window is on that side of the home.
8. The applicant was also made aware that the neighbor to the south, whose side yard abuts their rear yard, is also concerned about visibility when pulling out of his driveway. Because of this, the applicant is willing to move the fence to create a 10-foot visibility clip where their property lines meet.
9. While the sequence of past events that led to the violations at hand are not the fault of the current owner, the issue of the fence must be rectified. The applicant is willing to do the following:
 - Obtain a fence permit.
 - Repair the area of the fence that is damaged.
 - Move the fence to the property line.
 - Provide a 10-foot visibility clip where his rear property line meets his neighbor's side property line.
10. The applicant will still need the following exception:
 - An exception to locate a fence taller than four (4) feet that does not have 50 percent through-visibility on the property line in a projected front yard.
11. A total of 37 public notices were mailed. Staff has received 10 responses in support and 2 responses (from the same address) in opposition. The opposition represents 4.33% of the land within 200 feet of the subject property. Since this is not a zoning case, a simple majority is required for approval of this item.
- 12. During the June 4, 2020 City Council hearing, the applicant explained that he preferred the 8 ft. fence and intended to replace the entire fence on his rear property line at 8 ft. as allowed per code, and therefore the heights would be the same. The City Council postponed this case to give the applicant time to revise the site plan to provide an 8-foot tall fence on the east and south property lines with a 10-ft. x 10-ft. visibility clip. The site plan has been revised to reflect the entire fence line with an 8 ft. fence.**
13. Given the circumstances on when and how the property was developed, staff does not object to the fence being in the projected front yard along Marie Lane.

Recommendation

The resolution be approved for a maximum 8 ft. tall fence, per the revised site plan.

- 41 **Ordinance - Zoning Case ZC20-0028 - Considering a Zoning Change from S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) and Entertainment Uses to S-P-1 (Detailed Site Plan) District for R-AB (Restaurant with the Attendant Accessory Use of the Sale of Alcoholic Beverages for On-Premises Consumption) and Entertainment Uses - Approximately 11,693 Square Feet Located at 3554 West Airport Freeway - P&P Barragan, Applicant - Allenex Investments, Inc., Owner**

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 1, 2020 – Favorable 7-0 (Commissioners Zeske and Collins, absent).
2. The applicant is requesting a zoning change to revise a site plan that allows a restaurant with the accessory use of the sale of alcoholic beverages for on-premises consumption with entertainment uses.
3. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Neighborhood Commercial uses for this property. This land use category is described as mixed use commercial areas along major corridors. Opportunities for residential and commercial infill and reinvestment. The requested zoning is in conformance with the Comprehensive Plan.
4. The applicant's original request was heard by the Planning and Zoning Commission on February 3, 2020 and approved by the City Council on February 13, 2020. The applicant is requesting to make substantial changes to the interior floor plan layout, which requires that the zoning case be amended.
5. The subject property is a vacant 11,693 square foot lease space in a 32-acre multi-tenant retail center with shared parking. **The applicant is proposing to amend a recent rezoning to allow a restaurant to sell alcoholic beverages for on-premises consumption along with entertainment uses to change the floor plan and use layout.** The zoning case is necessary to make changes to the currently approved site plan, which extend beyond what could be approved by an administrative amendment.
6. The square footage of the current and proposed floor plans is as follows:

	Current (Approved Feb. 2020)	Proposed	% Change
Restaurant Seating Area	4,080 sq. ft.	2,448 sq. ft.	- 40.0%
Pool Table Area (Main)	1,853 sq. ft.	1,080 sq. ft.	- 41.7%
Amusement Area (incl. electronic gaming machines)	1,108 sq. ft.	1,972 sq. ft. (gaming and additional pool tables)	+ 78.0%
Kitchen and Bar (incl. serving area and storage)	1,529 sq. ft.	2,481 sq. ft.	+ 62.3%
Outdoor deck	539 sq. ft. no tables	539 sq. ft. (with tables)	0%
Stage floor	674 sq. ft.	400 sq. ft. (incl. dance floor)	- 40.7%
VIP Area	N/A	549 sq. ft.	+ 100%
Total seating	118 seats (indoor only) 105 for restaurant Not specified for bar area	166 seats (indoor & outdoor) 104 for restaurant 38 for bar area 24 on VIP outdoor deck	+ 40.7%

7. The proposed changes significantly alters the previous layout. The revised floor plan shows a 40% reduction of the restaurant area and more area devoted to entertainment (pool and gaming machines) and bar uses. The kitchen/food storage areas are larger and more restrooms have been added. The stage area is smaller and can be used as a dance floor. A 549 square foot VIP area has also been added. The outdoor deck is now proposing to have seating.

The restaurant area now indicates that there will be approximately 104 seats in the dining area, 38 seats in the bar area, and 24 seat on the outdoor deck accessible only to the VIP area only.

8. A total of 85 parking spaces are required at one space for each 100 square feet of restaurant/entertainment area. These spaces are provided from the existing 1,880 spaces that for the shopping center.

9. Under RAB zoning, the kitchen must be fully operational and food must be served at all times while the business is open to the public. The entertainment uses are secondary to the primary use as a restaurant and cannot operate independently. Dining tables and chairs cannot be moved or removed which would cease the operation of the business as a full service restaurant.

10. A total of eight (8) public notices were mailed. Staff has not received any responses

in support of or in opposition to this request.

11. Staff is concerned about the reduction of the restaurant area by 40% (from 4,080 sq. ft. to 2,888 sq. ft.), with an increase of the bar and entertainment areas of 23% (from 5,703 sq. ft. to 7,021 sq. ft.). In order to comply with the RAB zoning, the applicant must submit documents semi-annually to show that 50% or more of the gross food and beverage receipts is from food service. The applicant has indicated that they will be able to meet this requirement with this menu and floorplan. Therefore, Staff is supportive of restaurant and amusement uses to attract new customer traffic to the existing shopping center and the use is compatible with the surrounding area.

Recommendation

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

42 Ordinance - Zoning Change ZC20-0034 - Considering a Zoning Change from ML-20A (Light Industrial) District to S-P-2 (Generalized Site Plan) for ML-20A (Light Industrial) District Uses - Approximately 4.15 Acres Located at 5021 Statesman Drive - AJL International, Applicant - DCT Statesman, LLC, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 1, 2020 – Favorable 7-0 (Commissioners Zeske and Collins, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Business District uses for this property. This land use category is described as a flexible use district for retail, office and commercial uses. Predominantly mid-rise with a mix of surface and structured parking. The requested zoning is in conformance with the Comprehensive Plan.
3. This application is in support of Goal 1 of the 2017 *Imagine Irving Comprehensive Plan* ensuring that land use decisions are consistent with the adopted Comprehensive Plan and in particular Strategy 1.5.8 – Approve new development that is consistent with and enhances existing development.
4. The subject property is a 4.15 acre tract on the north side of Statesman Drive with a rail spur bisecting the property. **The applicant is requesting to rezone to allow outside storage of commercial vehicles and an outside car wash bay for those vehicles.**
5. The property is developed with a flex office/warehouse building. The ML-20a district does not allow outside parking of commercial vehicles. The applicant is proposing

to use the property to operate a chauffeured transportation company.

6. The property contains a triangle-shaped concrete area on the northeast side of the railroad spur that bisects the property. No striped or required parking is currently located in this area. This area currently includes a 5,000 square foot storage building that will be demolished. This area is already paved, and is only adjacent to a drainage channel to the east and undeveloped floodplain area to the north. **The applicant is seeking to use this area as an unscreened storage area for buses and other vehicles, such as limousines.**
7. Outside storage would be limited to buses and similar vehicles. Tractor trailers, heavy equipment, and other outside storage would not be permitted. Auto sales would also be prohibited on this site.
8. While the storage area is not screened, it is also not easily visible from the street, is adjacent to Grapevine Creek to the north and to a parking garage and drainage channel to the east. It is only visible to the back of an office warehouse building to the west.
9. Use of this area for outside storage will not remove any current parking spaces on the property.
10. Additionally, a covered **carwash bay is being added to service the vehicles. This will be a hand wash area under a permanent structure, and will be located behind the building** where there are currently dock doors and not visible from the public street. The example provided by the applicant shows a painted carwash area cover, with metal columns and a flat truss roof. A commercial wash sand trap for detergents and grease will need to be installed as part of the permitting process. No commercial washing of vehicles other than the chauffeur business is allowed.
11. A total of 11 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
12. Since the outdoor storage is limited to vehicles and has limited visual impact on surrounding properties, Staff has no objection to this use at this location.

Recommendation

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

43 Ordinance - Zoning Case ZC20-0025 - Considering a Zoning Change from HCD-TMU (Heritage Crossing District - Transit Mixed Use) to S-P-1 (Detailed Site Plan) District for HCD-TMU (Heritage Crossing District - Transit Mixed Use) and Wireless Telecommunications Facility Uses - Approximately 3.46 Acres Located at 201 Rock Island Road - Allpro Consulting Group, LLC, Applicant - Dallas Area Rapid Transit, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 1, 2020 – Favorable 7-0 (Commissioners Zeske and Collins, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Transit Oriented Development uses for this property. This land use category is described as “Mixed-use development serving nearby rail stations. Pedestrian-friendly streets and buildings, high quality design, and reduced parking”. The requested zoning is in conformance with the Comprehensive Plan.
3. Although the 2017 Imagine Irving Comprehensive Plan does not directly address placement of cell towers, it does under Strategy 2.2 of the Economic Development Goals, Strategies + Actions section seeks to “Establish Irving as the top location in the US for 5G innovation.” For this reason continued development of cell tower locations across the city serves a role in support this initiative.
4. The applicant **is proposing a new “Landmark Smart Light Standard”, which is a new light standard structure with radio and surveillance cameras for DART that will function as a cell tower on the property of the TRE Heritage Crossing Downtown Irving Station.** The triangular-shaped tower will be a **38.5-foot tall “light standard”** with six (6) bays, three (3) for antenna and three (3) for radio with concealment shrouds to screen the antenna arrays within the light standard.
5. The tower will include site lighting 20 feet off the ground.
6. The tower will be located near the eastern entrance to the bus and rail station area, approximately 39 feet north of Rock Island Road, approximately 215 feet from the east (side) property line and approximately 127 feet from the north (rear) property line. Access is provided from Rock Island Road through the drive aisle to the rail platform.
7. **The tower will be able to accommodate up to three antenna arrays for future cellular carriers. The antenna arrays will be screened with exterior “concealment shrouds”** painted white that is a “Mini Macro Multi-Tenant Light Standard”, a design that covers all the bay areas that house the equipment within the light poles.
8. New towers must be at least 200 feet or 3-to-1 ratio distance from residential buildings, whichever is greater, to provide for a fall zone. No residentially-zoned structures exist within 200 feet.
9. New towers must be separated from existing towers by 5,000 feet according to

Sect. 52-32d 2(b) 3 of the Zoning Ordinance. According to the map provided by the applicant, there is at least one other tower approximately 2,000 feet east of the subject property. However, given the small height and different nature of this tower, staff has no objections to the proximity to other towers.

10. DART is proposing to install kiosks and to replace standard light poles with a multi-tenant light standard at all of its locations, which will house a GPS receiver, video surveillance cameras and radio bays in addition to being able to accommodate cellular antenna uses.
11. This proposed case and **site plan are for consideration and approval of the “cell tower package” only** and the detail of the site plan will not apply to the remainder of the property.
12. A total of 15 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
13. Since the proposed “landmark light standard” tower is less than 40 feet tall, can accommodate up to three antenna for future carriers, is part of a kiosk and light package for DART and it is primarily surrounded by commercial uses, staff can support this request.

Recommendation

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

44 Ordinance - Zoning Change ZC20-0030 - Considering a Zoning Change from S-P-2 (Generalized Site Plan) District for FWY (Freeway) District Uses to S-P-1 (Detailed Site Plan) District for FWY (Freeway) District and Wireless Telecommunications Facility Uses - Approximately 3.035 Acres Located at 4200 Jackson Street - Allpro Consulting Group, Inc, Applicant - Dallas Area Rapid Transit, Owner

Administrative Comments

1. The Planning and Zoning Commission Hearing Date and Recommendation: June 1, 2020 – Favorable 7-0 (Commissioners Zeske and Collins, absent).
2. The 2017 Imagine Irving Comprehensive Plan Future Land Use Map recommends Transit Oriented Development uses for this property. This land use category is described as “Mixed-use development serving nearby rail stations. Pedestrian-friendly streets and buildings, high quality design, and reduced parking”. The requested zoning is in conformance with the Comprehensive Plan.
3. Although the 2017 Imagine Irving Comprehensive Plan does not directly address placement of cell towers, it does under Strategy 2.2 of the Economic Development Goals, Strategies + Actions section seeks to “Establish Irving as the top location in

the US for 5G innovation.” For this reason continued development of cell tower locations across the city serves a role in support this initiative.

4. The applicant is **proposing a new “Landmark Smart Light Standard”, which is a new light standard structure with radio and surveillance cameras for DART that will function as a cell tower on the property of the TRE West Irving Station.** The triangular-shaped tower will be a **38.5-foot tall** “light standard” with six (6) bays, three (3) for antenna and three (3) for radio with concealment shrouds to screen the antenna arrays within the light standard.
5. The tower will include site lighting 20 feet off the ground.
6. The tower will be within the station property, approximately 220 feet south of the western entrance from Jackson Street, approximately 329 feet east of the east (side) property line and approximately 267 feet north of the south property. Access is provided from Jackson Street through the drive aisle to the rail platform.
7. The tower will be able to accommodate up to three antenna arrays for future cellular carriers. The antenna arrays will be screened with exterior “concealment shrouds” painted white that is a “Mini Macro Multi-Tenant Light Standard”, a design that covers all the bay areas that house the equipment within the light poles.
8. New towers must be at least 200 feet or 3-to-1 ratio distance from residential buildings, whichever is greater, to provide for a fall zone. No residentially-zoned structures exist within 200 feet.
9. New towers must be separated from existing towers by 5,000 feet according to Sect. 52-32d 2(b) 3 of the Zoning Ordinance. According to the map provided by the applicant, there is at least one other tower approximately 4,800 feet east of the subject property. However, given the small height and different nature of this tower, staff has no objections to the proximity to other towers.
10. DART is proposing to install kiosks and to replace standard light poles with a multi-tenant light standard at all of its locations, which will house a GPS receiver, video surveillance cameras and radio bays in addition to being able to accommodate cellular antenna uses.
11. This proposed case and **site plan are for consideration and approval of the “cell tower package” only** and the detail of the site plan will not apply to the remainder of the property.
12. A total of 15 public notices were mailed. Staff has not received any responses in support of or in opposition to this request.
13. Since the proposed “landmark light standard” tower is less than 40 feet tall, can accommodate up to three antenna for future carriers, is part of a kiosk and light package for DART and it is primarily surrounded by commercial uses, staff can support this request.

Recommendation

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

APPOINTMENTS AND REPORTS

45 Resolution - Board Appointment to the Zoning Board of Adjustments and Appeals to an Unexpired Term

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. The City Council conducted interviews to fill various vacancies on October 14, 21 and 28, 2019.
4. The vacant position under consideration is for the Zoning Board of Adjustments and Appeals.

Recommendation

The resolution be approved.

46 Mayor's Report

Adjournment